

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521  
PHONE: (707) 826-8950  
FAX: (707) 826-8960  
WWW.COASTAL.CA.GOV



# Th7

**North Coast District Deputy Director's Report for October 2022****Prepared September 30, 2022 (for the October 13, 2022 Hearing)**

**To:** Commissioners and Interested Parties  
**From:** Shana Gray, North Coast District Deputy Director

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the North Coast District Office are being reported to the Commission on October 13, 2022. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's North Coast District Office in Arcata. Staff is asking for the Commission's concurrence on the waivers, immaterial amendments, and time extensions. The other items are presented for the Commission's information. Staff will report any objections received and any other relevant information on these items to the Commission when it considers the North Coast District Deputy Director's report on October 13th.

With respect to the October 13th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

**Items being reported on October 13, 2022 (see attached)**

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**Waivers**

- 1-22-0724-W, Kane – Well drilling (Big Lagoon area, Humboldt Co.)
- 1-22-0744-W, Ayala – Lot merger (Eureka area, Humboldt Co.)

**Immaterial Amendments**

- 1-99-0008-A1, Brown – Wages Creek bridge replacement (Westport area, Mendocino Co.)

**Emergency Permit Waivers**

- G-1-22-0004-W, HCSD – Emergency water main repairs near Elk River (Humboldt Co.)

**LCP Certifications**

- LCP Amend. No. LCP-1-EUR-20-0072-2 (Humboldt County – City of Eureka Sign Ordinance)

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** September 29, 2022

**To:** All Interested Parties

**From:** Melissa B. Kraemer, North Coast District Manager  
Catherine Mitchell, Coastal Planner

**Subject:** **Coastal Development Permit (CDP) Waiver 1-22-0724-W**

**Applicant:** Donald and Coral Kane

**Location:** 605 Big Lagoon Ranch Road, Big Lagoon Area, Humboldt County (APN: 518-051-034)

### Proposed Development

Drill a domestic well and install an associated well casing and submersible pump to serve a vacant property.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed development involves drilling of a test well for determining the availability of a water source to serve a future planned single family residence on the parcel (to be reviewed under a separate CDP application), which is currently undeveloped. The subject property is a 62-acre vacant lot locally planned and zoned for rural residential uses. The proposed new well, if productive, will be converted to a production well used for watering the applicants' large animals (mules) that occasionally graze the property and, if permitted under separate CDP authorization, to serve a future permitted residence on the property. The site consists of a large grassy meadow surrounded by forest habitat composed primarily of Sitka spruce, Douglas-fir, and coast redwood. No wetlands or watercourses occur on or near the proposed project area. All proposed work and staging areas will occur at least 50 feet from the edge of the forest and will involve no major vegetation removal. The proposed project would not adversely affect coastal resources, public access, or public recreation opportunities and is consistent with all applicable Chapter 3 policies of the Coastal Act.

### **Coastal Commission Review Procedure**

This waiver is not valid until it has been reported to the Coastal Commission and the site of the proposed development has been appropriately noticed, pursuant to sec. 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. **This waiver is proposed to be reported to the Commission on Thursday, October 13, 2022.** If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**PLEASE NOTE THAT THIS WILL BE A HYRIBID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED.** Please see the Coastal Commission's Hybrid Hearing Procedures posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email [northcoast@coastal.ca.gov](mailto:northcoast@coastal.ca.gov) or call 415-904-5202.

The in-person hearing will be held at **Best Western Island Palms Hotel & Marina, 2051 Shelter Island Dr., San Diego, CA 92106.** The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

**If you have any questions about the proposal, please contact Catherine Mitchell in the North Coast District office at [Catherine.Mitchell@coastal.ca.gov](mailto:Catherine.Mitchell@coastal.ca.gov).**

cc: Humboldt County Planning & Building Dept.  
Elizabeth Jurkoic, Pacific Affiliates (Agent)

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** September 29, 2022

**To:** All Interested Parties

**From:** Melissa B. Kraemer, North Coast District Manager  
Catherine Mitchell, Coastal Planner

**Subject:** **Coastal Development Permit (CDP) Waiver 1-22-0744-W**  
Applicant: Michele Ayala

**Location:** 1398 and 1404 Hoover Street, Eureka area, Humboldt County  
(APNs: 014-222-005 and 014-222-006)

### Proposed Development

Merger between a 0.52-acre developed residential lot and a 0.53-acre vacant residential lot resulting in a 1.05-acre developed residential lot.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The 0.52-acre lot is currently developed with an existing residence built in the early 1900s and a driveway. The 0.53-acre lot is adjacent to the developed lot and is vacant. Both lots are bordered by Hoover Street to the east, Eureka Slough to the west (approximately 50 feet from the property edges), and residential development to the north and south. The western half of the lots are vegetated and contain wetland and riparian habitat closer to the slough. The existing residence on the reconfigured merged lot will be located approximately 350 feet from the slough. Both lots are locally planned and zoned for residential single-family uses. The size of the resulting merged parcel will be consistent with the low-density designation for the area. The County approved a merger of the subject lots in June of 2022 pursuant to the Subdivision Map Act. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

### Procedural Note

The project site is bisected by the boundary between the Commission's retained jurisdiction and Humboldt County's certified LCP jurisdiction. The Applicant, the County, and the Executive Director have agreed to the processing of a consolidated CDP application by the Commission pursuant to Coastal Act section 30601.3(a)(2).

**Coastal Commission Review Procedure**

This waiver is not valid until it has been reported to the Coastal Commission and the site of the proposed development has been appropriately noticed, pursuant to sec. 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. **This waiver is proposed to be reported to the Commission on Thursday, October 13, 2022.** If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED.** Please see the Coastal Commission's Hybrid Hearing Procedures posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email [northcoast@coastal.ca.gov](mailto:northcoast@coastal.ca.gov) or call 415-904-5202.

The in-person hearing will be held at **Best Western Island Palms Hotel & Marina, 2051 Shelter Island Dr., San Diego, CA 92106.** The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

**If you have any questions about the proposal, please contact Catherine Mitchell in the North Coast District office at [Catherine.Mitchell@coastal.ca.gov](mailto:Catherine.Mitchell@coastal.ca.gov).**

cc: Humboldt County Planning & Building Dept.

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# NOTICE OF PROPOSED PERMIT AMENDMENT

**Date:** September 29, 2022  
**To:** All Interested Parties  
**From:** Melissa Kraemer, North Coast District Manager  
Tatiana Garcia, Coastal Program Analyst  
**Subject: Amendment to Coastal Development Permit (CDP) 1-99-008**  
Applicant: Steven Brown  
Agent: Melissa Schnetgoecke

**Project Site**

37700 North Highway 1 at the Westport Beach RV Park and Campground, one mile north of Westport, Mendocino County (APN 013-240-51)

**Original CDP Approval**

CDP 1-99-008 was approved by the Commission on September 13, 2000 and authorized, amongst other things, the replacement of a seasonal crossing over Wages Creek with a permanent, year-round 80-foot-long bridge.

**Proposed CDP Amendment**

CDP 1-99-008-A1 would authorize the repair of the previously authorized bridge crossing over Wages Creek. The bridge deck, which has been degraded by rust, will be cut from its foundational abutments, dismantled approximately 100 feet away from the Creek, and loaded onto a trailer before being trucked to a licensed recycle facility. The foundation abutments will be repaired and modified to raise the height of the bridge before the new decking is placed and secured onto the existing foundation. Cranes will be used to lift the bridge components during the removal and installation processes. No in water work will occur.

The Commission's reference number for this proposed amendment is **1-99-008-A1**.

**Executive Director's Immateriality Determination**

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The site has been used as a public commercial campground since the 1950's, providing for low-cost visitor services as well as convenient coastal access. The bridge crossing over Wages Creek, which is the subject of this current amendment, is failing and requires repairs in order to continue to be operational. As Wages Creek bisects the subject parcel, continued use

of the bridge is necessary to allow access to the campground facilities and Wages Creek Beach.

The proposed bridge repair work is anticipated to take approximately 5 days to complete, during which time, access to the campground facilities and Wages Creek Beach will be temporarily rerouted to a separate existing road. Only minor and temporary interruptions to public access are anticipated from the bridge repair work. Additionally, as previously stated, maintenance of the bridge is necessary to allow for continued safe public access and recreation to this site. Thus, the proposed improvements will not impact coastal access.

The proposed bridge repair work will occur above and near Wages Creek and its associated riparian habitat, but not within the wetted portions of the stream. An existing portion of road within the campground, approximately 100-feet away from Wages Creek, will be used for staging and stockpiling during construction. Further, the development as proposed will implement all provisions of the California Department of Fish and Wildlife (CDFW) Lake or Streambed Alteration Agreement, which requires numerous appropriate mitigation measures and best management practices to protect fish and wildlife resources. Specific measures of the LSAA include, but are not limited to, limiting work from June 1st- October 31<sup>st</sup>, prohibiting instream work within Wages Creek and the deposit of any debris into the Creek, limiting the amount of vegetation removal, and various administrative and reporting measures including allowing CDFW staff on site to monitor work during construction. Thus, the repair and maintenance project as proposed will protect the ESHA associated with Wages Creek.

The proposed bridge repair work includes raising the height of the bridge deck to 24.4 feet above mean sea level, above the 100-year base flood elevation of 22 feet as reported by Chapman Engineering. Because the new bridge components will be engineered to guarantee sufficient structural integrity associated with expected flood hazards, the repaired bridge will minimize risk associated with flood hazards at the project site.

Finally, the proposed design of the bridge will not substantially alter coastal scenic views, as the replacement bridge deck and railings will be similar to the existing bridge deck and railings. Therefore, maintenance and continued use of the bridge will not impact visual resources.

As the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

#### **Violations not Addressed in this Amendment**

Staff requested that the applicant include resolution of the existing violations through



this application, but the applicant declined to do so. The applicant is actively working to resolve extant violations on the property through pending CDP Application No. 1-14-0635. The applicant is not proposing to include resolution of the violations in this application and thus, even if this application is approved, and the permit is exercised, violations will remain on the subject property that will not be addressed by the Commission's action on this application.

Commission enforcement staff sent a Notice of Violation to the property owner regarding Violation file No. V-1-20-0010 (formerly V-2-14-0012) on March 18, 2014, informing the applicant that the grading and placement of approximately 1400 cubic yards of material within ESHA was in violation of the Coastal Act. The property owner subsequently submitted CDP Application No. 1-14-0635, filed April 9, 2014. While application No. 1-14-0635 was intended to authorize development required to resolve these violations, the application has not yet been filed as complete, and the violations remain unresolved.

Commission review and action on this permit does not constitute a waiver of any legal action with regard to the alleged violations (or any other violations), nor does it constitute an implied statement of the Commission's position regarding the legality of the development undertaken on the subject site without a coastal permit, or of any other development, except as otherwise expressed herein.

#### **Coastal Commission Review Procedure**

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to [NorthCoast@coastal.ca.gov](mailto:NorthCoast@coastal.ca.gov). If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday, October 13, 2022. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

**PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED.** Please see the **Coastal Commission's Hybrid Hearing Procedures** posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email [NorthCoast@coastal.ca.gov](mailto:NorthCoast@coastal.ca.gov) or call 415-904-5202.

The in-person hearing will be held at **Best Western Island Palms Hotel & Marina 2051 Shelter Island Dr., San Diego, CA 92106**. The Commission strongly encourages

continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

**If you have any questions about the proposal or wish to register an objection, please contact Tatiana Garcia in the North Coast District office.**

cc: Mendocino County Department of Planning and Building Services

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September 28, 2022

Stein Coriell, Senior Planner  
SHN Consulting Engineers & Geologists  
1062 G Street, Suite I  
Arcata, CA 95521

RE: Humboldt Community Services District Emergency Water Main Repairs, Eureka area, APN 305-031-011 (Emergency CDP Waiver No. G-1-22-0004-W)

Dear Mr. Coriell:

The purpose of this letter is to formally notify the Humboldt Community Services District (HCSD) that the Executive Director has determined that the subject emergency work qualifies for an emergency coastal development permit (CDP) waiver under section 30611 of the Coastal Act.

On April 19, 2022, you notified the Executive Director, on behalf of the HCSD, that emergency repair work would be conducted the following day on a water main break near the Elk River on APN 305-031-011 at the south end of Eureka. The emergency work involved excavating an approximately 5-foot-wide by 10-foot-long pit to a depth of approximately 5 feet to access the water main break site within coastal wetlands associated with the Elk River flood plain. The broken section of pipe was removed, and a replacement section was installed. Approximately 1,800 square feet of coastal wetland area was temporarily impacted due to access, staging, and construction.

On April 26, 2022, you again notified the Executive Director, on behalf of the HCSD, of two additional water main leaks that were detected during repairs to the aforementioned break. The emergency repair work to these leak sites, completed on April 26<sup>th</sup> and June 7<sup>th</sup>, involved temporary disturbance to an additional approximately 7,100-square-foot area within coastal wetlands associated with the Elk River flood plain.

All emergency repair work was deemed necessary to maintain essential public water service to the greater Eureka area. As confirmed through follow-up information submitted on August 29<sup>th</sup> (attached), the completed emergency work involved no permanent erection of structures valued at more than twenty-five thousand dollars (\$25,000).

Section 30611 waives the requirements for obtaining a CDP in cases when immediate action by a person or public agency performing a public service is required to protect life

G-1-22-0004-W  
Humboldt Community Services District

and public property from imminent danger or in other cases of emergency and when the development does not involve permanent development valued at more than \$25,000. Section 13144 of the Commission's regulations requires notification of the Executive Director within seven days of taking action as to why the emergency action was taken and providing verification that the action complied with the expenditure limits set forth in section 30611.

The Executive Director has determined that the emergency water main repair work described in submittals on April 19<sup>th</sup> and 26<sup>th</sup> and on August 29<sup>th</sup> complies with the requirements of section 30611. As such, the requirement to obtain a CDP for the project as described is waived.

