

1. Agenda

Documents:

[STRATEGIC INITIATIVE COMMITTEES AGENDA 03-19-24.PDF](#)

2. Meeting Materials

Documents:

[STRATEGIC INITIATIVE COMMITTEES PACKET 03-19-24.PDF](#)

City of Nevada City
AGENDA
Business Strategic Initiative Committee
March 19, 2024

5:30PM
City Hall – Beryl P. Robinson, Jr. Conference Room
317 Broad Street, Nevada City, CA 95959

BUSINESS STRATEGIC INITIATIVE
Business, Industry, and Cannabis support

Committee Members

Councilmember Lou Ceci

Councilmember Adam Kline

Staff Liaison Sean Grayson

MEETING PROCEDURES

All items on agenda will be open for public comments before final action is taken. Speakers must restrict comments to the item as it appears on the agenda and stay within a three-minute time limit. Members of the public attending Committee meetings shall observe the same rules of order and decorum applicable to any public meeting. The presiding member of the Committee has the authority to remove, or designate a person to remove, an individual for disrupting the meeting. Before taking this action, the presiding member shall warn the individual that their behavior is disruptive and that failure to cease this behavior may result in their removal. If the behavior does not promptly cease, the individual may be removed. No warning is required to precede removal if an individual engages in behavior that is a true threat of force.

CALL TO ORDER

NISENAN TRIBE RECOGNITION: This Committee Meeting Convenes on the Ancestral Territories of the Nevada City Rancheria Nisenan Tribe

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT: Government Code Section 54954.3 provides that any member of the public may address the Committee on any matter NOT ON THE AGENDA that is within the subject matter jurisdiction of the committee. The Brown Act, with limited exceptions, does not allow the committee or staff to discuss issues brought forth under Public Comment. The committee cannot take action on non-agenda items. Please note that comments from the public will also be taken on each agenda item. At the time it is heard. Speakers must restrict comments to the item as it appears on the agenda and stay within a three-minute time limit (or lesser time if the committee chair determines it necessary due to the number of persons who may wish to speak on an item). The committee chair similarly has the discretion of limiting the total discussion time for an item as may be necessary.

BUSINESS

1. **Review/Approve Minutes September 26, 2023**
2. **Discussion on Recommendations Related to A-Frame Signs from the Nevada City Chamber of Commerce**

ADJOURNMENT

NEXT MEETING, TBD

Certification of Posting of Agenda

I, Sean Grayson, City Manager, for the City of Nevada City, declare that the foregoing agenda for the March 19, 2024, meeting of the Business Strategic Initiative Committee was posted March 15, 2024, at the entrance of City Hall. The agenda, along with supporting information, is also posted on the City's website.



Sean Grayson, City Manager

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Sean Grayson, City Manager

City of Nevada City
ACTION MINUTES
Business Strategic Initiative Committee
September 26, 2023

SPECIAL MEETING – 5:30PM CALL TO ORDER

NISENAN TRIBE RECOGNITION (read by Diana Gamzon)

PLEDGE OF ALLEGIANCE (led by Sean Grayson)

ROLL CALL

Present: Councilmember Lou Ceci, Councilmember Adam Kline, Staff Liaison Sean Grayson

PUBLIC COMMENT: General public comment was provided on non-agendized items by two community members.

BUSINESS

1. Review/Approve Minutes March 29, 2023

Action: The committee reviewed and approved the minutes.

2. Discussion on Proposed Sign Ordinance Update

Action: The committee solicited public comment and discussed the item. The committee members provided individual recommendations for the City Council's considerations on the November 8, 2024 City Council agenda as follows:

The written recommendation of the Business Committee Councilmember Ceci is:

The City Council should clarify the scope and intent of Ordinance 2023-08, particularly noting where nothing changes and no new restrictions apply. It should declare the values it seeks to enforce through the ordinance. In particular, it should address how it reconciles the needs of individual business owners to promote their business with the common good of maintaining the unique historic appeal of our town.

The City should work with partners such as the Chamber of Commerce and business owners to create signage that attracts customers but does not degrade the historic ambiance of the Historic District and other zones where internally illuminated signs are prohibited.

The written recommendation of the Business Committee Councilmember Kline is:

The City should work with the Chamber to provide businesses with compliant options for functional "open" signage, recognizing that some businesses are open later than others, and for businesses that remain open after sundown, some illumination may be necessary to let customers know they are open for business. Clear examples that eliminate guesswork would be very appreciated. Reflective signage with a desk lamp pointed at it after sundown? Holiday lights around the word "OPEN" on a sign? Let's provide solutions that work so we don't have to revisit this conversation.

