

**MINUTES OF THE 16 JANUARY 2008
TRINIDAD PLANNING COMMISSION MEETING**

I. ROLL CALL

Chairman Mike Morgan called the meeting to order. Commissioners in attendance were Mike Morgan, Carol Rowe, Bryce Kenny, Judy Lake and Richard Johnson. Council Liaison Kathy Bhardwaj was present. Trever Parker and Kristen Martin represented staff in attendance.

II. APPROVAL OF MINUTES – December 19, 2007

The Commissioners asked for an update on the Chevron project, which was brought up during the previous month's Staff Report. Parker confirmed that she has sent the station owner a letter reminding him of the requirements for his project, and stated that he is not required to complete the project within a given time frame.

Kenny made a motion to approve the minutes as submitted. Lake seconded. Motion carried 5-0.

III. APPROVAL OF AGENDA

It was agreed that Item #2, Sterling, would be continued to next month's meeting. Johnson made a motion to approve the agenda with this change. Rowe seconded. Motion carried 5-0.

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

PLANNING COMMISSION DISCUSSION / ACTION / PUBLIC HEARING ITEMS

1. Marshall 2007-12: Design Review and Coastal Development Permit to construct a new 3,172 sq. ft., 3-bdrm, 2-story, single-family residence on a vacant 12,815 sq. ft. property (after lot merger). Located at the corner of Hector and Edwards Streets; APN 042-043-05, -13.

Parker introduced the project. The applicant has submitted a preliminary design for his proposed house as well as an application for a lot merger, which will need to be completed before a home is built. The intent of tonight's meeting is to gather public input that will help him to finalize the house design. The proposed house design has a floor area of 3,172 sq. ft. and a Floor to Lot Area Ratio of 24.8% as defined by the Zoning Ordinance. The City has a guideline suggests a limitation on the size of a residence of 2,000 sq. ft. unless certain findings can be made; the Planning Commission also uses an unofficial guideline of a maximum 25% Floor to Lot Area Ratio. The height of the proposed house would be approximately 21 ft. measured from the existing ground level, which is below the maximum allowable height of 25 ft. However, the Planning Commission may

require a lesser height (to a minimum of 15 ft.) in order to protect private views, which is expected to be a major issue in this case. The project site is about 100 ft. away from the historic church and is within 100 ft. of the Tsurai Study Area, raising concerns about bluff instability and damage to cultural resources resulting from stormwater runoff and septic effluent.

The Commissioners asked for clarification on a few items in the staff report. Parker reviewed the table showing total floor area and lot coverage calculations, explaining that covered porches are included in the calculation but garages are not. It was noted that Condition of Approval #6 should restrict the home to three, not two, bedrooms. Kenny asked how close the adjacent church is to its property line. Parker replied that she doesn't know.

The floor was opened to public comment at this point. Morgan said that several letters of comment have been received and are now part of the public record. Many of the letter writers were not present at tonight's meeting. Comments were focused on the size and bulk of the structure, its potential impacts on bluff instability, its compatibility with the neighborhood and town character, and its effects on private ocean views and public views of the historic church.

Kelly Lindgren was concerned that although stormwater runoff from the new residence would be routed into City drains, sewage effluent may travel off-site and contribute to bluff saturation at the Tsurai Study Area. She requested that the project be subjected to environmental review under the California Environmental Quality Act (CEQA). Parker responded that construction of single-family residences is generally exempt from CEQA but exceptions can be made for projects occurring near sensitive resources. A formal determination has yet to be made in this case.

Michael Reinman, owner of the apartment building located behind the project site, said that the new house will decrease his property value by adversely affecting his tenants' ocean views. He said that the applicant should consult with him and try to work out a compromise that will be more in keeping with the neighborhood character. Kim Binnie expressed similar concerns about views, height and bulk and said that the house design, as submitted, is not detailed enough to allow for an informed decision about its aesthetic impacts. Don Blue, one of Mr. Reinman's tenants, was concerned about losing his view. He said that the story poles placed on the site to represent the proposed house should be removed until a more accurate design is available.