The Executive Director will be reporting this determination to the Commission at its public meeting on October 13<sup>th</sup>, 2022.

Thank you for communicating and coordinating with us during this emergency. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa B. Kraemer". The signature is fluid and cursive, with the first name being the most prominent.

Melissa B. Kraemer  
North Coast District Manager

Att. Information received related to the emergency

Cc: Commissioners/File  
Humboldt Community Services District  
Humboldt County Planning and Building Dept.



Reference: 022070.101

August 29, 2022

Melissa Kraemer, District Manager  
California Coastal Commission  
North Coast District Office  
1385 8<sup>th</sup> Street, #130  
Arcata, CA 95521

**Subject: Request for Waiver from Coastal Development Permit Requirements –  
Humboldt Community Services District Water Main Emergency Repairs  
(APN 305-031-011)**

Dear Melissa:

This letter is to provide information in support of a waiver request on behalf of Humboldt Community Services District (HCSD) for emergency repairs to HCSD's water main on Assessor's parcel number (APN) 305-031-011. This letter summarizes and attaches information provided previously by email. The emergency repairs encompass actions taken in April 2022 and June 2022.

On April 19, 2022 I emailed the California Coastal Commission (CCC) and other permitting agencies to notify them of a water main break that required immediate emergency repairs (Attachment 1). On April 20, 2022 HCSD excavated the proposed work area and completed the repair as proposed. During this repair, HCSD identified the cause of the break as being a failed coupling that had been installed in 2019/20 (one of three repaired in 2019/20). As described in my April 26, 2022 email (Attachment 2), upon repressurizing the water main, HCSD field personnel detected an additional leak coming from the same water pipe on the other side of the slough channel. It had also been replaced in 2019/20 (two of three). This additional leak/break also needed to be repaired immediately to maintain essential public service. Based upon the failure of two out of three 2019/20 couplings, HCSD considered the third to also have a high likelihood of failure in the short term, and also replaced that one on June 7, 2022 as part of this emergency work. That work affected the same footprint as repair #1 and was conducted as detailed in Attachment 2. Three couplings were repaired in total. The area and volume calculations are included as Attachment 3.

The broken water main connects the Eureka side of HCSD's water system to the Humboldt Hill side. Without the repair, HCSD faced a potential inability to move water between the Eureka side and the Humboldt Hill side; therefore setting up a potential condition which, in a very short period of time, would impact the ability to provide potable water and fire protection flows (essential public services) in the event of a main water source failure on either side. HCSD has provided documentation that the



Melissa Kraemer

## **Request for Waiver – HCSD Water Main Emergency Repairs**

August 29, 2022

Page 2

total cost of emergency repairs is less than \$25,000 (Attachment 4). This appears consistent with the definition of emergency work subject to the waiver process contained in Section 30611 of the California Coastal Act.

If you have any questions or comments, please call me at 707-822-5785 or email me at scoriell@shn-engr.com.

Sincerely,

**SHN**



Stein Coriell, AICP  
Senior Planner

SEC:cet

Attachments: 

1. April 19, 2022 Email
2. April 26, 2022 Email
3. Area and Volume Calculations
4. Cost Sheet



**April 19, 2022 Email**

**1**

HCSD Water Break

014141.

4/19/22

Initial Notification sent to agencies 4/19/22

Stein Coriell

**From:** Stein Coriell  
**Sent:** Tuesday, April 19, 2022 4:18 PM  
**To:** Kraemer, Melissa@Coastal; 'Sirkin, L K CIV USARMY CESPN (USA)'; 'cespn-regulatory-info@usace.army.mil'; 'NorthCoast'; Bey, Ryan A.@Waterboards; 'Sanville, Cheri@Wildlife'; 'Hansberger, Laurie@Wildlife'; 'Johnson, Cliff'; 'Lazar, Steve'  
**Cc:** 'Ben Adams'; Tim Latham; Jared O'Barr *bounced back*  
**Subject:** HCSD Elk River water main break - description of emergency work  
**Attachments:** webGIS.pdf; google earth aerial\_r.pdf; Area and volume calcs.xlsx; photos\_20220419.pdf

All,  
 This email is to notify the relevant permitting agencies of a break in a Humboldt Community Services District (HCSD, District) water main that occurred today (4/19/22) at approximately 2:15 AM, and that requires immediate emergency repairs.

Description of the Emergency Situation

The break was identified remotely by computer at approximately 2:15 AM on 4/19/22 as a low tank alarm was triggered at the Blue Spruce Tank on Humboldt Hill upstream from the break site. The District was able to make a site visit on 4/19/22 at approximately 3 AM and confirm and isolate the break.

Emergency Justification

The broken water main connects the Eureka side of HCSD's water system to the Humboldt Hill side. Without the repair, HCSD faces a potential inability to move water between the Eureka side and the Humboldt Hill side; therefore setting up a potential condition which, in a very short period of time, would impact the ability to provide potable water and fire protection flows (essential public services) in the event of a main water source failure on either side.

Location of Emergency Work

The water main break is located on APN 305-031-011 at approximately latitude 40.750751 and longitude -124.187592 (see attached), accessible by existing access road from the west end of Pine Hill Road. At this location, two HCSD water lines cross the slough parallel to each other. The break is below ground at the eastern end of the southern pipe, near an existing HCSD access road.

Existing Conditions

Based on a 4/19/22 site visit, the emergency work location is accessible from an existing gravel access road off Pine Hill Road that provides access to within approximately 60 feet of the break. The access road is presumed upland, with a gravel fill prism, while the work area outside the road prism is presumed coastal wetland. The broken water main is an 8-inch diameter ductile iron pipe (DIP) where it crosses a slough channel, and below ground it is an 8-inch diameter C-900 PVC pipe with ductile iron fittings. The ductile iron fittings may have decomposed and failed due to the saltwater setting. The area is regularly inundated by tides, which also affects access to the site. Vegetation within the proposed work zone includes occurrences of Lyngbye's sedge (*Carex lyngbyei*), tufted hairgrass (*Deschampsia cespitosa*), and brackish-marsh-dependent vegetation community. As a result of the water discharged from the waterline break, approximately 1 cubic yard (cy) of existing pipe bedding material (pea gravel) has been washed onto the surface of the salt marsh and/or into the adjacent slough channel as the break location "self-excavated" due to water pressure (see attached photos).

Proposed Emergency Work

HCSD plans to repair the water line break as soon as possible, which is currently scheduled for tomorrow, Wednesday 4/20/22. The repair is expected to be accomplished within one day, within a single low tide window of opportunity. A 9:30 AM low tide (-1.3 feet) will allow site access. HCSD will use a plywood mat system as a surface stabilization



technique to prevent equipment from sinking into the wetland soils and to minimize impacts. It is anticipated that the repair will require HCSD to excavate an approximately 5 foot wide by 10 foot long pit, to a depth of approximately 5 feet. The total area to be potentially temporarily impacted by access, staging, and construction is approximately 30 feet by 60 feet, all presumed coastal wetland. Excavation of the break location will begin with the removal and stockpiling of the upper 6 to 12 inches of topsoil from the pit (including all plant matter which is to be preserved for replanting), followed by excavation and separate stockpiling of the remaining material to the required width and depth. The approximately 1 cy of displaced pea gravel will be collected using hand tools aided by a mini excavator or skid steer to minimize impacts to the salt marsh and slough channel. The broken or disconnected section of pipe will be removed and a replacement section installed. The broken pipe will be repaired in kind with C-900 PVC pipe, except that the District plans to use nonmetal slide couplings and encase the repair location in concrete to prevent recurrence of the problem. The dimensions of proposed concrete are 2 feet wide, 2 feet thick, and 6 to 8 feet long (approximately 1 cy). Due to the high groundwater and the site being regularly tidally inundated, it will be necessary to dewater the excavated pit prior to work. Because the dewatering volume is anticipated to be too great to be handled by a vacuum truck, dewatering water will be pumped into a settling and infiltration basin temporarily assembled within the 30x60 foot work area using hay bales, filter fabric, and sheet plastic. In this way the dewatering water can be settled out and discharged onsite with minimal impact. Equipment for the emergency repair will consist of a mini excavator, skid steer, and dump truck. A qualified wildlife biologist will do a pre-construction nesting bird survey prior to the work.

#### Impact Description

Up to approximately 1,800 square feet (sf) of coastal wetland (30 ft by 60 ft) will be temporarily impacted by the emergency repair due to access, staging, and construction. Up to approximately 9 cubic yards of material will be excavated within the 5 ft by 10 foot excavation area in order to perform pipe repair. Spoils will be temporarily stockpiled within the 30 ft by 60 ft work area. After pipe and concrete placement, the excavated area will then be backfilled with pipe bedding material and then the trench will be backfilled with base rock (as needed to replace native soils lost), and then topped with native soil spoils, including the upper 6 to 12 inches of topsoil and plant matter that was initially removed from the excavated area. No permanent impacts are proposed or anticipated.

#### Restoration of Pre-project Conditions

In all areas subject to soil disturbance, the upper 6 to 12 inches of topsoil excavated will be separately stockpiled and kept moist and then will be immediately replaced at the top of the excavated area. The vegetation is expected to recover naturally without seeding or mitigation planting.

#### Permitting

HCSD plans to complete emergency permit applications as soon as possible, as directed by your agencies. Based on past experience in this setting, CDFW is anticipated to decline jurisdiction because the project is located in a salt marsh. Humboldt County is anticipated to not require a permit because the project is located in the coastal zone and no SMA ordinance or special permit applies. A Coastal Development Permit Waiver may be applicable from the Coastal Commission. An RGP5 may be applicable from the USACE and NCRWQCB requirements will depend on USACE's approach. Please indicate which permitting pathways apply and provide application materials or links as appropriate. I included everyone in this email for simplicity but let me know if I should add or remove anyone.

Thank you,

**Stein Coriell, AICP**

Senior Planner



Civil Engineering, Environmental Services,  
Geosciences, Planning & Permitting, Surveying

[www.shn-engr.com](http://www.shn-engr.com)



# ArcGIS Web Map

Humboldt County Planning and Building Department

Printed: April 19, 2022

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:  
While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.



0 1,350 2,700 5,400 Feet  
0 0.25 0.5 1 Miles  
1 in = 2,922 ft  
RF = 1:35,060

Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
Humboldt County GIS  
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

**Points**  
 Override 1

**Highways and Roads**  
 Principal Arterials  
 Minor Arterials  
 Major Collectors  
 Minor Collectors  
 Local Roads  
 Private or Unclassified  
 Major River or Stream  
 Intermittent  
 Subsurface

**Blue Line Streams**  
 Perennial 1-3  
 Perennial >4

**City Boundary**  
 City Boundary  
 City Boundary (750K)

# HCSD Water Main Break

Write a description for your map.

## Legend



40.750751, -124.187592

40.750751, -124.187592

Pine Hill Rd

Google Earth

200 ft



**HCSD Water Main Break - Emergency Repair**

**014141.**

**4/19/2022**

**Wetland Area Temporarily Affected**

Width (ft)	Length (ft)	Area (sf)	Area (acres)
30	60	1800	0.04

**Volume Removed/Replaced**

Width (ft)	Length (ft)	Depth (ft)	Volume (cf)	Volume (cy)
5	10	5	250	9



4/19/22 – Emergency Repair Location - Overview



4/19/22 – Emergency Repair Location – See displaced gravel



4/19/22 – Emergency Repair Location – See broken/detached pipe in self-excavated hole



4/19/22 – Emergency Repair Location – See displaced gravel

**April 26, 2022 Email**

**2**

Second notification sent to agencies 4/26/22

4/26/22

**Stein Coriell**

**From:** Stein Coriell  
**Sent:** Tuesday, April 26, 2022 12:38 PM  
**To:** Kraemer, Melissa@Coastal; Sirkin, L K CIV USARMY CESPN (USA); cespn-regulatory-info@usace.army.mil; NorthCoast; Bey, Ryan A.@Waterboards  
**Cc:** Ben Adams; Tim Latham; Jared O'Barr  
**Subject:** HCSO water main break - description of additional emergency work  
**Attachments:** emergency repairs 1-3.pdf; HCSO\_WaterBreak2\_BioAvoidance.pdf; photos\_20220425.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

All,

This email follows my 4/19/22 email which notified of emergency water main repairs needed by Humboldt Community Services District (HCSO). On 4/20/22 HCSO excavated the proposed work area and completed the repair as proposed. During this repair, HCSO identified the cause of the break as being a failed coupling that was installed in 2019/20 (one of three repaired in 2019/20). Yesterday, upon repressurizing the water main, HCSO field personnel detected an additional leak coming from the same water pipe on the other side of the slough channel. It was also replaced in 2019/20 (two of three) This additional leak/break also needs to be repaired immediately to maintain essential public service. Based upon the failure of two out of three 2019/20 couplings, HCSO considers the third to also have a high likelihood of failure in the short term, and plans to replace that one as part of this emergency work. The first attachment shows the 3 emergency repair locations. The second shows the proposed access route to site #2, as used in 2019/20. The third shows photos from yesterday of the completed repair #1 and looking across the slough channel at #2. HCSO plans to repair sites #2 today during a low tide, and #3 as soon as possible using the same methods as previous – use plywood mat system to stabilize the surface; set aside and replace top 6-12"; use a hay bale, filter fabric, and plastic dewatering system; replace failed couplings with nonmetal slide couplings and encase the repair location in 1 cy concrete. The approximate disturbance area for site #2 (including access, staging, and work area) is 7,100 sf. The excavation area for site #2 is approximately 30 ft by 15 ft and 5 ft deep. The repair of site #3 is within the same work area as #1 and will repeat that process. HCSO will submit emergency permit applications as soon as the emergency work is complete unless we hear otherwise from your agencies.

Thank you,

**Stein Coriell, AICP**

Senior Planner



Civil Engineering, Environmental Services,  
 Geosciences, Planning & Permitting, Surveying

[www.shn-engr.com](http://www.shn-engr.com)

1062 G St., Suite I, Arcata, CA 95521  
 (707) 822-5785 w





**Legend**  
D st  
Feature 1



100 ft

Hill Rd

Pine Hill Rd

1

3

2

# Untitled Map

Write a description for your map.