ADJOURNED – 6:47PM

CITY OF NEVADA CITY

BUSINESS STRATEGIC INITIATIVE COMMITTEE STAFF REPORT

MEETING OF: March 19, 2024

Agenda Item No. 02

Subject: Discussion on Recommendations Related to A-Frame Signs from the Nevada City Chamber of Commerce. **Date:** March 12, 2024

From: Sean Grayson, City Manager

Reviewed & Approved: City Manager:

Recommended Action: Receive a report, solicit public input, and make any recommendations on the topic.

ISSUE STATEMENT AND DISCUSSION:

On February 20, 2024, the Nevada City Chamber of Commerce (Chamber) sent a letter to the City titled “Chamber Position on A-Frame signage in the downtown”. Their position includes, “the Chamber advocates this proposal to City Council, that the Sign Ordinance (17.68.080 - Signs—Requirements and restrictions; item J), be amended to define an application process for approving select qualifying Sidewalk Signs and locations”. The letter is attached, and the Chamber will be available at the committee meeting to present their position.

A-frame signs are either prohibited or there is not a mechanism by which the City could permit them within the Nevada City Municipal Code. The City’s Zoning Ordinance (Title 17 of the Municipal Code) prohibits the use of sandwich board or A-frame signs on private property within the historic district. 17.68.080.J states, “Sandwich board signs or A-board signs shall not be allowed”. There is one exception to this for signs advertising horse and carriage business, 17.68.100.I.1 states, “Said sign shall not exceed two (2) feet by four (4) feet, double-faced, and said sign may be an A-board type sign”. The Chamber’s proposal is for the use of city owned sidewalks which are regulated in Title 12 – Streets, Sidewalks, and Public Places.

Title 12 does not provide any allowance for the issuance of an encroachment permit as a vehicle for the use of the City sidewalks for the placement of A-frame signs. Chapter 12.05 does provide an encroachment permit process for both sidewalk dining and parking dining (dining within a parking space), although neither allow for the use of signage.

City police and code enforcement have begun an education campaign on A-frame signs to remove them from the public right-of-way. It should be noted that in many cases signs have been placed in locations that are unsuitable for placement due to the need for safe and Americans with Disabilities Act (ADA) compliant path of travel along sidewalks. Generally, at least 48” of clear space is needed for sidewalk travel although this can increase or decrease depending on the location. The sidewalk dining encroachment permits require 54” of clear space for path of travel.

No action could be taken to allow A-frame signs without a change to the municipal code via ordinance revision. Any such revision would require a robust accounting for safety and ADA compliance which would eliminate many areas of the City from consideration for such a sign even if the code were amended. Staff requests that the committee consider the input from the Chamber and from the public and provide any recommendation to the City Council on the topic.

FINANCIAL AND/OR POLICY IMPLICATIONS:

None.

STRATEGIC PLAN ALIGNMENT:

This action is consistent with the strategic initiative of Business: Business, Industry, and Cannabis Support. The action specifically addresses goal #2, “Work with the Chamber of Commerce for citywide business support”.

ENVIRONMENTAL CONSIDERATIONS:

None.

ATTACHMENTS:

Nevada City Chamber of Commerce Letter



Memo to: Sean Grayson, Nevada City City Manager
From: Stuart Baker, Executive Director, Nevada City Chamber Board
Date: February 20, 2024

RE: Chamber Position on A-Frame signage in the downtown

Since the pandemic, there has been a proliferation of sidewalk signs throughout Nevada City's Historic District, as small businesses have struggled to re-establish customer awareness and patronage of their enterprises. Officially, sidewalk signs are prohibited by a city code which has been lacking enforcement, out of compassion for the pandemic struggle. However, as post-pandemic commerce has increased, so too have the number of complaints regarding sidewalk signs; particularly the placement of signs which impede pedestrian access or restrict wheelchair clearance, signs which are not in keeping with the approved historical design guidelines, and signs which are not located adjacent to the advertised business. As such, the enforcement of the prohibition of sidewalk signs is likely eminent.

In consideration of:

- Business owners who currently employ sidewalk signs, consider these signs to be a vital marketing tool for the success of their business,
- The importance of safeguarding residents and visitors from any hazards or detractions during a visit to the Historically Designated downtown area,

the Chamber advocates this proposal to City Council, that the Sign Ordinance ([17.68.080 - Signs—Requirements and restrictions; item J](#)), be amended to define an application process for approving select qualifying Sidewalk Signs and locations.

1. This proposed application process would subject Sidewalk Signs to specific conditions of operation, design, and placement, reflective of the enjoyment, vitality, and safety of all community stakeholders.

