

CHAPTER 1: INTRODUCTION

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A. WHAT IS A GENERAL PLAN?

A General Plan is a legal document that serves as the Community's "constitution" for land, use, development and conservation. A General Plan must be comprehensive and long terms, outlining proposals for the physical development of the City and any land outside its boundaries that, in the City's judgment, bears relation to its planning. The Trinidad General Plan is a legislative document that sets forth development constraints and preferences, and develops a program for the orderly development of public service facilities and private lands and identifies steps to implement the plan. The City of Trinidad General Plan 2010 is a comprehensive update of the 1978 Plan. This plan makes use of existing and new data, trends, and desires to provide a glimpse of what the community is and will be twenty years in the future.

1. Legislative Requirements

The State of California requires that each municipality to prepare and adopt a General Plan, generally with a 20 year planning horizon (Government Code 65300 et sec). The General Plan should comprise an integrated, internally consistent and compatible statement of policies for the adopting agency. General Plans are required to address at least seven elements: (1) land use; (2) circulation; (3) housing; (4) conservation; (5) open-space; (6) noise; and, (7) safety. The General Plan may include any other elements or address any other subjects, which, in the judgment of the legislative body, relate to the physical development of the county or City.

In addition to establishing requirements for the development of a General Plan, the Government Code stipulates that zoning and subdivision regulations and specific plans must conform to the adopted General Plan. Because Trinidad lies almost exclusively within the Coastal Zone, this General Plan also serves as the Land Use Plan (LUP) portion of the Local Coastal Program (LCP) as required by the Coastal Act (see below). The General Plan consists of narrative text and maps, along with goals and policies to be used in making land use decisions. It is organized into the seven elements required by State law, and two optional elements dealing with Community Design and Historic and Cultural Preservation.

The nine (**DRAFT**) elements of the Trinidad General Plan are summarized below:

1. *Land Use*: Establishes land use designations with types and intensities of land use, and policies and programs regarding redevelopment and maintenance of coastal-dependent businesses.
2. *Circulation and Public Facilities and Services*: Establishes the essential public facilities and services to ensure that the existing and future population of Trinidad is provided with the highest feasible level of public services. Contains policies and Levels of Service standards for the roadway system, as well as policies for public transit, bicycle facilities, parking and transportation for the mobility impaired, taking into account the relationship between land use and transportation needs of the community.
3. *Conservation, Open Space, and Parks*: Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs. This element also includes specific policies and programs to ensure continued public access, preserve and enhance scenic views, protect wetlands, bluff tops, and other natural resources.
4. *Historic and Cultural Preservation*: An optional element that provides a framework for assessing, protecting and interpreting Trinidad's unique cultural and historic heritage.
5. *Community Design*: This optional element establishes policies and programs dealing with the appearance of the community. It includes urban design guidelines to ensure that development contributes to the community's identity and unique sense of place, and policies to preserve historic sites and buildings.
6. *Safety*: Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials.
7. *Noise*: Contains policies and programs to reduce the community's exposure to excessive noise.

8. *Housing*: Includes policies and programs to meet the housing needs of all economic segments of the community, emphasizing increased mixed-use housing, more effective utilization of infill sites, inclusionary housing, and providing additional housing for special needs groups such as seniors.
9. *Energy and Climate*: Another optional element that addressed energy consumption and conservation and climate change. Although this is not yet a State mandated element, the State is requiring local jurisdictions to address both their impact on climate change, as well as potential impacts of climate change on the local jurisdiction in their General Plans.

State law requires that all parts of the General Plan comprise an integrated, internally consistent and compatible statement of policies. This standard, as well as court cases which have interpreted it, implies that all elements of the General Plan have equal status, that all goals and policies must be internally consistent, and that implementation activities must follow logically from the Plan's goals and policies. This General Plan meets these standards.

2. California Coastal Act

The California Coastal Act of 1976 established a comprehensive plan to protect resources and regulate development along California's coast. The Coastal Act requires every city and county located partly or wholly within the designated Coastal Zone to prepare a Local Coastal Program (LCP) which is reviewed and certified by the California Coastal Commission. The Coastal Act defines an LCP as “a local government’s (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of this division at the local level” (Public Resources Code Section 30108.6). The LCP zoning ordinance, district maps, and other implementing actions must be found to conform with and be adequate to carry out the LCP Land Use Plan (LUP). Though developed in 1976, the City’s Land Use Plan was the first in the State to be certified by the Coastal Commission in 1978. The implementation ordinances were certified in 1980. The Coastal Act (in Public Resources Code (PRC), Section 30001.5), sets the following goals for LCPs in the Coastal Zone:

- Protect, maintain, and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources.
- Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the state.
- Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses in the Coastal Zone.

