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A. INTRODUCTION

1. Purpose

The Land Use Element is the heart of the General Plan because it has the broadest scope of the required elements, and it provides an overview of the long-term development and sustainability goals and policies of the City. The Land Use Element provides the primary basis for City decisions on development applications.

The Land Use Element establishes policies and programs to create the general framework for the future pattern of growth, development, and sustainability in Trinidad, CA. These regulations strive to conserve natural resources and the scenic character of the land, protect wildlife habitat and cultural resources, contribute to the character of the community, and adequately serve the health, safety, and needs of the citizens. Land use decisions must take into consideration the relationship of adjacent land uses to fully integrate proposed land uses with existing natural and physical environments.

2. Background

The City of Trinidad is located in Humboldt County, approximately 25 miles north of Eureka, and 300 miles north of San Francisco. The City was founded in the 1850's as a supply center for the gold rush and, being incorporated in 1870, is one of California's oldest cities; it is also one of the State's westernmost Cities. Trinidad has only about one square mile of land area and a year-round population of 367 residents (2010 census) and 200 residences making it one of California's smallest cities as well. Though small in area, the City of Trinidad provides commercial services to surrounding rural areas, in particular the Westhaven area, which has a population of around 1,200

people. The closest towns to Trinidad are McKinleyville, six miles to the south and Orick, sixteen miles to the north.

The City of Trinidad falls within the ancestral territory of the Yurok People. The Tsurai village site (perched on the ocean bluffs on the south side of the City) dates as far back as 800 A.D. and was occupied until the early 1900's. In 1775, the Spanish "discovered" and named Trinidad. Visitors were mainly limited to fur traders until the Gold Rush. In the 1850's, Trinidad became a supply port for the inland gold rush and at one point may have had 3,000 people living there; the population plummeted when other inland routes to the gold camps were established. After gold, the logging industry sustained settlers and thrived, especially while the railroad operated in Trinidad from 1911-1948. Salmon fishing also became an important industry during this time.

The area's physical setting, regional and national economic and social changes, and individual and governmental agency development have blended to create the community we see today. The original street pattern, laid out by a ship captain in 1850, remains today, though only a few original buildings exist as a result of large fires in 1911 and 1928. Although fishing and lumber remain important to the local economy, Trinidad is now a quaint seaside town that thrives on tourism and recreation, including sportfishing.

B. LAND USE DESIGNATIONS:

1. Land Use Map Designations and Zoning.

Figure 1 shows the land use designations for all properties in the City. The goals, policies and programs in this element are to be considered in relation to this map. The Trinidad General Plan has defined development options based on finite space and environmental constraints. The City is mostly built-out unless surrounding areas are annexed into City limits or in the unlikely event that a sewer system is constructed. There are still a number of vacant parcels in town, and development needs to be carefully reviewed and controlled to ensure sustainability and compatibility with the community. The purpose of the following land use categories are described relative to the development density or intensity, and the types of activities or land uses permitted, primarily within the Trinidad City limits. State law requires that maximum densities for residential uses be specified for each designation. Overlay zones that include additional requirements beyond these base zones in certain areas may be utilized in the City's Zoning Ordinance improve implementation of the General Plan.

Goal LU-1a: To provide a compatible mix of land uses that provide for the needs of residents, businesses and visitors.

Suburban Residential (SR)

The Suburban Residential Designation is intended to provide for single-family residential development at low-densities suited to the physical capacity of the land and consistent with the density of nearby development. These areas are generally located

east of the freeway or along Scenic Drive, where public water systems are available or could be made available upon annexation. There may be soil limitations for foundations and sewage disposal systems in these areas. SR parcels generally have larger lots and maintain a rural feel with large setbacks, low lighting and no curbs or sidewalks. An accessory dwelling on a lot may be appropriate if the development design is consistent with neighborhood character and the lot has sufficient area to meet the sewage disposal requirements for each dwelling.

Maximum Density: One single-family dwelling per 20,000 square feet, with up to one accessory dwelling as appropriate and if all applicable regulations can be met, or up to 8.5 persons per acre. Maximum lot coverage of 20% allowed.

Urban Residential (UR)

The Urban Residential Designation provides areas for moderate residential development and encapsulates the central portion of town that is most densely developed. This area allows the highest density of residential use (not including mixed use), taking into consideration neighborhood characteristics, community design policies, and soil capacity for individual septic systems. Although this is the most densely developed zone, development will not be allowed to impact the small-town character of Trinidad. There is little potential for more subdivision in the UR Zone based on current regulations. A limited number of accessory dwelling units may be allowed if carefully reviewed for OWTS compliance and neighborhood compatibility.