Mike Pigg, the applicant's agent, stated that it was not intended for the project to be approved tonight; they were only seeking public comment. The applicant, Jim Marshall, reiterated this and said that it would be impossible to build on this particular lot without affecting some people's views. Mr. Marshall's builder, Mike Burrell, also responded to some of the public's concerns. He said the new septic system built for the house will be subject to high standards so as not to have

impacts on nearby coastal bluffs. He said there will be no fill placed on the site, so the house will not end up being higher than it currently appears on the plans. He said the story poles are currently in their appropriate locations.

Several neighbors of the project wished that the applicant had approached them before taking the project to a public hearing, and advocated for a private meeting so everybody's issues could be worked out. The applicant was amenable to this suggestion. Mr. Pigg asked Commissioners and staff for guidance on how to move forward from this point. Kenny suggested that a computer-generated model or detailed drawing might be presented to give everybody a clear idea of what the house will look like. Parker also suggested that the house does not need to be confined to the building envelope currently shown on the plans if the septic leachfield can be placed elsewhere on the property. Currently the building area is shown with 5-foot setbacks from the interior western and northern property lines. Wider setbacks may help to alleviate some concerns about the home's bulkiness.

The Commissioners withheld specific input on the house design until they could visit the site and experience the view from Mr. Reinman's apartment building. Kenny made a general recommendation that the applicant bring the house closer to 15 ft. in height and 1,500 sq. ft. in size. Parker said that the proposed lot merger will be on the Commission's agenda next month and will need to be approved before the Design Review and Coastal Development Permit can be finalized.

Motion: Johnson made the following motion: *Based on the information submitted in the application, and included in the staff report and public testimony, I move to continue the project to the regularly scheduled February meeting and request that public input and Planning Commission comments be incorporated into a final and complete design, with an additional request for City planning staff to investigate the project's CEQA status.* Lake seconded. Motion carried 5-0.

2. Discussion/decision to reschedule the regular monthly Planning Commission meetings a half hour earlier on the third Wednesday of each month from the current 7:30 PM start time to a 7:00 PM start time and preferred meeting place (Town Hall or Council Chambers).

The Commissioners agreed that their regular meetings should start at 7:00 PM and take place in Council Chambers except when more seating room is needed.

Motion: Rowe made a motion to change the Planning Commission's regular start time from 7:30 to 7:00 PM. Johnson seconded. Motion carried 5-0.

3. Discussion/decision regarding General Plan update and Accessory Dwelling Units.

Morgan suggested that a separate public workshop be held for each of these issues, because not much was being accomplished during regular Planning Commission meetings. It was agreed that, depending on room availability, an ADU Ordinance workshop will be held next Tuesday night (Jan. 22) and General Plan update workshops will be held the following Monday (Jan. 28) and Wednesday (Jan. 30) nights starting at 7:00.

4. Report from Tree Cutting and Planting Policies/Guidelines Committee.

Rowe reported that a committee meeting was not held. She will try to incorporate tree cutting and planting guidelines into the General Plan update process.

VI. **STAFF REPORT**

Parker reported the following items:

- A Draft Integrated Coastal Watershed Management Plan for the Trinidad-Westhaven coastal watershed will be submitted to the State and circulated to interested parties for review on Friday, Jan. 18.
- The City's OWTS Ordinance will be heard by the Council again next Wednesday (Jan. 23).

VII. **COUNCIL LIAISON**

Bhardwaj reported the following items:

- The City is researching a backup generator for the water plant.
- Voters will decide on Apr. 8 whether or not to keep the City's one-cent sales tax.
- Verizon Wireless has transferred its cell tower lease to another affiliate with the Council's approval. Regarding Verizon's request to install an Appleton Plug at its facility, the Council has stated that the company may not add to its existing equipment on Trinidad Head.
- A new City Manager is expected to be announced within a couple of weeks.
- The Council directed the City Engineer to look into removing the leaning light pole at Trinity and Edwards Streets.

Morgan requested that the Council ask the City Attorney for an update on his determination regarding the legality of Chevron's "freeway" sign. Johnson commented that the Commission often brings up issues like this that are later forgotten. Parker said that she can provide the Commissioners with a year-end report summarizing the status of their requests and other issues that have come up.

VIII. **ADJOURNMENT**

Rowe made a motion to adjourn. Kenny seconded. Motion carried 5-0. The meeting was adjourned at 9:30 PM.

Respectfully submitted by: Kristen Martin, Assistant City Planner

Secretary to the Planning Commission
City of Trinidad