This document establishes the Land Use Plan (LUP) portion of the City of Trinidad Local Coastal Program (LCP), and was prepared in accordance with the California Coastal Act. The LUP is defined as *“the relevant portion of a local government’s general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions”* (PRC Section 30108.5). The policies contained within this document govern the use of land and water within the city limits of the City Trinidad. This General Plan update, following certification by the Coastal Commission, will supersede the City’s 1978 certified LUP.

3. Policies not part of the Certified Local Coastal Program

The policies demarcated with the City of Trinidad seal:  , are not part of the certified LCP and do not govern the review and approval of coastal development permits. These policies are not part of the standard of review for coastal development permit purposes, as they are not relevant to indicate the *“kinds, location, and intensity of land uses”* as required of Coastal Land Use Plans (PRC Section 30108.5). However, the policies demarcated with the City seal are included in the General Plan document as the City will apply these policies under its own separate authority.

The following policies and associated programs, which are demarcated with the City seal within the General Plan, are not considered part of the City’s certified Local Coastal Program for purposes of the review and approval of coastal development permits:

Note that these policies have yet to be determined, and so have not yet been listed or demarcated.

4. Purpose

The Trinidad General Plan serves the following functions:

- Expresses the community’s vision of the future physical development of the City of Trinidad
- Enables the Planning Commission and the City Council to establish long-range conservation and development policies in the City.
- Provides the basis for judging whether specific private development proposals and public projects are consistent with these policies in the City.

- Informs the residents, developers, decision makers, and other jurisdictions of the ground rules that will guide development and conservation in the City.

B. PLAN ADMINISTRATION

5. Organization

The Introduction chapter focuses on the legislative requirements and purposes of a general plan. It further describes past planning efforts by the City, the relationship of planning within City limits and those areas adjacent to and outside of the City, and opportunities for public input and future amendment. It also contains the City's vision statement and information on using and interpreting the various General Plan Elements.

The chapters following the Introduction constitute the various (9) elements contained with the General Plan. A Glossary is included as a final section. Figures are located throughout the document, and a list of figures can be found within the Table of Contents. In addition, there are various background reports that are referenced in the General Plan and that were used to provide the information and shape the policies of each element. These background reports should be considered part of this General Plan.

6. Plan Interpretation

Much of the background information and analysis that supports the policies in this General Plan is included in several background reports and other supporting documents described below. These documents are available for public review at City Hall. The narrative that precedes the General Plan policies should be considered part of the supporting information and was used in the development of the policies. While it is intended that the policies be fully respected and achieved, circumstances may occur that result in a change in how a specific policy is to be implemented. Decisions relating to the General Plan need not be entirely consistent with the narrative as long as adherence to the policies occurs.

The Land Use Map and the General Plan Policies are the core of the General Plan. Zoning regulations, subdivision decisions, and other City policy deliberations shall be consistent with these policies. If the General Plan is found to be inconsistent with community preferences, the General Plan should be amended accordingly rather than approving developments or actions inconsistent with the Plan policies. When the word "shall" is used in policy statements, the policy shall be considered mandatory. When the word "should" is used it means that the City intends to follow this guidance in the absence of compelling, countervailing considerations. Many policies apply to more than one element of the General Plan. For ease of use in finding applicable policies, they have been repeated in each appropriate element and cross-referenced.

i. Background Reports (DRAFT)

- *Sphere of Influence*
 - *Master Services Element*
 - *Municipal Service Review*
- *Environmental Conditions and Constraints*
- *Trinidad-Westhaven Integrated Coastal Water Management Plan*
- *Tsurai Management Plan*
- *Circulation and Walkability Study*
- *Climate Action Plan*
- *Soils Characteristics*
- *Geologic Conditions and Constraints*
- *Impervious Surfaces and LID*
- *Environmental Impact Report*

ii. Goals, Policies and Programs

The City's vision statement forms the foundation for the goals and policies included in each element of the General Plan. Goals, policies and programs are the essence of the General Plan and are defined below

- **Goal:** A general, overall, ultimate purpose, aim or end toward which the City will direct effort. Goals are a general expression of community values and, therefore, are abstract in nature. Consequently, a goal is not quantifiable, time-dependent, or suggestive of specific actions for its achievement.
- **Policy:** A specific mandatory statement binding the City's action and establishing the standard of review to determine whether land use and development decisions, zoning changes or other City actions are consistent with the General Plan or;
- **Program:** An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal.

iii. Coastal Development Permits

In authorizing Coastal Development Permits after LCP certification, the City must make the finding that the development conforms for the certified LCP as well as all other findings required for a specific project by Chapter 17 of the Municipal Code – Zoning Regulations. The following general policies shall provide the framework for the Coastal Land Use Element:

1. The policies of the Coastal Act (Coastal Act Sections 30210 through 30264) shall guide the interpretation of the Land Use Plan.
2. Where policies within the General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

3. Prior to the issuance of any development permit required by this Plan, the City shall make the finding that the development meets the standards set forth in all applicable Coastal General Plan policies.