Google Earth





4/25/22 – Emergency repair site #1 completed



4/25/22 – Emergency repair site #2 is located on far side (west side) of left (southern) pipe and emergency repair site #3 is located on the near side (east side) of right (northern) pipe.

# **Area and Volume Calculations**

**3**

**HCSD Elk River Water Main Emergency Repairs Project**  
**022070.101**  
**6/22/2022**

**Wetland Area Temporarily Affected**

Repair Site	Width (ft)	Length (ft)	Area (sf)	Area (acres)
1, 3	30	60	1,800	0.041
2	irregular shape		7,100	0.163
Total			8,900	0.204

**Volume Removed/Replaced**

Repair Site	Width (ft)	Length (ft)	Depth (ft)	Volume (cf)	Volume (cy)
1, 3	5	10	5	250	9
2	15	30	5	2,250	83
Total				2,500	93

**Cost Sheet**

**4**

HCSD Elk River Water Main Break Cost Sheet  
2022

<b>Date</b>	<b>Name of Business</b>	<b>Description</b>	<b>Cost</b>
4/20/2022	Thrifty Supply	Parts	\$ 135.00
4/20/2022	Thrifty Supply	Parts	\$ 406.00
4/20/2022	Powell's Landscaping	Material	\$ 217.41
4/27/2022	Thrifty Supply	Parts	\$ 135.00
4/27/2022	Thrifty Supply	Parts	\$ 406.00
4/27/2022	Powell's Landscaping	Material	\$ 434.82
4/27/2022	Don's Rent-All	Equipment Rental	\$ 180.00
6/7/2022	Powell's Landscaping	Material	\$ 390.03
6/7/2022	Keenan Supply	Parts	\$ 195.75
6/7/2022	Keenan Supply	Parts	\$ 980.91
6/7/2022	Keenan Supply	Material	\$ 14.54
6/7/2022	Thrifty Supply	Parts	\$ 135.00
6/7/2022	Keenan Supply	Parts	\$ 196.33
Varies	HCSD Yard Tanks	Fuel	\$ 700.00
Varies	City of Eureka Lab	Lab samples/results	\$ 100.00
		Parts & Materials:	\$ 4,626.79
		Field Labor:	\$ 14,580.00
		Engineering & Planning:	\$ 3,722.10
		Project Total:	\$ 23,028.89

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 8<sup>th</sup> STREET SUITE 130  
ARCATA, CA 95521  
VOICE (707) 826-8950  
FAX (707) 826-8960

**Prepared September 29, 2022 for the October 13, 2022 Hearing**

**TO:** Coastal Commissioners and Interested Persons

**FROM:** John Ainsworth, Executive Director  
Tatiana Garcia, Coastal program Analyst

**SUBJECT: Executive Director's determination that the action of the City of Eureka accepting the Commission's certification of LCP Amendment No. LCP-1-EUR-20-0072-2, (Signs) is legally adequate.**

---

On July 13, 2022, the Commission approved the City of Eureka's Local Coastal Program (LCP) Amendment No. LCP-1-EUR-20-0072-2, with suggested modifications. The LCP amendment amends the City's Implementation Plan portion of the certified LCP pertaining to signs. The suggested modifications relate to ensuring sign brightness conforms with International Dark Sky Association standards, to require digital signs obtain a creative sign permit, a prohibition on signs in natural resource (NR) zoned areas, and other modifications.

By its actions adopting Resolution No. 2022- 47 and Ordinance No. 936-C.S. on September 20, 2022, the City of Eureka City Council has acknowledged and accepted the Commission's suggested modifications and agreed to issue CDPs pursuant to the updated LCP as modified. Pursuant to section 13544 of Title 14 of the California Code of Regulations, the Executive Director has determined that the actions taken by the City are legally adequate to satisfy the terms and requirements of the Commission's certification.

**Attachments**

- Att. 1: Notification of Effective Certification Letter (to send after Commission action)
- Att. 2: Resolution No. 2022- 47
- Att. 3: Ordinance No. 936-C.S.



**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521  
VOICE (707) 826-8950  
FAX (707) 826-8960



October 14, 2022

City of Eureka- Development Services Department  
Attn: Kristen Goetz, Principal Planner  
531 K Street  
Eureka, CA 95501

RE: Effective Certification of City of Eureka's Local Coastal Program (LCP) Amendment  
No. LCP-1-EUR-20-0072-2 (Signs)

Dear Kristen:

The Executive Director of the Coastal Commission has reviewed Eureka City Council Resolution No. 2022-47 and Ordinance No. 936-C.S. for effective certification of the County's LCP Amendment No. LCP-1-EUR-20-0072-2, approved with suggested modifications by the Coastal Commission at its July 13, 2022 meeting. By its actions on September 20, 2022, the City formally acknowledged and accepted the Commission's certification of the LCP amendment including the suggested modifications. The City's acknowledgement agrees to issue coastal development permits in conformance with the certified LCP.

The Executive Director has found that the City's resolutions and ordinances fulfill the requirements of Section 13544(a) of Title 14 of the California Code of Regulations. In accordance with Section 13544(b) of the regulations, the Director has determined that the City's actions are legally adequate. This determination was reported to the Coastal Commission at its meeting of October 13, 2022.

Commission approval and the amendment process are now complete. Commission staff remains available to assist you and your staff as you continue to develop and implement the City's LCP. If you have any questions, please contact me at (707) 826-8650 ext. 7 or [Tatiana.Garcia@coastal.ca.gov](mailto:Tatiana.Garcia@coastal.ca.gov).

Sincerely,

*Tatiana Garcia*

Tatiana Garcia  
Coastal Program Analyst

**RESOLUTION NO. 2022-47**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA REQUESTING  
CERTIFICATION OF THE MODIFIED SIGN ORDINANCE**

**WHEREAS**, the City of Eureka desires to certify language to regulate Signs in the coastal zone; and

**WHEREAS**, in September, 2020, the City of Eureka adopted an ordinance amending the text of the Implementation Plan portion of the City of Eureka Local Coastal Program pertaining to Signs and transmitted the Local Coastal Program Amendment application to the California Coastal Commission for certification; and

**WHEREAS**, on July 13, 2022, the California Coastal Commission adopted Resolutions certifying Implementation Plan Amendment No. LCP-1-EUR-20-0072-2 for the City of Eureka if modified as suggested.

**NOW, THEREFORE, BE IT RESOLVED BY** the City Council of the City of Eureka as follows:

**SECTION 1:** The City of Eureka acknowledges receipt of California Coastal Commission Resolutions A and B as adopted by the Coastal Commission on July 13, 2022, and on file with Development Services - Planning.

**SECTION 2:** The City of Eureka accepts and agrees to the modifications suggested by the California Coastal Commission by adopting Ordinance 936-C.S..

**SECTION 3:** The City of Eureka agrees to issue Sign Coastal Development Permits subject to the approved Local Coastal Program.

**SECTION 4** The City Council requests the Coastal Commission accept the Executive Director's determination the resolution by the City of Eureka is legally adequate; and file the determination with the Secretary of Resources.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Eureka, County of Humboldt, State of California, on the 20<sup>th</sup> day of September, 2022, by the following vote:

**AYES:** COUNCIL MEMBERS: CASTELLANO, MOULTON, ARROYO, BAUER, BERGEL

**NOES:** COUNCIL MEMBERS:

**ABSENT:** COUNCIL MEMBERS:



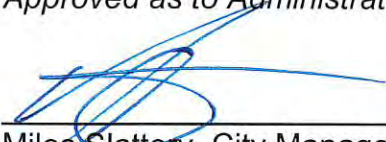
Susan Seaman, Mayor of the City of Eureka

*Attest:*



Pamela J. Powell, City Clerk

*Approved as to Administration:*



Miles Slattery, City Manager

*Approved as to form:*



Autumn Luna, City Attorney

**AN ORDINANCE OF THE CITY OF EUREKA REPEALING AND REPLACING  
EUREKA MUNICIPAL CODE TITLE 10 CHAPTER 5 ARTICLE 17 SIGNS AND  
AMENDING ARTICLE 1 GENERAL, ARTICLE 18 SITE PLAN REVIEW AND  
ARCHITECTURAL REVIEW, ARTICLE 22 NONCONFORMING USES,  
STRUCTURES, AND SIGNS, ARTICLE 26 ZONING PERMITS AND  
CERTIFICATES OF OCCUPANCY, AND ARTICLE 29 COASTAL DEVELOPMENT  
PERMIT PROCEDURES PERTAINING TO SIGNS**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:**

**Section 1.**

Eureka Municipal Code Title 10 Chapter 5 Article 17 Signs is hereby repealed and replaced as follows:

**Article 17. Signs**

**Sec. 10-5.1701. Purposes and scope.**

In order to maintain the attractiveness and orderliness of the City appearance and to protect the public safety, this section establishes standards relating to the permitted type, size, dimensions, placement, number, and design of signs. The intent of these standards is to:

- (a) Support economically viable businesses serving city residents, workers, and visitors;
- (b) Allow for signage that identifies businesses and other properties in a fair and equitable manner;
- (c) Allow persons to exercise their free speech rights protected under the U.S. and California Constitutions;
- (d) Promote the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the community's expressed desire for quality development;
- (e) Ensure that signs are compatible with their surroundings;
- (f) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage;
- (g) Emphasize Eureka's small-town historical character by promoting pedestrian-oriented and appropriately-scaled signage in all parts of town other than Broadway;
- (h) Acknowledge Broadway's role as a primarily vehicular corridor through Eureka and allow for larger-scale and more vehicle-oriented signs on Broadway while still emphasizing aesthetic quality and scales appropriate for Eureka; and
- (i) Allow for a simple and streamlined sign permitting process.

**Sec. 10-5.1702. Applicability.**

Unless specifically exempted, all signs in Eureka must comply with the requirements

of this section, including signs for which a City permit or other approval is not required.

**Sec. 10-5.1703. Signs allowed without sign permits.**

**10-5.1703.1. Types of signs.**

The following signs are exempt from the permit requirements of this section except for the coastal development permit requirements of 10-5.1707.7 and are not counted towards the allowable sign area or number of signs:

(a) Street, apartment, unit, suite numbers, and nameplates, not greater than four inches in height for residential uses, and not greater than six inches in height for commercial uses.

(b) One commemorative plaque identifying a building name, date of construction, or similar information that is cut into, carved, or made of stone, concrete, metal, or other similar permanent material. Commemorative plaques may not be illuminated.

(c) Holiday and cultural observance decorations on private property which do not include any commercial advertising.

(d) Non-digital sandwich board signs on private property, not to exceed a vertical or horizontal dimension of four feet.

(e) On-site directional signs located entirely on the property to which they pertain, identifying direction to parking, restrooms, and similar public facilities, each not exceeding five feet in height and five square feet in area for non-residential uses, and two square feet for residential uses.

(f) One directory sign per street frontage as follows:

(a) Maximum area: one square foot per tenant.

(b) Maximum height: six feet if freestanding.

(c) Internal illumination prohibited.

(g) One single, non-illuminated, wall-mounted outdoor sign of not more than two square feet in area.

(h) Each lot containing a legally authorized vacation dwelling unit use may display one single, non-illuminated, wall-mounted outdoor sign of not more than two square feet.

(i) Flags bearing noncommercial messages or graphic symbols.

(j) Signs installed or required by a governmental agency, including signs advertising community activities and local nonprofit, civic, or fraternal organizations.

(k) Signs with information for the safety and convenience of the public such as address, hours and days of operation, whether a business is open or closed, no smoking notices, up to three square feet per sign and 10 square feet in total. Excludes internally illuminated window signs.

(l) Signs within a building, or on the premises of a building, that are not visible from the public right-of-way and are intended for interior viewing only.

(m) Window signs consistent with Table 17-3 (Window Signs, Non-Illuminated) and Table 17-4 (Window Signs, Internally Illuminated). Signs may not move or appear to move, change intensity, color, or pattern at any time, and may not create a public nuisance or hazard due to glare or halo effect.

(n) Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial or public or semipublic use, including but not limited to telephone booths, restrooms, vending machines, automated teller machines, gasoline pumps, drive-thru restaurant menu boards, and other signs of an instructive nature.

(o) "No trespassing" signs, each not more than one square foot in size, placed at each corner and each entrance to a property, and at intervals of not less than 100 feet, or in compliance with the requirements of state or federal law.

(p) One bulletin board on a parcel occupied by a non-commercial place of public assembly, with a maximum area of 12 square feet.

(q) Real estate listings posted in the window of a real estate office, with a maximum area of 25 percent of the total window area.

(r) Restaurant menu signs attached to a building.

(s) Service station price signs as required by State law. (See Business and Professions Code Section 13530). Service station signs may include digital displays; however, the digital display may change no more than once a day. Digital displays must comply with brightness limitations in Table 17-10 (Digital Signs).

(t) Temporary signs consistent with 10-5.1710 (Temporary Signs).

#### **10-5.1703.2. Routine maintenance.**

The painting, cleaning, repair, and normal maintenance of a legally-established sign in conformance with 10-5.1709.5 (Maintenance) is allowed by-right, without a zoning permit or other form of Department approval, except as provided by Sec. 10-5.1707.7.(a). Maintenance of a nonconforming sign is allowed pursuant to Sec. 10-5.2202 of Article 22 (Nonconforming Uses, Structures, and Signs).

#### **10-5.1703.3. Murals and decorations.**

Murals, decorations, and design elements on the exterior of a building that do not advertise a product, business, or service are not considered signs and are not subject to the requirements of this section. Advertisement includes text displaying the name of a business, text displaying the name of a product, text publicizing a service, business-specific logos, and product-specific logos.

### **Sec. 10-5.1704. Prohibited signs**

#### **10-5.1704. 1. Prohibited sign types.**

The following types of signs are prohibited:

(a) Banner signs, feather banners, yard signs, and inflatable balloon signs, except when used as a temporary sign consistent with 10-5.1710 (Temporary signs).