Were the City to approve an application process:

2. We ask that the city consider a cap on the total number of A-Frame signs that would be allowed in the downtown.
3. We ask that the City Planner create a clear map of where A-Frame signs would be allowed, so merchants can easily ascertain whether or not they can participate in the program.
4. We ask that the city consider selected approval of flags for businesses who cannot take advantage of A-Frames.



PUBLIC COMMENTS

Sean Grayson

From: Pamela Meek <pmichelemeek@gmail.com>
Sent: Tuesday, March 19, 2024 11:21 AM
To: Public Comment
Subject: A Boards: Public Notice - State Historic Rehabilitation Tax Credit

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From: **Pamela Meek** <pmichelemeek@gmail.com>
Date: Mon, Mar 18, 2024, 4:06 PM
Subject: Fwd: Public Notice - State Historic Rehabilitation Tax Credit
To: <lou.ceci@nevadacityca.gov>, <adam.kline@nevadacityca.gov>

Hi Lou and Adam,

This is a quick two for one. Below you will find an interesting article from the California Office of Historic Preservation, regarding a 20% tax credit: "The State Historic Rehabilitation Tax Credit Program provides a 20% California tax credit to property owners that rehabilitate their historical buildings." You may want to take advantage of this office for information pertaining to the importance of preserving our state's history.

Secondly, I would like to comment on the potential for a proliferation of sandwich boards up and down our historic city's sidewalks. While I support the success of our local businesses, I do not support this questionable means of increasing business visibility in a way that detracts from the cityscape, while also creating a potential tripping hazard for pedestrians.

Our sidewalks are meant to provide a safe, clutter free means of wandering from shop to shop. They are not meant to act as space for additional free advertising provided by the city. Whose liability insurance will cover possible injuries...the shop owners or the city? It is questionable as to whether a shop's success depends on adding these A frames. This is one more slippery slope towards "any town USA".

Thank you for your consideration.

A 38 year resident and voter of Nevada City,

Pamela Meek
526 Nevada Street
Nevada City, CA

----- Forwarded message -----

From: **California Office of Historic Preservation** <info.calshpo-parks.ca.gov@shared1.ccsend.com>

Date: Mon, Mar 18, 2024 at 12:59 PM

Subject: Public Notice - State Historic Rehabilitation Tax Credit

To: <pmichelemeek@gmail.com>

[View as Webpage](#)



California Office of Historic Preservation



Public Notice

State Historic Rehabilitation Tax Credit Program

The [Office of Historic Preservation \(OHP\)](#) is seeking public comment on the most recent revisions to the proposed regulation for California's State Historic Rehabilitation Tax Credit Program. The revisions are the result of technical comments from the Office of Administrative Law (OAL) in early 2024. Input from this current public comment period will inform the final draft of program regulation. The tax credit program is anticipated to launch publicly later this year.

The 15-day Public Comment Period begins at 12:00 AM (PT) March 19 and ends at 11:59 PM (PT) on April 3, 2024.

Below is a link to the Notice regarding the proposed text revisions. The review documents become available at 12:00 a.m. March 19th on the OHP [State Historic Rehabilitation Tax Credit](#) webpage.

Notice of Modification to Text of Proposed Regulation

When property owners improve buildings by complying with the Secretary of the Interior's Standards for Rehabilitation, California's historic buildings maintain their historical significance and better interpret our state's history. The tax credit encourages the reuse of historic buildings with repair and sensitive replacement of historical elements and supports deferred maintenance and energy upgrades.

Photo courtesy of Andre M/Creative Commons.

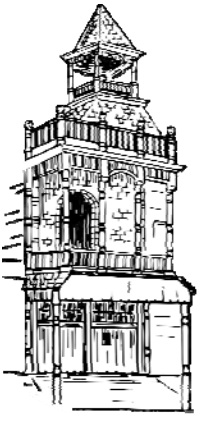
California Office of Historic Preservation | 1725 23rd Street, Suite 100, Sacramento, CA 95816

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THE NEVADA COUNTY
**Historical
Society** EST. 1944

Celebrating and Preserving
the History of
Nevada County, California

161 Nevada City Hwy., Nevada City, CA 95959
info@nevadacountyhistory.org
www.NevadaCountyHistory.org

March 19, 2024

Dear Business Committee Members:

The Historical Society is concerned with the proposal to permit A Boards and flags in the Historical District. This would require a major weakening of the 1968 Historical Ordinance which is unprecedented. A Boards and signs including flags are not permitted per the Historical Ordinance; we have highlighted the critical sections in red below with our notes in green. They are not in keeping with the historical ambiance that the Ordinance has created over the years, resulting in the pride of our residents and an attraction to visitors worldwide.

The safety and accessibility of our sidewalks is critical also.