C. CURRENT GENERAL PLAN (2010)

This General Plan includes a revision of existing policies based on numerous background reports and other inputs, as referenced in each element, and is intended, based on current knowledge, to extend forward for a twenty-year period. It updates all the existing General Plan elements, including the 1976 Land Use, Conservation, Open Space and Circulation Elements, the 1975 Public Safety, Noise and Scenic highway Elements, and the 1998 Housing Element.

7. Administering the Coastal General Plan

All land use and development decisions in the Coastal Zone must be consistent with the Local Coastal Program (LCP). In authorizing Coastal Development Permits after LCP certification, the City must make the finding that the development conforms to the certified LCP as well as all other findings required by various sections regulating the issuance of permits of the Trinidad Zoning Ordinance. The following general policies shall provide the framework for the Coastal Land Use Element:

Policy 1-1: The policies of the Coastal Act (Coastal Act Sections 30210 through 30264) shall guide the interpretation of the Land Use Plan.

Policy 1-2: Where policies within the Coastal General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

Policy 1-3: Prior to the issuance of any development permit required by this Plan, the City shall make the finding that the development meets the standards set forth in all applicable Coastal General Plan policies.

Policy 1-4: The textual discussion is intended as elaboration of and justification for the Plan policies and map designations. Therefore, the text shall be considered as the findings justifying the specified policies and Land Use Maps.

In addition, certain types of development, as well as development within certain geographic areas that are acted on by the City after certification of the LCP, are appealable to the Coastal Commission (PRC Section 30603). These include:

- (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

- (2) Developments approved by the local government not included in paragraph (1) that are located on tidelands, submerged lands, and public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
- (3) Developments approved by the local government not included with paragraphs (1) or (2) that are located in a sensitive coastal resource area.
- (4) Any development which constitutes a major public works project or a major energy facility (whether approved or denied by the local government).

The grounds for an appeal of an approval of a permit are limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies of the Coastal Act. In addition, the grounds for appealing of a denial of a permit for a major public works project or major energy facility, referenced in number (4) above, are limited to an allegation that the development conforms to the standards set forth in the certified Local Coastal Program and the public access policies of the Coastal Act. The Coastal Commission retains coastal development permitting jurisdiction on submerged lands, tidelands, and public trust lands (PRC Section 30519).

8. General Plan Update Process and Public Input

The Trinidad General Plan update process has been long and involved several steps. As in the 1978 General Plan, steps were taken to ensure that property owners and residents would be involved in the planning process. This update originally started in the late 1990's with a series of Town Hall meetings. The update was suspended in 2002 due to a lack of funds, and was resumed again in 2008. Therefore, this Plan as been reviewed by several different Planning Commissions and the public over these years.

The development of the update to the General Plan included several community "Visioning" meetings to obtain early public input. In 1997, the Center for Economic Development (CEED) facilitated Town Hall Meeting #1 and created a verbatim record of participants' responses as well as a shared community vision statement. This document was given considerable weight in the efforts to determine appropriate recommendations for amending the General Plan. A second Town Hall meeting discussed a few of the issues of top concern from Meeting #1, including septic systems and community design. A third town hall meeting resulted in an action plan where several small groups were formed to implement the goals developed from the first meeting.

To include more recent community input, ideas, statements and issues from a community meeting at the City Council in November 2007 were also incorporated into this update. In addition, public input from several other types of community and public meetings, such as those associated with the Trinidad-Westhaven Coastal Watershed Management Plan development was also included. Additional community input was gathered from an information booth at the 2009 Trinidad Fish Festival. The update to this General Plan also

included public hearings before the City Planning Commission and the City Council where concerned parties were able to voice their concerns and opinions. The City approved General Plan is required to be forwarded for approval of coastal related issues by the California Coastal Commission.