(b) Beacon signs and searchlights.

(c) Human directional and advertising signs.

(d) New off-premise signs established on or after [add date ordinance certified by the Coastal Commission].

(e) Ticker signs.

**10-5.1704.2. Prohibited location or placement.**

Signs placed in the following locations are prohibited:

- (a) Signs attached to or placed adjacent to any utility pole, parking meter, traffic signpost, traffic signal, or any other traffic control device except when installed by a governmental agency.
  - (b) Signs attached to trees.
  - (c) Signs erected or maintained with horizontal or vertical clearance from overhead utilities less than required by a governmental agency.
  - (d) Signs installed without permission of the property owner or the owner's agent.
  - (e) Signs mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a business establishment. This prohibition does not limit the use of business logos, identification, or advertising on vehicles actively used for business purposes and/or personal transportation.
  - (f) Signs in the public right-of-way or projecting over a public street which have not received an encroachment permit.
  - (g) Signs that obstruct or interfere with a traffic control sign or signal.
  - (h) Signs that obstruct or interfere with the free use of a fire escape, exit, stairway, door, ventilator or window in violation of the California Building or Fire Code.
  - (i) In the coastal zone, signs that interfere with public access inconsistent with the public access policies of the Coastal Act or the City's certified Local Coastal Program.
- Signs that conflict with 10-5.2925 (Traffic site obstructions) or signs that otherwise interfere with visibility at an intersection, public right-of-way, driveway, or other point of ingress/egress. The City may require sign setbacks greater than specified in this section to maintain adequate visibility for motorists and pedestrians.

**10-5.1704.3. Prohibited design features.**

Signs with the following design features and/or physical characteristics are prohibited:

- (a) Signs containing mirrors and signs that constitute a traffic hazard due to highly reflective or fluorescent materials.
- (b) Signs that simulate in size, color, lettering, or design a traffic control sign or signal.
- (c) Signs that blink, except chase lighting (see Illumination (10-5.1709.8)).
- (d) Signs that flash, strobe, or change intensity.
- (e) Signs emitting audible sounds, odor, fumes, smoke, flames, or other visible matter.
- (f) Signs that feature a flag, pennant, whirligig, or any devices that wave, flutter, rotate or display other movement under the influence of wind.

**10-5.1704.4. Prohibited sign content.**

- (a) The following sign content is prohibited:
  - (i) Obscene or indecent text or graphics.

- (ii) Text or graphics that advertise unlawful activity under state or local laws.
- (iii) Text or graphics that constitute defamation, incitement to imminent lawless action, or true threats.
- (iv) Text or graphics that present a clear and present danger due to their potential confusion with signs that provide public safety information (for example, signs that use the words "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).

(b) The content prohibited by Paragraph (a) above is either not protected by the United States or California Constitutions or is offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each subparagraph of Paragraph (a) above be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or California Constitutions.

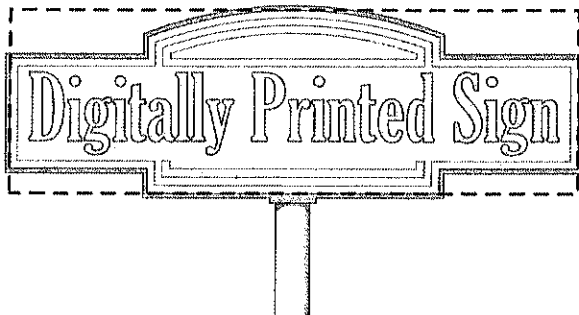
**10-5.1705. Rules of measurement.**

**10-5.1705.1. Calculating sign area.**

(a) Sign area for digitally-printed signs is measured as the area within a single rectangle that completely enclose the sign copy and graphics, as well as any frame, material, or color that is an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. See Figure 17-1.

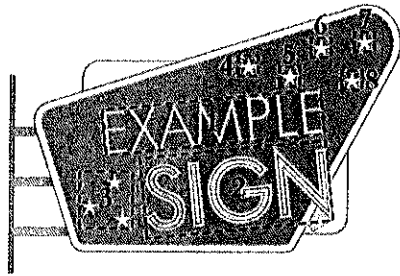
(b) For all signs other than digitally-printed signs, sign area is measured as the area within up to eight rectangles that completely enclose the sign copy and graphics. See Figure 17-2.

**Figure 17-1: Sign area measurement – Digitally-printed signs.**



**Figure 17-2: Sign area measurement – All other sign types**



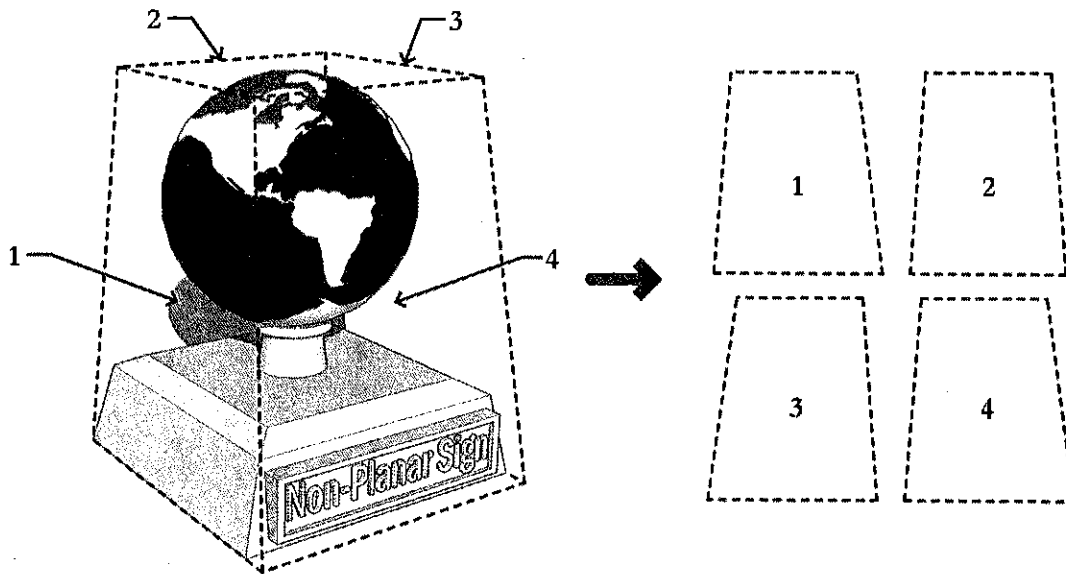


(c) Supporting framework or bracing that is clearly incidental to the display itself is not calculated as sign area.

(d) For projecting and other double-faced (back-to-back) signs with identical faces, only one display face is counted in the sign area measurement if the distance between each sign face does not exceed 36 inches and the two faces are parallel with each other.

(e) The area of spherical, free-form, sculptural, or other non-planar signs is measured as 50 percent of the sum of the area enclosed within the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. See Figure 17-3.

**Figure 17-3: Non-planer sign area.**



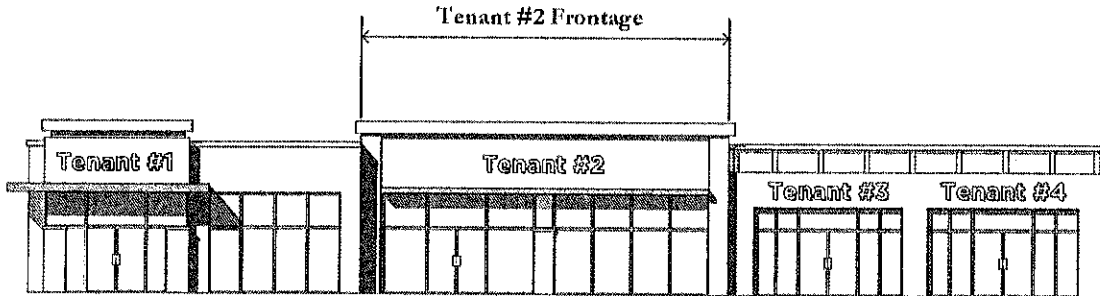
**10-5.1706. Tenant frontage.**

**10-5.1706.1. General.**

(a) Tenant frontage is the linear measurement of a tenant's building wall that abuts a street, parking lot that abuts a street, or pedestrian walkway. See Figure 17-4.

(b) Tenant frontage does not include building walls fronting an alley.

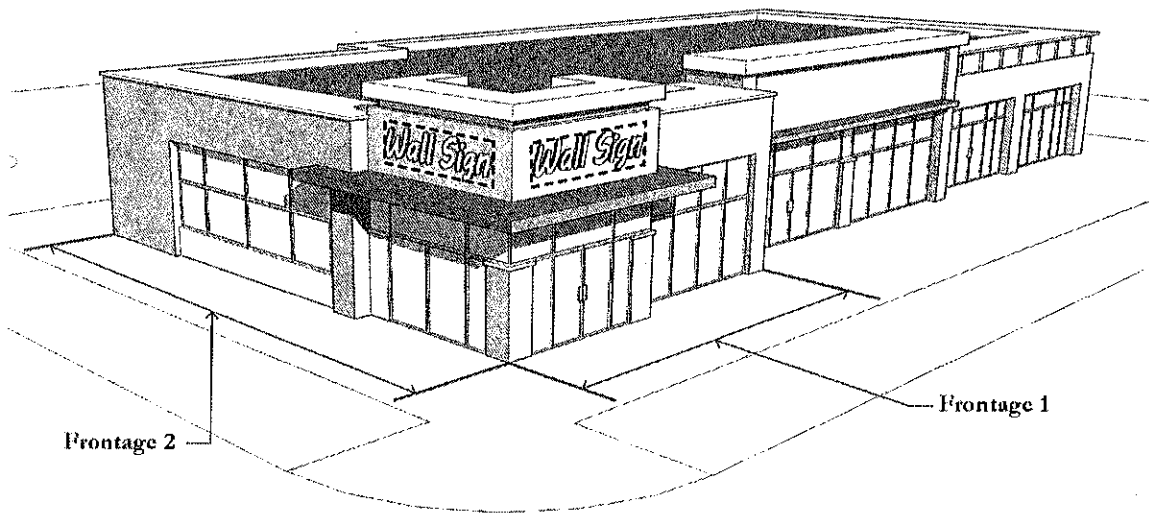
**Figure 17-4: Tenant frontage.**



**10-5.1706.2. Corner and through lots.**

(a) Where a tenant occupies a building that fronts on two streets (on a corner or through lot), allowed sign standards apply independently for each street frontage unless otherwise indicated in this section. See Figure 17-5.

**Figure 17-5: Corner and through lots**

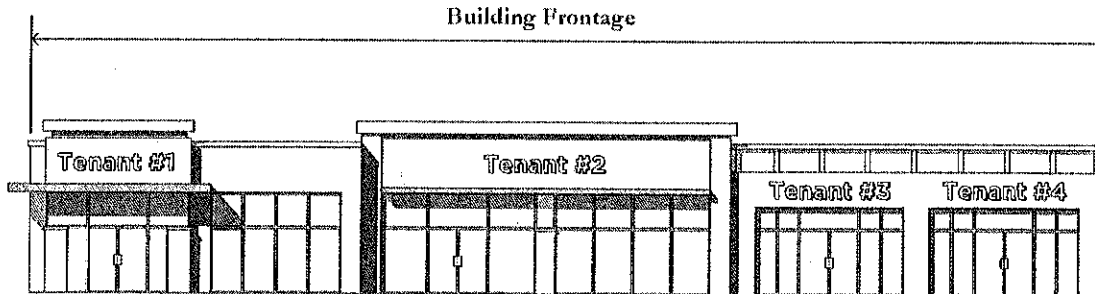


(b) For example, a corner tenant in the CS zoning district may install one wall sign on each street frontage. Allowed sign area applies individually to each frontage and may not be transferred between frontages.

**10-5.1706.3. Building frontage.**

Building frontage is measured in the same manner as tenant frontage, except calculated for the entire building, not individual tenants. See Figure 17-6.

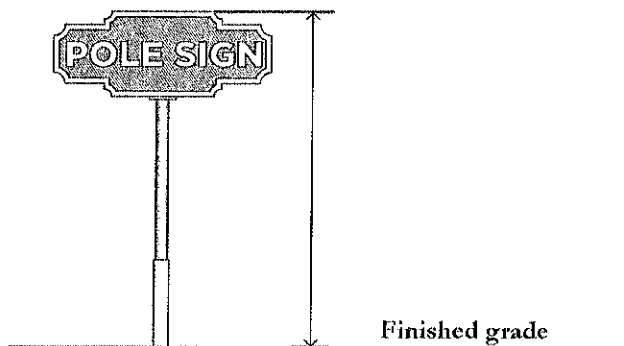
**Figure 17-6: Building frontage**



**10-5.1706.4. Detached sign height measurement.**

The height of a freestanding, pole, monument or other type of detached sign is measured from the finished grade at the base of the sign to the top of the sign. See Figure 17-7.

**Figure 17-7: Detached sign height**



**Sec. 10-5.1707. Sign permits.**

**10-5.1707.1. Types of sign permits.**

The Zoning Code establishes three types of Sign Permits: Administrative Sign Permits, Master Sign Permits, and Creative Sign Permits.

(a) An Administrative Sign Permit is a ministerial approval by the Department to confirm that a proposed sign complies with all applicable standards.

(b) A Master Sign Permit is a discretionary permit reviewed by the Design Review Committee to allow for comprehensive and coordinated signs on large, complex, non-residential multi-tenant sites and to allow some deviation from sign standards as outlined in 10-5.1707.3.

(c) A Creative Sign Permit is a discretionary permit reviewed by the Design Review Committee to allow unique, high-quality signs that deviate from sign standards in this

section.