Sincerely,

Daniel R. Ketcham
President Board of Directors
(530) 477-8056
President@NevadaCountyHistory.org

Nevada County ~ at the heart of California's golden history



Firehouse No. 1 Museum
214 Main Street
Nevada City, CA 95959
(530) 265-5468

**Nevada County
Narrow Gauge Railroad Museum**
#5 Kidder Court
Nevada City, CA 95959
(530) 470-0902

North Star Mining Museum
933 Allison Ranch Rd.
Grass Valley, CA 95945
(530) 273-4255

Searls Historical Library
161 Nevada City Hwy.
Nevada City, CA 95959
(530) 265-5910

Historical District Ordinances relative to A-Boards and Flags

17.68.030 Definitions

"Sign" means **any outdoor medium** which is used or intended to be used to attract attention, by visual means, to either a location or subject matter for advertising structures or displays on which letters, words or other characters are placed, as well as the portion of any building wall on which such letters, words or other characters may be painted or otherwise affixed. **Note: Applies to signs which would include flags anywhere in HD, not just on buildings in the HD and not just on private property. And applies to signs not just on buildings.**

(Ord. 338 § 2, 1968)

17.68.050 - Permit requirements.

It is unlawful for any person (1) to tear down, demolish or remove any building within the historical district, or (2) to construct any building or alter any building as to its exterior appearance, within said district, or (3) **to place, erect, alter or relocate any sign within said district** (except as provided in Section 17.68.100 of this chapter, **without first obtaining a permit** to do so in the manner provided in this article; and no such permit shall be issued except in compliance with the provisions of this article. . **Note: Applies to signs anywhere in HD, not just on buildings in the HD and not just on private property. Regardless, certainly "flags" would likely be attached to private property.**

(Ord. 338 § 4, 1968)

17.68.080 - Signs—Requirements and restrictions.

Except as provided in Sections 17.68.090 and 17.68.100 of this article, no sign shall be placed, erected, altered or relocated **on any property** within the historical district unless such sign is, as to its exterior appearance, compatible with the Mother Lode type of architecture, and unless it complies with all of the following requirements: **Note: property would include sidewalks, which are city property.**

A.

No sign shall be allowed except a sign which identifies or advertises the business conducted on the premises. Note: This certainly would apply to flag type signs also.

- B. Each sign shall be affixed to a building, except that where the building is set back from the street to such extent that a sign affixed to the building would not be within reasonable view from the street, then a sign need not be so affixed, but may be located in some other manner as the planning commission shall approve. *Note: This certainly would apply to flag type signs also.*
- C. No sign shall project more than six feet from the face or vertical surface of the building. *This certainly would apply to flag type signs also.*
- D. No sign shall project above the eave or parapet line of the building. *Note: This certainly would apply to flag type signs also.*
- E. No single sign shall exceed twenty-four square feet in area.
- F. The aggregate area of all signs of any one business entity shall not exceed twenty-four square feet; provided, however, that a single business entity having public customer entrances on two or more sides of a building may treat each such side as a separate entity.
- G. The area of an irregular sign shall be the area of the smallest rectangle which can wholly contain the sign.
- H. No sign shall contain any flashing, blinking or moving letters, characters or other elements, and the sign itself shall not move.
- I. No sign shall contain any outline tubing.
- J. *Sandwich board signs or A-board signs shall not be allowed.*
- K. Neon signs or signs containing any outline tubing which are sought to be located inside a building and which are designed to be seen from the outside of the building are prohibited. Any sign in violation of this subsection shall be removed immediately.

(Ord. 88-8 § 1, 1988; Ord. 85-7 § 1, 1985; Ord. 348 § 1, 1970; Ord. 338 § 7, 1968)

Sean Grayson

From: Karla Arens <karlaarens@sbcglobal.net>
Sent: Tuesday, March 19, 2024 3:09 PM
To: Adam Kline; Lou Ceci for Nevada City Council; Sean Grayson; Public Comment
Subject: A- boards and such

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Good afternoon....1st day of Spring!

Several years ago I stepped off the curb at Pine and Broad and broke 4 metatarsals. (There is now a short ramp at that location.) It took quite long time including surgery to recover and the experience has left me wary of what may be a tripping obstacle along my path. The A-boards present a hazardous impediment and I'm certain that others with similar experiences along with those who may have balance issues and those with more extreme disabilities are equally as unsettled by A-boards on the sidewalk.

Aside from the obvious risk the A-boards present, it's my understanding that the initial impetus for widening the sidewalk on Commercial Street.was to create an opportunity for people to walk abreast. A-boards and other street clutter undermine the original intent for widening the sidewalk. Please support the existing ordinance prohibiting A-boards.

Thanks,

Karla Arens
Nevada City