9. Vision Statement

The following Vision Statement was originally drafted by the Center for Environmental Economic Development (CEED), who facilitated Town Hall Meeting #1, using the input from the public as a guide. It has since been remolded and updated by the Planning Commission based on current knowledge and community sentiment. The Vision is a statement of what Trinidad looks and feels like 20 years in the future, and the General Plan is the road map to achieve this Vision. This vision statement should be considered when interpreting policies contained herein.

Trinidad is a coastal community nestled in the redwood forests overlooking the rugged Pacific Ocean coast. It is a small town with active community members. The entrance to Trinidad, town hall, school, local residences, surrounding beaches and trails are clean, well maintained, quiet and safe. The City honors and protects its cultural and historic heritage.

The citizens of Trinidad envision the future with clear views of the coastline enjoyed throughout the community. The view from the Memorial Lighthouse includes many boats in the harbor. There is a viable commercial and recreational fishing industry. In addition, there are small shops in a quaint mixed-use business district that includes locally made products, bookstores, restaurants, clothing and gift shops, and other local and visitor related businesses.

Trinidad intends to maintain the existing small town atmosphere. Scenic and environmental protection are essential to Trinidad's quality of life and economy. Town Hall is a vibrant center for community activities. We take pride in our City and community services including a community park, library, museum and convenient, safe and accessible transportation options. Trinidad Elementary School remains an anchor for both education and community-based gatherings. Citizens are enthusiastic and informed participants in City Government.

Sustainability is a keystone for all development and a hallmark for daily life and City functions in Trinidad. New environmental technologies are embraced that further protect Trinidad's scenic, natural and cultural resources. Trinidad's water resources, including the Bay and streams are unpolluted. Trinidad maintains a working relationship with the County of Humboldt to monitor and comment on activities within our watershed planning area.

10. Planning Outside City Limits

Land use activities outside the City limits affect the City in a variety of ways. Residents outside City limits may shop, eat, work or send their kids to school in Trinidad. This may affect traffic and City revenues among other things. Development adjacent to the City can affect City services and future annexation potential. Upstream activities also affect downstream resources, such as the coastal creeks that flow through town and the ocean. Development in the Luffenholtz Creek watershed can affect both the quantity and quality of the City's water supply.

There are a variety of mechanisms the City has to affect and plan for land use decisions outside City boundaries. The City has a Sphere of Influence that represents the probable future annexation areas. The City's Service Area includes those areas where the City is currently providing water service, or may expand service in the future. An Urban Limit Line defines the intensive growth area near the City. Finally, the City's Planning Area is based on watersheds, and represents an area of interest in land use decisions to the City. Figure 3 shows the extent of these various planning areas. All four of these areas outside City limits are within the jurisdiction of Humboldt County, with the exception of Trinidad Rancheria and some State-owned lands. Additional information regarding the status and development of these areas can be found in section D of the Land Use Element.

11. Relationship to County General Plan

Sections of the Planning area that extend beyond the boundaries of the City will overlap areas covered by Humboldt County plans, including the Trinidad Area Coastal Plan (Local Coastal Plan) County Framework Plan and the Community Planning area. County General Plan and zoning designations are to be considered the "real" designations for areas not incorporated into the City. Any designations in City documents that exist for areas outside the City boundaries are pre-designations – they serve to recommend changes in County zoning designations and only go into effect after an area has been annexed.

The County is currently updating its general plan, which will, to some extent, change how surrounding lands should be managed. Policies have been included herein that should be incorporated by the County since development on affected properties could impact the City. These policies are based on existing known information. To the extent that the County develops new data, more appropriate policies that address this information should be developed by the County. The City should be involved in any County General Plan or Zoning update process and shall encourage the County to adopt the policies herein within the City's Planning Area.

12. General Plan Amendment

An amendment to this General Plan may be initiated by motion of the City Council on its own initiative. The Planning Commission or individuals may submit requests for

amendments to the General Plan specifying why such an amendment is necessary. Generally, local governments may not amend any one of the mandatory elements of the general plan more than four times in one calendar year (Government Code § 65358(b)).

Amendments to the General Plan Land Use Map may be initiated by the owner of the subject property or his authorized agent, or by either the Planning Commission or City Council. The filing of an amendment application, payment of fees, notice of hearing and procedural requirements shall follow the guidelines in the Trinidad Zoning Ordinance for amendments to the Zoning Ordinance.

Amendments must follow the noticing and hearing requirements outlined in various sections of the Government Code (e.g. §65091, 65350, 65352). The County, Local Agency Formation Commission (LAFCO) and other affected agencies must be notified and provided a 45-day comment period. In addition, any amendments must include formal Tribal Consultation in accordance with SB18. Finally, any amendment to the City's Local Coastal Program requires application to and approval from the CA Coastal Commission.