**10-5.1707.2. Administrative sign permits.**

(a) All new signs require an Administrative sign permit except for:

- (i) Signs exempt from permit requirements as identified in 10-5.1703 (Signs allowed without sign permits);
- (ii) Signs proposed concurrently as part of a Master Sign Permit application as identified in 10-5.1707.3 (Master sign permit); and
- (iii) Signs that comply with the requirements of a Creative Sign Permit as identified in 10-5.1707.4 (Creative sign permit).

(b) Permit requirements.

- (i) Administrative sign permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department.
- (ii) Department staff will review the proposed sign to verify compliance with applicable standards. If the proposed sign complies with all applicable standards, the Department staff will approve the Administrative Sign Permit. No public notice or hearing is required.

**10-5.1707.3. Master sign permit.**

(a) Purpose. The purpose of the Master Sign Permit is to provide a coordinated approach to signage for large sites/buildings and non-residential multi-tenant developments, buildings, or adjacent/adjoining properties/parcels; for signs in the P, PF/M, NR, and AC zone districts.

(b) Any site greater than one acre, any site with tenant spaces above the first floor, any site in a P Public, PF/M Public Facilities/Marina, NR Natural Resources, or AC Coastal Agriculture zone, or any non-residential development, building, or property with three or more tenants, may request approval of a Master Sign Permit.

(c) The Design Review Committee reviews and takes action on Master Sign Permit applications.

(d) Application Submittal and Review.

(i) Master Sign Permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department.

(ii) Master Sign Permit applications must be authorized by the property owner/agent.

(e) All Master Sign Permit applications must include a proposed Master Sign Program that identifies the placement, size, materials, type, and general design of signs located on a site, including both existing and proposed signs.

(f) Design Standards.

(i) A Master Sign Program may allow for variety in the design of individual signs.

(ii) A Master Sign Program may not allow prohibited signs as identified in 10-

5.1704 (Prohibited signs) or deviation from digital sign requirements in Table 17-10 (Digital signs).

(iii) A Master Sign Program may allow transfers of maximum sign areas in 10-5.1708 (Sign standards) between tenants on a site. For example, on a site with ten tenants that each have 20-foot-wide frontages, each tenant would be allowed 20 square feet of pole signs. Through a standard Administrative Sign Permit, the area of each sign cannot be transferred from one tenant to another. However, through Design Review Committee approval of a Master Sign Permit, the collective total of 200 square feet of sign area for the entire site can be pooled and then re-allocated between tenants so that one tenant could have 101 square feet and the remaining tenants could each have 11 square feet of sign area.

(iv) A Master Sign Program may allow deviation from the type and total number of signs permitted per site in 10-5.1708 (Sign standards). For example, pole signs are limited to one pole sign per site with a standard Administrative Sign Permit. However, through a Master Sign Permit, the example in Paragraph (iii) above could have two or more pole signs if specifically allowed by the Master Sign Permit approval.

(v) Deviation from any other requirement in this section is not allowed.

(g) The Design Review Committee will review and act on a Master Sign Permit application at a public hearing noticed in compliance with 10-5.2808 (Public hearing notice).

(h) To approve a Master Sign Permit, the Design Review Committee must make all of the following findings:

(i) Allowed signs are consistent with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council;

(ii) The Master Sign Program features a unified and coordinated approach to the materials, size, type, placement, and general design of signs proposed for a project or property;

(iii) If deviations from sign standards in 10-5.1708 (Sign standards) are proposed, the deviations are necessary to accommodate the unique signage needs of the site;

(iv) Allowed signs comply with all applicable standards in this section, unless specific deviations are allowed by the Master Sign Program;

(v) The allowed signs will not adversely impact the public health, safety, or general welfare;

(vi) The allowed sign sizes are proportionate to the building and site where they are located; and

(vii) The number, placement, design, and material of the allowed signs are compatible with the architectural design of buildings on the site.

(i) As a part of the discretionary approval of a Master Sign Permit, the Design Review Committee may require modifications to the proposed Master Sign Program including limits on allowed sign types, height, area, dimensions, placement, materials, and other sign design features.

(j) Effect of Master Sign Program.

(i) All tenants and uses on the site are subject to the requirements of the approved Master Sign Program.

(ii) All subsequent signs proposed for a site subject to an approved Master

Sign Program must comply with the standards and specifications included in the Master Sign Program.

(iii) Subsequent signs consistent with an approved Master Sign Program are allowed with an Administrative Sign Permit.

(iv) Signs inconsistent with an approved Master Sign Program require either an amendment to the Master Sign Program or modification of the inconsistent signs.

(v) Approval of a Master Sign Program supersede the regulations of this section. Any aspect of the proposed signs not addressed by the Master Sign Program must comply with this section.

**10-5.1707.4. Creative sign permit.**

(a) A Creative Sign Permit allows for creative signs that deviate from sign standards in this section. Creative Sign Permits are intended to:

(i) Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and

(ii) Allow for creative signs that deviate from the standards in this section while minimizing adverse impacts on neighboring properties and the community at large.

(iii) Provide standards for the permitting of digital signs in the coastal zone, animated window signs, and marquee signs.

(b) A Creative sign is allowed for any type of sign in any location in Eureka, except for digital signs, which are allowed only in locations specified in Table 17-10 (Digital Signs).

(c) The Design Review Committee reviews and takes action on Creative Sign Permit applications.

(d) Creative Sign Permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department.

(e) A Creative Sign Permit may allow deviation from standards in 10-5.1708 (Sign standards), excluding standards for digital signs (see Table 17-10) and marquee signs (see 10-5.1708.5). Deviation from any other requirement in this section is not allowed.

(f) The following sign design features are allowed only with a Creative Sign Permit:

(i) Signs which change color at a frequency of more than one color change per 15 seconds, except for digital signs consistent with Table 17-10 (Digital Signs).

(ii) Chase lighting.

(iii) Neon signs that change color or are animated. Neon signs that do not change color or utilize animation are allowed without a Creative Sign Permit.

(g) A digitally-printed sign may constitute no more than 40 percent of the total sign area of a sign approved with a Creative Sign Permit.

(h) The Design Review Committee will review and act on a Creative Sign Permit application at a noticed public hearing in compliance with application at a public hearing noticed in compliance with 10-5.2808 (Public hearing notice).

(i) To approve a Creative Sign Permit, the Design Review Committee must find that the sign meets all of the General Design criteria and incorporates three or more of the Sign Features, Materials, and Contextual Criteria, as provided below.

(i) General Design. The sign meets all of the following general design criteria:

A. The sign constitutes a substantial aesthetic improvement to the site and has a positive visual impact on the surrounding area;

B. The sign is of unique design, and exhibits a high degree of thoughtfulness, imagination, inventiveness, and spirit;

C. The sign is of a higher creative, artistic, and/or sculptural nature than the average sign typically found in Eureka; and

D. The sign provides strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.

E. For digital signs in the coastal zone, the sign is consistent with the International Dark Sky Association's Guidance for Electronic Message Centers (EMCs) for luminance level and curfew.

(ii) Sign Features, Materials, and Contextual Criteria. The sign incorporates three or more of the following:

A. Materials of a higher quality than typically used for signs in Eureka (e.g., stone, sculptural steel, sandblasted wood, gold leaf, hand-painted content with an artistic mural-like component).

B. Projecting, recessed, or cut-out text (e.g., push-through illuminated acrylic letters, routed letters, routed metal).

C. Creative and unique use of clearly-visible high-quality landscaping with an area greater than the minimum required for the sign or site, whichever is more.

D. Creative and unique use of lighting (e.g., chase, neon lighting, LED faux neon, a well-coordinated combination of at least three different types of site-appropriate illumination).

E. Clearly visible three-dimensionality where a notable proportion of the structure or form of the sign includes multiple deviations from a parallel plane (e.g., a sphere, a half-sphere, sculptural elements, a fully three-dimensional beer mug).

F. Sign design successfully emulates the architecture of the building (e.g., a sign with roof-like covering that matches the general design of the roof of the building it serves).

G. Highly irregular multi-dimensional sign shape (e.g., a sign that has at least five or more straight sides, a sign that has a few straight sides and multiple variable rounded sides, a sign with an unusually disproportionate height-to-width ratio).

H. At least 50 percent of the sign area includes custom artistic illustrations.

I. Sign shape includes inventive representation of the use, name, or logo of the structure or business (e.g., a fish-shaped sign for a fishing store).

J. Neon and/or LED faux neon signs that emulate movement but do not include chase lighting.

K. Mechanically-animated element(s).

L. Symbols or imagery relating to timber, commercial fishing, coastal land uses, arts/culture, other factors inherent to Eureka's identity, or to Eureka's current or historic character.

(j) As a part of the discretionary approval of a Creative Sign Permit, the Design

Review Committee may require modifications to the proposed Creative Sign including limits on allowed sign types, area, dimensions, placement, materials, and other sign design features.

**10-5.1707.5. Encroachment permit.**

Any sign which projects into the public right-of-way requires approval of an Encroachment Permit.

**10-5.1707.6. City-installed or required signs.**

Signs installed or required by the City do not require a permit, except as provided by Sec. 10-5.1707.7.(a).

**10-5.1707.7. Signs in the Coastal Zone.**

(a) In addition to any other permits required by this Article, signs located in the coastal zone are subject to the requirement to obtain a coastal development permit as provided in Sections 10-5.29300 through 10-5.29400 of Article 29 (Coastal Development Permit Procedures).

(b) Approval of a Creative or Master sign permit for a sign located in the coastal zone must be found consistent with the certified Local Coastal Program.

(c) When a Creative or Master sign permit and a coastal development permit are required pursuant to Article 29, action will be taken by the Planning Commission.

(d) New signs will be sited to (1) avoid and minimize obstruction of scenic views and scenic coastal areas as defined in Sec. 10-5.2944.1 (Scenic Coastal Areas), (2) protect the scenic and visual qualities of coastal areas, and (3) in the Core Area, retain the historic waterfront building scale, building form, and general character.

(e) In the coastal zone, a Coastal Development Permit is required for any sign that could impact public recreational access, including parking opportunities near bay access points or parklands, such as any changes in parking cost, timing, or availability, and any signage prohibiting public parking, trespassing, and/or public coastal access, unless the sign is subject to Categorical Exclusion Order E-88-2.

**Sec. 10-5.1708. Sign standards.**

**10-5.1708.1. Sign type standards.**

(a) All signs must comply with the sign type standards in Tables 17-1 through 17-10 unless deviations are allowed through a Master Sign Permit (10-5.1707.3) or Creative Sign Permit (10-5.1707.4).

(b) Maximum sign standards in Tables 17-2 through 17-10 apply to individual signs, not all signs combined on a property, unless otherwise noted in the tables.

(c) If a proposed sign type is not specifically listed in Tables 17-1 through 17-10, the sign will be regulated in the same manner as the most similar listed sign type and may require a Master or Creative sign permit as determined by the Director.



**Table 17-1: Sign standards for CP Planned Shopping Center Commercial District**

**Illumination:** Both internal and external illumination is allowed, but signs must comply with the illumination standards for the corresponding sign type in Tables 17-2 through 17-10. See 10-5.1709.8.

Sign Type	Max No.	CP Zone District		
		Max Total Area of all Signs in CP Zone [1]	Max Sign Size	Max Height/Projection
Pole Sign	2 at Broadway frontage	7,000 sq. ft.	100 sq. ft	24 ft.
Pole Sign -North Entry	1		800 sq. ft.	65 ft.
Pole Sign – South Entry	1		300 sq. ft.	32 ft.
Wall Sign	1 per tenant frontage		See [2]	Roof line or parapet of building to which sign is attached.
Monument Sign	3 at Broadway frontage		30 sq. ft.	12 ft.
Digital Sign [3]			See [2]	See [3]
Projecting/Suspended Sign	No max.		See[2]	6 inches
Awning/Canopy Sign	No max.		See [2]	Awning
		Canopy		Height of canopy fascia; 4 ft. for signs atop canopy

**Notes:**

[1] The total square footage of all signs in the CP zone district may not exceed 7,000 sq. ft.

[2] The size of individual tenant signs is determined by the Bayshore Mall.

[3] Digital signs must comply with the Standards in Table 17-10.

Pursuant to Sec. 10-5.29304.1 of Article 29, in the coastal zone, wall mounted signs, located on-site, less than 24 square feet in size, no higher than the vertical wall to which they are attached, located within the CP zoning designation are exempt from coastal development permit requirements pursuant to the City of Eureka Categorical Exclusion Order E-88-2, except for wall-mounted signs on lots or parcels within or visible from scenic coastal resource areas, as defined in the certified Local Coastal Program. Pursuant to Condition 6 of E-88-2, sign development exempted under the Order shall comply with the certified Local Coastal Program if more restrictive than the terms and conditions of the Order.

**Table 17-2: Wall signs**

**Definition:** A wall sign is a sign attached to, or painted on, the exterior wall of a structure, with the display surface of the sign approximately parallel to the building wall. Wall signs include signs attached to, but not extending above, a fascia, parapet, or mansard roof.

Pursuant to Sec. 10-5.29304.1 of Article 29, in the coastal zone, wall mounted signs, located on-site, less than 24 square feet in size, no higher than the vertical wall to which they are attached, located within the CW or CS zoning designations are exempt from coastal development permit requirements pursuant to the City of Eureka Categorical Exclusion Order E-88-2, except for wall-mounted signs on lots or parcels within or visible from scenic coastal resource areas, as defined in the certified Local Coastal Program. Pursuant to Condition 6 of E-88-2, sign development exempted under the Order shall comply with the certified Local Coastal Program if more restrictive than the terms and conditions of the Order.

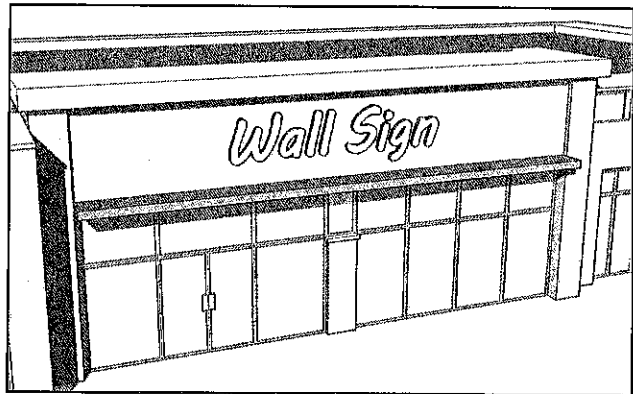
**Materials:**

- Unless painted on a wall, wall signs must be constructed of durable, rigid material such as wood, plastic, or metal.
- Permanent walls signs constructed of flexible, non-rigid material (e.g., cloth, flexible vinyl) are not permitted.
- Wall signs may be painted directly on a building wall.

**Illumination:**

- In non-residential zoning districts:  
Both external and internal illumination is allowed.
- In residential zoning districts: Only external illumination is allowed.
- See 10-5.1709.8.

**Figure 17-8: Wall signs**



Standards [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
Max. number	2 per tenant frontage		1 per building frontage
Max. area [2]	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant frontage	1.0 sq. ft. per linear foot of tenant frontage (no maximum)	24 sq. ft.
Max. height	Roof line or parapet of building to which sign is attached.		

<b>Standards [1]</b>	<b>Zone District</b>		
	<b>CN, CW, OR</b>	<b>CS, MC, MG, ML</b>	<b>Non-residential uses in all Residential zones</b>
Max. projection from building wall	6 inches		
<b>Notes:</b>			
[1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).			
[2] Maximum area applies to all wall signs combined on a tenant frontage.			

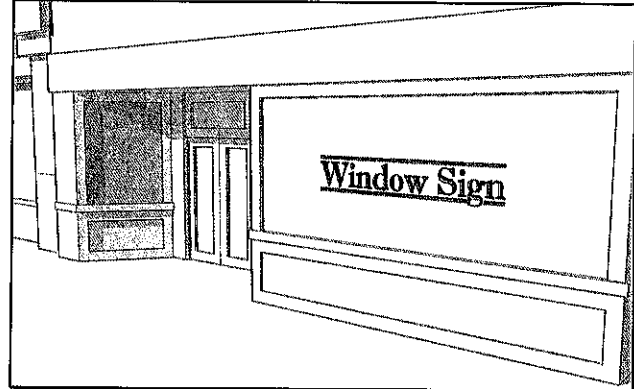
**Table 17-3: Window signs, non-illuminated**

**Definition:** A sign posted, painted, placed, or affixed in or on a window exposed to public view (including windows on upper floors). Any sign attached to a window, within two feet of a window, or attached to a display located within two feet of a window is considered a window sign.

**Window Transparency:**

For each individual window, a minimum of 75 percent of the total window area must be transparent and free of signage features. Window area is measured from interior of trim to interior of trim, including mullions, muntins, and other separations of panes of glass.

**Figure 17-9: Window signs**



Standard [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
Max. number	No max.		
Max. area [2]	25 percent of total tenant frontage window area	50 percent of total tenant frontage window area	25 percent of the total window area of each individual window
Max. height	No max.		
<b>Notes:</b>			
[1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).			
[2] Maximum area applies to all window signs combined on a tenant frontage.			

**Table 17-4: Window signs, internally illuminated**

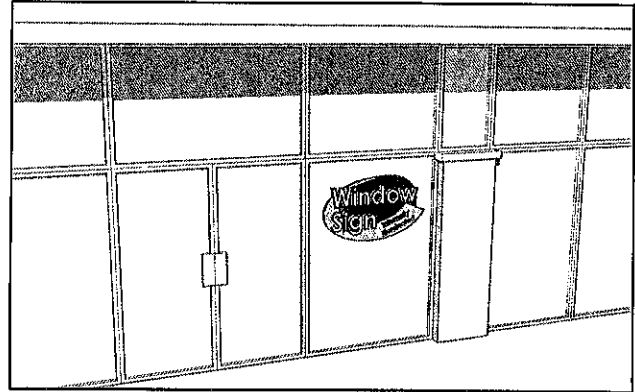
**Definition:** A sign placed in a window with individually illuminated letters, numbers, or graphics not exceeding 12 square feet. Includes illuminated “open” signs and signs illuminated with LEDs, neon, or other fluorescing gas.

**Additional Requirements:**  
**illuminated**

**Figure 17-10: Window signs, internally**

Animated window signs require a Creative Sign Permit.

- Digital signs are not allowed as a window sign.
- The window transparency requirement in Table 17-3 applies to internally illuminated window signs.



Standard [1]	Zone District	
	CN, CW, OR	CS, MC, MG, ML
Max. number	2 per tenant frontage	
Max. area [2]	25 percent of total tenant frontage window area	50 percent of total tenant frontage window area
Max. height	No max.	
Note: [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] Maximum area applies to all window signs combined on a tenant frontage.		

**Table 17-5: Projecting and suspended signs**

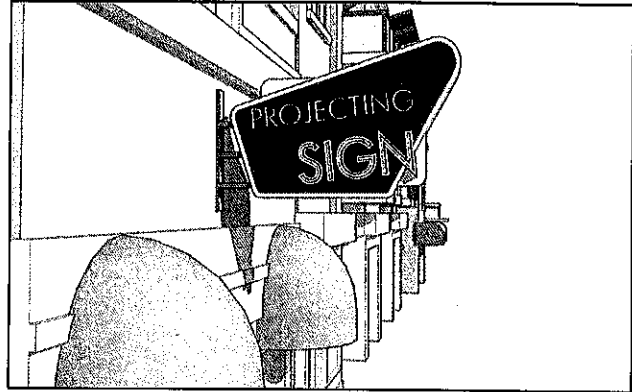
**Definition:** A sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall. Includes blade signs suspended under a bracket, armature, or other mounting device.

**Vertical and horizontal clearance: Figure 17-11: Projecting and suspended signs**

- See 10-5.1709.9 (Vertical and horizontal clearance)

**Illumination:**

- Internal or external illumination allowed. See 10-5.1709.8.

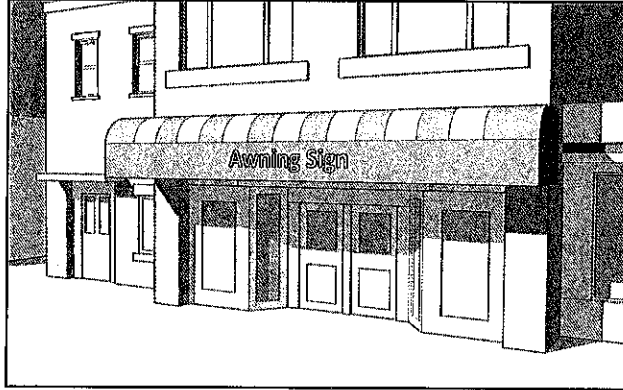


Standard [1]	Zone District	
	CN, CW, OR	CS, MC, MG, ML
Max. number	1 per tenant frontage	
Max. area	18 sq. ft. per tenant frontage	24 sq. ft. per tenant frontage
Max. height	Height of building to which it is attached	
Maximum projection from building wall	8 ft.	
Notes:		
[1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).		
[2] The Building Code may require a projection less than eight feet		

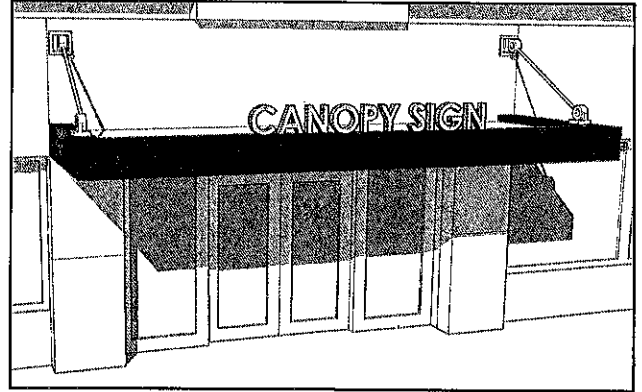
**Table 17-6: Awning/Canopy signs**

**Definition:** An awning sign is incorporated into, attached to, or painted on the face or valance of an awning. A canopy sign is attached to a fixed overhead shelter used as a roof.

**Figure 17-12: Awning signs**



**Figure 17-13: Canopy signs**



**Placement:** Awnings and canopies with signs may only be mounted on the wall area below the second floor.

**Vertical and horizontal clearance:** See 10-5.1709.9 (Vertical and horizontal clearance)

**Materials:** Awnings must be constructed of durable, long-lasting fabric. Plastic or vinyl material is not permitted.

**Awnings/Canopies without sign copy:** Awnings and canopies without lettering or sign copy are not regulated as signs.

**Illumination:** Internal or external illumination of canopy signs is allowed. See 10-5.1709.8.

Standard	Zone District	
	CN, CW, ML, OR	CS, MC, MG
Max. number	No max.	
Max. area	25 sq. ft. or area of awning or canopy fascia, whichever is less	35 sq. ft. or area of awning or canopy fascia, whichever is less
Max. height (awning signs)	Height of awning area	
Max. height (canopy signs)	Height of canopy fascia; 3 ft. for signs atop canopy	Height of canopy fascia; 4 ft. for signs atop canopy
Max. width	The building wall to which it is attached or the tenant space it identifies	
Maximum projection from building wall	No max.	
Note: Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).		

**Table 17-7: Roof signs**

**Definition:** A sign erected above a roof and/or the parapet of a building. Signs attached to the side of a mansard roof are not considered roof signs. The definition of roof signs does not include signs attached to a building wall or other horizontal building element.

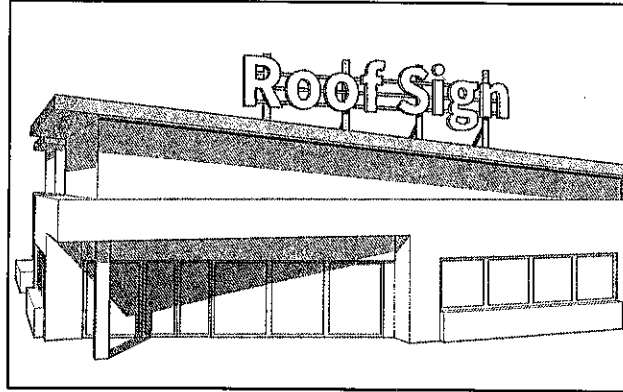
**Design:**

Roof signs must consist of individually-formed letters and associated graphics without a solid background. A box sign is not allowed as a roof sign.

**Illumination:** Internal or external illumination allowed. Internally illuminated signs are permitted only when the portion of the sign that appears illuminated is primarily the sign lettering, registered trademark, or logo. See 10-5.1709.8.

**Digital signs:** Digital signs are not allowed as a roof sign.

**Figure 17-14: Roof signs**



Standards [1]	Zone District
	CS, MG, ML
Max. number	1 roof sign per building
Max. area	1.0 sq. ft. per linear foot of total tenant frontage to a maximum of 100 sq. ft.
Max. height [2]	16 ft. above top of building
<b>Notes:</b> [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] A roof sign may not exceed the maximum height allowed for the main structure (see 10-5.201).	



**Table 17-8: Monument signs**

**Definition:** A monument sign is a sign detached from a building and supported on the ground by one or more structural elements that are one-quarter or more of the width of the sign face. Internal supports, poles, or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view. Includes signs where supporting structural elements are architecturally dissimilar to the design of the sign. Excludes “pole signs.”

**Monument and pole signs:**

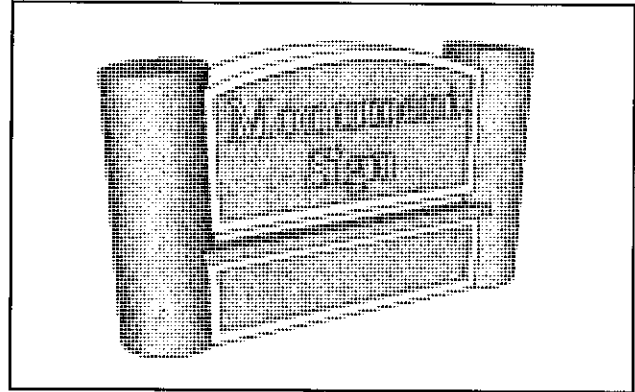
A monument sign is not allowed on a site that also contains a pole sign.

**Ground support and placement:** See 10-5.1709.10 (Detached sign ground support and placement).

**Illumination:**

- Internal or external illumination allowed. See 10-5.1709.8.

**Figure 17-15: Monument signs**



Standard	Zone District	
	CN, CW, OR	CS, MC, MG, ML
Max. number	1 per site	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant; maximum of 64 sq. ft. for multi-tenant signs	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	8 ft.	12 ft.
Max. width	No max.	
<b>Note:</b> Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).		

**Table 17-9: Pole signs**

**Definition:** A sign detached from a building and supported on the ground by one or more structural elements that are less than one-quarter the width of the sign face.

**Where allowed:**

- New pole signs are allowed in the CS, MC, MG, and ML zone districts.
- Pole signs existing in other zone districts as of [add date ordinance is certified by Coastal Commission] may remain.

**Pole and monument signs.**

A pole sign is not allowed on a site that also contains a monument sign.

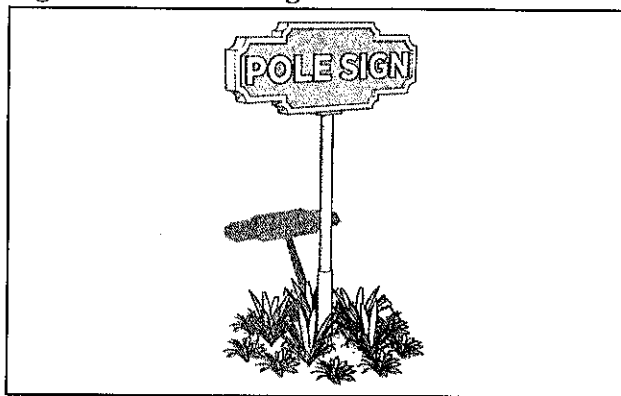
**Ground support and placement:** See 10-5.1709.10 (Detached sign ground support and placement).

**Landscaping:** Pole signs must be placed in a planter box or other landscaped area, with the area of the landscaping a minimum of 15 square feet or one-half of the surface area of the sign, whichever is greater.

**Illumination:**

- Internal or external illumination allowed. See 10-5.1709.8.

**Figure 17-16: Pole signs**



<b>Standard</b>	<b>CS, MC, MG, ML Zone Districts</b>
Max. number	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	24 ft.
Horizontal clearance	See 10-5.1709.9 (Vertical and horizontal clearance)
Max. width	No max.
<b>Note:</b> Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).	

**Table 17-10: Digital signs**

**Definition:** A sign that displays a visual image using liquid crystal cells or other types of light emitting diodes (LEDs), or their functional equivalent, where the image can be easily changed, typically by remote control or computer programming. Also known as Electronic Message Center (EMC) signs. Excludes fuel price signs and internally illuminated window signs.

**Where allowed:**

- In the CS Service Commercial zone district, only on properties fronting Broadway, and in the CP Planned Shopping Center zone district.

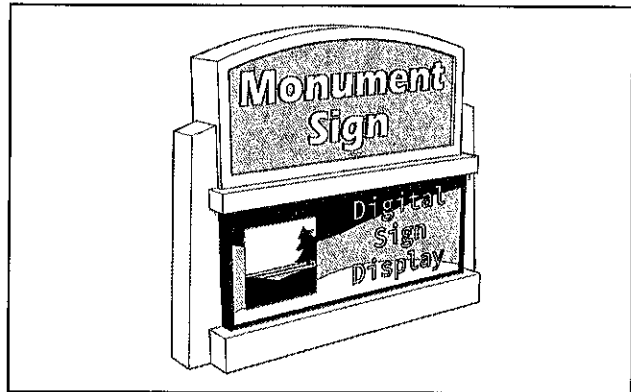
**Sign type:** Digital signs are permitted with a Creative Sign Permit only when incorporated into a monument sign, wall sign, or pole sign that also includes additional non-digital sign copy.

**Off-premise signs prohibited:** Digital signs may not be used as an off-premise sign, or for any form of off-site advertising.

**Design:**

- A digital sign must be incorporated into the face of a permanent sign that includes text or graphics that are not part of the digital display.
- If a digital sign is located at the top of a sign, the sign must include a substantial cap feature above the digital display, which consists of the same or complementary material, form, and color as used on the sign face or structure.

**Figure 17-17: Digital signs**



<b>Standard</b>	<b>CP, CS Zone Districts</b>
Max. number	1 per site
Max. frequency of message display change	15 sec.
Max. height	Established by the sign type into which the digital sign is incorporated.
Max. percentage of sign area containing digital display	66 percent of total allowable sign area of the sign type into which the digital sign is incorporated to a maximum of 100 sq. ft
Max. width	No max.

**Message display:**

- Digital signs may contain static messages only. Signs may not display text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
- Digital signs may not change message more than once every 15 seconds.
- The content of a digital sign must transition by changing instantly (e.g., no fade-out or fade-in).
- Ticker Signs are prohibited.

**Brightness:**

- During daylight hours between sunrise and sunset, luminance is limited to 10,000 nits.
- At all other times, luminance is limited to 160 nits.
- Digital signs may produce no more than 0.3 foot-candle of light when measured from the distance using the following formula:  
$$\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq.Ft.} \times 100}$$
- Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change.

**10-5.1708.3. Multi-story buildings.**

Standards for signs in Tables 17-2 through 17-10 apply only to ground floor tenants and uses. Signs for tenants and uses located above the ground floor are allowed only with a Master Sign Permit that establishes sign standards for the site. See 10-5.1707.3 (Master sign permits).

**10-5.1708.4. Public and Public Facilities/Marina, Natural Resources, and Coastal Agricultural zone districts.**

In the Public (P), Public Facilities/Marina (PF/M), Natural Resource (NR), and Coastal Agricultural (AC) zone districts:

- (a) The Director will determine the allowed sign types and size based on the signage needs of the associated uses.
- (b) A Master sign permit (Sec. 10-5.1707.3) is required.

**10-5.1708.5. Marquee signs.**

(a) A marquee sign is allowed with a Creative Sign Permit and must satisfy all of the requirements of that permit. The Design Review Committee will determine the maximum allowed sign area, height, dimensions, and other standards as part of the Design Review approval process.

(b) Marquee signs are limited to theaters, auditoriums, indoor amusement/entertainment facilities, and similar facilities. A maximum of one marquee sign is allowed per use.

(c) Digital display is allowed only for marquee sign copy that advertises films, performances, and other events. Use of digital display to advertise goods and services is not allowed. Digital display may change no more than once a day. Digital display must comply with the brightness limitation in Table 17-10 (Digital signs).

**10-5.1708.6. Sandwich Board Signs.**

(a) Sandwich board signs on private property are exempt from the requirements of this section (see 10-5.1703.1(d)).

(b) Sandwich board signs within the public right of way must comply with the following standards:

- (i) Signs may only be located in mixed use zones.
- (ii) Signs must be constructed of durable materials and in such a manner as not to present a hazard to pedestrian movement.
- (iii) A sign may not exceed 30 inches in width and 48 inches in height.

- (iv) Signs must be weighted at the base so as to provide a stable and secure sign.
- (v) Signs must be placed so as to allow for a minimum of 48 inches pedestrian path of travel clearance between obstacles.
- (vi) Signs may not conflict with utilities or parking meters, public parking or traffic sight distance at street or alley intersections, and may not block entrances or exits.
- (vii) Signs are limited to one sign per business, and must be placed on the sidewalk that fronts the business.
- (viii) Digital signs are not allowed as a sandwich board sign. See Table 17-10 (Digital signs).
- (ix) Signs in the public right-of-way must acquire an encroachment permit.

**Sec. 10-5.1709. General requirements**

**10-5.1709.1. Message neutrality.**

(a) It is the City's policy to regulate signs in a constitutional manner that does not favor commercial speech over noncommercial speech, and is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.

(b) Where necessary, the Director will interpret the meaning and applicability of this section in light of this message neutrality policy. Under no circumstances will this message neutrality policy be interpreted to allow off-premise signs. See 10-5.1709.11 (Off-premise signs).

**10-5.1709.2. Message substitution.**

(a) Subject to the property owner's consent, a message of any type may be substituted, in whole or in part, for the message displayed on any legally established sign without consideration of message content.

(b) Message substitutions require a zoning permit pursuant to Article 26 Zoning Permits and Certificates of Occupancy.

(c) This message substitution provision does not:

- (i) Create a right to increase the total amount of signage beyond that otherwise allowed or existing;
- (ii) Affect the requirement that a sign structure or mounting device be properly permitted, when a permit requirement applies;
- (iii) Allow a change in the physical structure of a sign or its mounting device;
- (iv) Allow the establishment of a prohibited sign as identified in 10-5.1704 (Prohibited signs); or
- (v) Nullify or eliminate any contractual obligation through a development agreement or similar agreement that specifies the allowable content of a sign.

**10-5.1709.3. Maximum number of sign types.**

No more than three different types of signs are allowed on a site without approval of a Master Sign Permit (see 10-5.1707.3)

**10-5.1709.4. Changes to sign face.**

Changes to a sign face that do not structurally alter or enlarge a legally-established sign require a zoning permit pursuant to Article 26 Zoning Permits and Certificates of Occupancy.

**10-5.1709.5. Maintenance.**

(a) All signs and supporting hardware, including temporary signs, must be maintained in a state of good repair at all times.

(b) Any repair to a sign must be of equal or better quality of materials and design as the original sign.

(c) A sign that is not properly maintained or is dilapidated will be deemed a public nuisance, and may be abated in compliance with Article 28 (Administration and enforcement) and Municipal Code Section 10.35 et seq. (Administrative citations). Examples of dilapidated signs include the following:

(i) Signs with rust covering 25 percent or more of a pole or other support structures.

(ii) Signs with peeling paint visible on 25 percent or more of the sign or support structure.

(iii) Signs and support structures with visible physical damage that significantly alters the sign's appearance.

(iv) Signs with malfunctioning or damaged lighting.

(v) Illegible sign copy resulting from damage to the sign.

(vi) Signs and supporting elements that no longer contain a sign face or copy. Includes box signs without a slide-in sign copy panel, projecting sign brackets without an attached sign face, and stand-alone poles without an attached sign face.

(vii) Other similar conditions as determined by the Director.

(d) Maintenance of a non-conforming sign is allowed pursuant to Sec. 10-5.2202 of Article 22 (Nonconforming Uses, Structures, and Signs).

**10-5.1709.6. Building surface repair.**

When an existing sign is replaced, removed, or modified, any newly exposed portions of a building surface on which the sign is or was displayed must be repaired and repainted to restore a uniform appearance to the surface. Compliance with this requirement includes the removal of any excess conduit and supports, and the patching or filling of any exposed holes.

**10-5.1709.7. Materials.** Except for interior window signs, all permanent signs must be constructed of wood, metal, plastic, glass, or similar durable and weatherproof material.

**10-5.1709.8. Illumination.**

(a) Signs in non-residential zoning districts may be internally or externally illuminated except where specifically prohibited.

(b) Signs in residential zoning districts may only be externally illuminated.

(c) Light sources must be steady, stationary, and static in color, except for neon signs and chase lighting when allowed with a Creative Sign Permit.

(d) Lighting shall not produce glare that creates a public nuisance or hazard for motorists or pedestrian.

(e) The light source for externally illuminated signs must be positioned so that light does not shine directly on adjoining properties, and for signs located in the Coastal Zone, any environmentally sensitive habitat area or wetlands.

(f) Exposed bulbs, with or without chase lighting, are permitted with a Creative Sign Permit.

(g) Design features consisting of neon or other small diameter tubing illuminated by fluorescing gas is allowed as part of any type of sign.

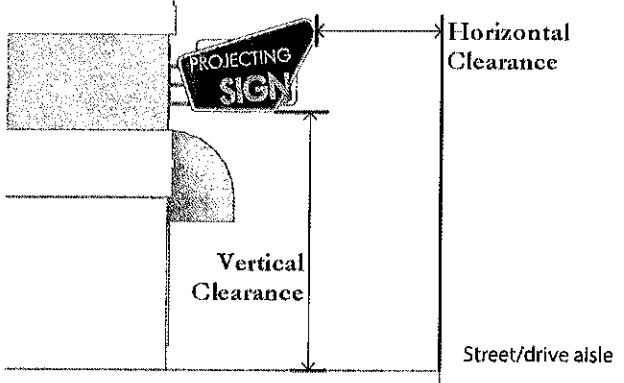
(h) Illumination should be consistent with the International Dark Sky Associations' Guidance for Electronic Message Centers (EMCs) for luminance level and curfew.

**10-5.1709.9. Vertical and horizontal clearance.**

(a) Signs that project over any public walkway or walk area must have an overhead clearance of at least eight feet and require an Encroachment Permit. See Figure 17-18.

(b) Signs must maintain a minimum two-foot horizontal clearance from a driveway or street curb. See Figure 17-18.

**Figure 17-18: Vertical and horizontal clearance.**



**10-5.1709.10. Detached sign ground support and placement.**

(a) Detached signs must be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.

(b) A detached sign may not occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, traffic portion of the right-of-way or other areas required to remain unobstructed.

**10-5.1709.11. Off-premise signs.**

(a) New off-premise signs established on or after [add date ordinance certified by Coastal Commission] are prohibited.

(b) Off-premise signs with a sign area of 50 square feet or less that were legally established prior to [add date ordinance certified by Coastal Commission] may remain and must comply with

all applicable regulations in this section.

(c) Off-premise signs with a sign area more than 50 square feet that were legally established prior to [add date ordinance certified by Coastal Commission] are considered non-conforming signs and are subject to the provisions of Article 22 (Nonconforming Uses, Structures, and Signs).

**10-5.1709.12. Nonconforming signs.**

See Article 22 of this chapter (Nonconforming Uses, Structures, and Signs).

**10-5.1709.13. Violations and enforcement.**

See Article 28 of this chapter (Administration and Enforcement) for the procedure to remove hazardous and illegal signs.

**Sec. 10-5.1710. Temporary signs.**

Temporary signs are allowed in all zoning districts subject to this subsection.

**10-5.1710.1. Temporary sign defined.**

(a) A temporary sign means a sign intended to be displayed for a limited period of time.

(b) The following types of signs are always considered temporary and allowed only as a temporary sign:

- (i) Banner signs.
- (ii) Feather banners.
- (iii) Yard signs.
- (iv) Inflatable balloon signs.
- (v) Post signs on a residential property (e.g., for-sale signs).

**10-5.1710.2. Allowed by-right.**

Temporary signs that comply with this subsection are allowed by-right without a zoning permit or other form of Department approval, except as provided by Sec. 10-5.1707.7.(a).

**10-5.1710.3. Prohibited signs.**

Temporary signs must comply with Subsection 10-5.1704 (Prohibited signs).

**10-5.1710.4. Maximum area.**

Temporary signs may not exceed the maximum sign area shown in Table 17-11.

**Table 17-11: Maximum temporary sign area**

<b>Zoning District</b>	<b>Maximum Area</b>
CN, CW, OR	25 sq. ft. per tenant, business, or land use
CS, MC, MG, ML	



Tenants with less than 50 ft. of tenant frontage	25 sq. ft. per tenant, business, or land use
Tenants with 50 ft. or more of tenant frontage	0.5 sq. ft. per linear foot of building frontage to a maximum of 100 sq. ft.
All Other Zoning Districts and residential uses in mixed use zone districts	25 sq. ft. per site

**10-5.1710.5. Illumination.**

Illumination of temporary signs is prohibited.

**10-5.1710.6. Duration.**

- (a) Temporary signs may be displayed for the maximum duration shown in Table 17-12.
- (b) A sign displayed longer than allowed by Table 17-12 is considered a permanent sign subject to all applicable requirements in this section.

**Table 17-12: Temporary sign duration.**

Type of Temporary Sign	Maximum Duration
Yard signs	90 days
Post signs	180 days
All other temporary signs	60 days per year

**Sec. 10-5.1711. Definitions.**

**10-5.1711.1**

- (a) "Feather Banner" shall mean a temporary sign in the form of a vertical banner made of flexible materials, (e.g., cloth, paper, or plastic), the longer dimension of which is typically attached to a pole or rod that is driven into the ground or supported by an individual stand.
- (b) "Flag" or "flags" shall mean fabric, textile, or material with colors and/or patterns which display a symbol of a nation, state, company, or idea.

**10-5.1711.2**

- (a) "Outdoor advertising structure" shall mean a structure of any kind or character, erected or maintained for outdoor advertising purposes, upon which any advertising sign may be placed.

**10-5.1711.3**

- (a) "Sign" shall mean any structure, object, or device that uses letters, numbers, graphics, colors or other means of communication to advertise, announce, or communicate information of any kind to the public.
- (b) "Sign, Animated" shall mean a sign which physically moves, rotates, revolves or has

visibly moving or rotating parts of any kind.

- (c) “Sign, Awning” shall mean a sign incorporated into, attached to, or painted on the face or valance of an awning.
- (d) “Sign, Banner” shall mean a temporary sign made of flexible vinyl, fabric, or any non-rigid material with no enclosing framework on which a message or image is painted or otherwise affixed.
- (e) “Sign, Box” shall mean a sign that contains all copy within a single enclosed cabinet that is mounted to a wall or other structure. Box signs, also referred to as can signs, typically use slide-in panels to display messages.
- (f) “Sign, Canopy” shall mean a sign attached to a fixed overhead shelter used as a roof, which may or may not be attached to a building.
- (g) “Sign Copy” shall mean the area of a sign occupied by letters, numbers, graphics, or other content intended to communicate information.
- (h) “Sign, Detached” shall mean any pole sign, monument sign, or other types of sign not attached to a building.
- (i) “Signs, Digital” shall mean a sign that displays a visual image using liquid crystal cells or other types of light emitting diodes (LEDs) or their functional equivalent where the image can be easily changed, typically by remote control or computer programming. Also known as Electronic Message Center (EMC) signs. Excludes fuel price signs and internally illuminated window signs.
- (j) “Sign, Digitally Printed” shall mean any of the following:
  - (i) A sign where the entire sign copy is digitally printed onto wood, aluminum or other material and then trimmed as needed to complete the sign.
  - (ii) A sign where the entire sign copy is digitally printed onto an adhesive material which is attached to a plastic panel and inserted into a box sign cabinet.
  - (iii) A sign where a single material is used for the sign copy and sign face (e.g., a pan face sign with an injected molded plastic).
- (k) “Signs, Directional” shall mean a sign that provides directions to a place, structure, or use, excluding signs installed by a public agency.
- (l) “Sign, Directory” shall mean a sign which lists and identifies the location of the occupants of a multi-tenant building or site. Excludes “property identification signs.”
- (m) “Sign Face” shall mean the area of a sign where sign copy is placed.
- (n) “Sign, Inflatable Balloon” shall mean a temporary sign consisting of a flexible envelope of nonporous materials that gains its shape from inserted air or other gas.
- (o) “Signs, Human Directional and Advertising” shall mean a sign that is held by or attached to a human being in any manner. Includes individuals dressed in costume intended to

attract attention as human signs to a business for advertising purposes.

(p) “Sign, Internally Illuminated Window” shall mean a sign placed in a window with individually illuminated letter, numbers, or graphic not exceeding 12 square feet. Includes illuminated “open” signs and signs illuminated with LEDs, neon, or other fluorescing gas.

(q) “Sign, Marquee” shall mean a sign with changeable copy that advertises an event, performance, seminar, conference, or show.

(r) “Sign, Marquee, Attached” shall mean a marquee sign displayed on a permanent roof-like structure or canopy made of rigid materials supported by and extending from the facade of a building.

(s) “Sign, Marquee, Detached” shall mean a freestanding marquee sign not attached to a building.

(t) “Sign, Monument” shall mean a sign detached from a building and supported on the ground by one or more structural elements that are one-quarter or more of the width of the sign face. Internal supports, poles or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view. Includes signs where supporting structural elements are architecturally dissimilar to the design of the sign. Excludes “pole signs.”

(u) “Sign, Neon” shall mean a sign that features exposed small diameter tubing illuminated by neon or other fluorescing gas. Excludes signs with LEDs intended to simulate the appearance of neon and “internally illuminated window signs.”

(v) “Sign, Off-Premise” shall mean a sign advertising a land use, business, product, or service not located or available on the site where the sign is located.

(w) “Sign, Pole” shall mean a sign detached from a building and supported on the ground by one or more structural elements that are less than one-quarter the width of the sign face. Monument signs with supporting poles where the poles are incased to incorporate design features are not considered pole signs.

(x) “Sign, Post” shall mean a temporary sign suspended from a horizontal swingpost or bracket that is attached to a vertical post mounted in the ground. Includes on-site real estate sales and rental signs.

(y) “Sign, Projecting” shall mean a sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall. Includes blade signs suspended under a bracket, armature, or other mounting device.

(z) “Sign, Roof” shall mean a sign erected upon or directly above a roof and the parapet of a building.

(aa) “Sign, Sandwich Board” shall mean a portable sign with two opposing flat faces designed to be self-supporting on the ground, typically displayed on a sidewalk or in a parking lot.

(ab) “Sign, Suspended” shall mean a sign which is suspended under an awning, canopy, fascia or similar structure. Includes signs oriented parallel to the building façade suspended over

a recessed entry.

(ac) “Sign, Ticker” shall mean an electronic reader board sign consisting of one or more lines of scrolling LED text.

(ad) “Sign, Wall” shall mean a sign attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall. Includes signs attached to but not extending above a fascia or parapet.

(ae) “Sign, Window” shall mean a sign posted, painted, placed, or affixed in or on a window exposed to public view. Any sign attached to a window, within two feet of a window, or attached to a display located within two feet of a window is considered a window sign.

(af) “Sign, Yard” shall mean a temporary freestanding sign with an “H”-shaped frame inserted into the ground within a street-facing yard. Includes political campaign signs displayed prior to elections.

Section 2.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.106.2.**

(a) Reserved.

Section 3.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.106.6**

(d) Reserved.

Section 4.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.106.11**

(f) Reserved.

Section 5.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.106.13.**

(a) "Sign" see Article 17.

(b) Reserved.

(c) Reserved.

Section 6.

Eureka Municipal Code Title 10 Chapter 5 Article 18. Site Plan Review and Architectural Review Sec. 10-5.1801. Purposes. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.1801.2. Architectural review.** In order to prevent the erection of structures that would be inharmonious with their surroundings or would have an adverse effect on the value of property or improvements in the vicinity, uses and structures in the Design Review, -AR and -PD Districts and conditional uses in all districts shall be subject to architectural review by the Design Review Committee. The ugly, the inharmonious, the monotonous, and the hazardous shall be barred, but originality in architecture, site planning, and landscape and graphic design shall not be suppressed. Review shall include exterior design, materials, textures, and colors but shall not consider elements of the design that do not affect exterior appearance. In reviewing proposals for development that have an established historical character, the Design Review Committee shall recommend disapproval of drawings for a structure that would be inharmonious with surrounding development, but the Committee shall not require that new structures duplicate an historic architectural style as a condition of approval.

Section 7.

The following Section is hereby added to Eureka Municipal Code Title 10 Chapter 5 Article 18. Site Plan Review and Architectural Review Sec. 10-5.1801. Purposes:

**10-5.1801.3. Signs.** The Design Review Committee shall review and act on applications for signs as required by Article 17. (Signs).

Section 8.

Eureka Municipal Code Title 10 Chapter 5 Article 18. Site Plan Review and Architectural Review Sec. 10-5.1804. Drawings to be submitted. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.1804.2. Architectural review.** In addition to the drawings required by subsections (a), (b), and (d) of Section 10-5.1804.1 of this article, the owner of the site or his authorized agent shall submit the following drawings to the Director of Planning at the time of or prior to applying for a zoning permit: (a) Architectural drawings or sketches, drawn to scale, showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified; (b) Signs pursuant to Article 17. (Signs), if any; and (c) The Design Review Committee or the Director of Planning may require additional information if necessary

to determine whether the purposes of this article are being carried out or may authorize the omission of any or all of the drawings required by this section if they are not necessary.

Section 9.

Eureka Municipal Code Title 10 Chapter 5 Article 22. Nonconforming Uses, Structures, and Signs is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**Sec. 10-5.2202. Continuation and maintenance.**

(c) A nonconforming sign may continue its use as a sign, consistent with the routine maintenance provisions of this section, if it was legally established in compliance with all applicable regulations in effect at the time the sign was installed. It is the applicant's responsibility to demonstrate that the sign was legally established.

(d) Routine maintenance and repairs may be performed on a structure or site the use of which is nonconforming, on a nonconforming structure, and on a nonconforming sign. Changes to sign copy/face and repainting of legal nonconforming signs is permitted as long as there is no alteration to the physical structure or support elements of the sign. Repair and maintenance shall not include expansion or enlargement of the physical structure or sign. A legal-nonconforming sign that sustains less than 50-percent damage to its structure may be repaired to its original pre-damaged condition, provided that such repair is completed within 180 days after the date of the damage. Percent of repair calculation shall take into consideration previous repairs over time from the date of initial repair. The replacement of 50 percent or more of a structure or sign is not repair and maintenance, but instead constitutes a replacement structure or sign requiring a coastal development permit in the coastal zone.

Section 10.

Eureka Municipal Code Title 10 Chapter 5 Article 26. Zoning Permits and Certificates of Occupancy is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**Sec. 10-5.2601. Purposes and requirements.**

(b) To ensure that each new sign subject to architectural review or requiring a permit pursuant to Article 17. (Signs), and each enlargement or change in the design, lighting, or movement of a sign subject to architectural review or requiring a permit pursuant to Article 17. (Signs), complies with all the applicable provisions of this chapter, a zoning permit shall be required before the sign may be displayed or altered or before a permit required by Article 17. (Signs) may be issued.

Section 11.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit

Procedures• Part 1. General Provisions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**Sec. 10-5.2904. Interpretation.** In their interpretation and application, the provisions of this article shall be held to be minimum requirements. No provision of this article is intended to repeal, abrogate, annul, impair, or interfere with any provision of this Code; provided, however, where the provisions of this article impose a greater restriction on the use of land or structures, or the height or bulk of structures, or require greater open spaces about structures, or greater areas or dimensions of sites, or impose a greater restriction on the location, size, or illumination of signs than is imposed or required by other provisions of this Code, the provisions of this article shall control. If any conflict occurs between one or more provisions of this article, such conflict shall be resolved in a manner which on balance is the most protective of significant coastal resources. If any provision of this article conflicts with any provision of any regulation contained in any previously adopted ordinance of the City, the provisions of this article shall control.

Section 12.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.2906.2.**

(a) Reserved.

Section 13.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.2906.5**

(d) Reserved.

Section 14.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.2906.10**

(h) Reserved.

Section 15.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.2906.12.**

(a) "Sign" see Article 17.

(b) Reserved.

(c) Reserved.

**Section 16.**

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 3. Coastal Zone Development Standards Sec. 10-5.2944. Visual resources standards is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.2944.1. Scenic coastal areas.**

New signs shall be subject to the provisions of Article 17. (Signs).

**Section 17.**

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 21. AR - Architectural Review Combining District is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**Sec. 10-5.29200. Purposes.**

(b) Architectural Review. In order to prevent the erection of structures that would be inharmonious with their surroundings or would have an adverse effect on the value of property or improvements in the vicinity, uses and structures in the AR and PD Districts and conditional uses in all districts shall be subject to architectural review by the Design Review Committee. The ugly, the inharmonious, the monotonous, and the hazardous shall be barred, but originality in architecture, site planning, and landscape and graphic design shall not be suppressed. Review shall include exterior design, materials, textures, and colors but shall not consider elements of the design that do not affect exterior appearance. In reviewing proposals for development in AR Districts that have an established historical character, the Design Review Committee shall recommend disapproval of drawings for a structure that would be inharmonious with surrounding development, but the Committee shall not require that new structures duplicate an historic architectural style as a condition of approval.

(c) **Signs.** The Design Review Committee shall review and act on applications for signs as



required by Article 17. (Signs).

Section 18.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 21. AR - Architectural Review Combining District is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.29203.2. Architectural review.** In addition to the drawings required by subsections (a), (b), and (d) of Section 10-5.29203. I of this article, the owner of the site or his or her authorized agent shall submit the following drawings to the Director of Planning at the time of or prior to applying for a zoning permit: (a) Architectural drawings or sketches, drawn to scale, showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified; (b) Signs pursuant to Article 17. (Signs), if any; (c) The Design Review Committee or the Director of Planning may require additional information if necessary to determine whether the purposes of this article are being carried out.

Section 19.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 6. NR – Natural Resources District is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**10-5.2961. Required conditions.**

(b) No sign, outdoor advertising structure, or display of any character shall be permitted except as prescribed in Article 17 of this chapter (Signs).

Section 20.

This ordinance shall become effective upon certification by the California Coastal Commission.


PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 20<sup>th</sup> day of September, 2022 by the following vote:

AYES: COUNCILMEMBERS CASTELLANO, MOULTON, ARROYO, BAUER,  
BERGEL  
NOES: COUNCILMEMBERS  
ABSENT: COUNCILMEMBERS



Kim Walford Bergel, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the 20th day of Sept, 2022, and hereby approved.

  
\_\_\_\_\_  
Susan Seaman, Mayor

*Approved as to Administration:*

  
\_\_\_\_\_  
Miles Slattery, City Manager

*Approved as to form:*

  
\_\_\_\_\_  
Autumn Luna, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 22nd  
day of Sept, 2022.

  
\_\_\_\_\_  
Pamela J. Powell, City Clerk