Maximum Density: One single-family dwelling per 8,000 square feet with up to one accessory dwelling unit if all applicable regulations can be met, or up to 21 persons per acre. Maximum lot coverage of 40% allowed.

Commercial (C)

The Commercial Zone provides for the commercial services that meet the convenience and retail needs of residents and visitors. Uses serving the commercial fishing industry are also appropriate. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Signage is not to be designed to be seen from the freeway. Off-premise signs are limited to non-advertising directional signs and public informational signs. High wastewater producing uses are limited based on septic system capability.

Maximum Density: No new residential dwelling units allowed. Maximum lot coverage of 65% allowed.

Visitor Services (VS)

The Visitor Services Zone is intended to provide areas for camping, recreational vehicle parks, motels, restaurants, lounges, and similar visitor services and accommodations. Such visitor services and accommodations have direct access to a primary collector street. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Development does not create conflicts with nearby residential areas and is located near

convenience shopping facilities and / or recreational destinations. Limitations that might apply to uses of a site include sewage disposal and off-street parking.

Maximum Density: One caretaker dwelling per existing parcel. Maximum lot coverage of 65% allowed.

Mixed Use (MU)

The Mixed Use designation is applied to either primarily residential areas along main streets where limited commercial activity may be appropriate, subject to special integrating design, or they are areas where design flexibility is needed to adapt an appropriate mix of commercial and/or residential uses to the site and to surrounding uses. This includes residential and commercial establishments along Trinity and Main Streets and three large, vacant parcels with some limitations. This designation replaces the previous 'Planned Development' designation. The intent of the designation is that limited commercial uses, including visitor accommodations and services, recreational uses, offices, gift shops, food establishments, and personal services may be appropriate when such uses are designed to minimize conflicts with adjacent residentially designated properties. Uses allowed in the Public and Community (PC) designation are also appropriate if they are consistent with the intent of the MU designation. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Residential uses can be individual structures, clustered multifamily building(s) with up to four dwelling units each, or mixed with commercial uses. Limitations that might apply to uses of a site include sewage disposal, riparian setbacks, off-street parking, lighting, noise, and mixed use densities. The MU designation is not intended for campgrounds or R.V. parks.

Maximum Density: One residential dwelling unit per 8,000 square feet of lot area whether combined with a business or not. Commercial and visitor accommodations are allowed to the extent that they can be adequately served by an OWTS. Maximum lot coverage of 65% allowed.

Harbor (H)

The Harbor category is intended to provide an area in which a mixture of limited commercial, industrial and recreational uses can occur in the existing Trinidad Harbor area. This is a new designation, not part of the previous General Plan. The intent is to provide for the continuation of a mix of activities which support the Harbor's function as a commercial and recreational fishing port and to protect and reserve parcels on, or adjacent to, the sea for coastal-dependent and coastal-related uses. Incidental and appurtenant commercial activities are intended to be subordinate to the coastal-dependent uses.

Maximum density: No new residential dwelling units allowed other than a caretaker unit.

Open Space (OS)

Open Space lands include public agency open space lands, parklands, the Tsurai Management Area, Trinidad Head, beaches, and near and off-shore rocks. This designation also applies to areas lying seawards of the mean high tide line. The purpose of the OS designation is to preserve the natural and scenic character of these lands, including protecting wildlife habitat and cultural resources. Limited recreation and land management activities are appropriate uses; commercial timber harvesting is not an appropriate use. Limited development of appropriate technology, (such as micro-hydro power turbines in riparian areas) and cultural and interpretive elements may be allowed as long as they are not detrimental to sensitive coastal resources.

Maximum Density: No residential dwelling units allowed.

Special Environment (SE)

The Special Environment (SE) designation is applied to portions of otherwise developable properties to limit development due to hazards or sensitive resources such as steep slopes and riparian areas. Public and private open space, wildlife habitat, and low intensity recreational uses, including public access to and along the shoreline, are the intended uses. The SE designation restricts alteration of land and vegetation, allowing limited development, based on an appropriate study or report, only if reasonable use of the property would otherwise be prohibited. On parcels where only a portion is designated SE, development shall only occur outside of the SE area if feasible. The SE area shall not be subdivided or utilized in calculating required minimum parcel area or density. It is intended that development not be visible from public viewpoints more than necessary and that it have a natural appearance. Public Access dedications along beaches and trails will be required as appropriate, and open space easements may also be required to protect sensitive resources as conditions of development approvals.

Maximum Density: One residential dwelling unit per lot (only after resolution of all constraints following site-specific analysis).

Public and Community (PC)

The Public and Community (PC) land use designation includes publicly owned lands ,exclusive of those maintained primarily as open space, and lands owned by religious or other non-profit organizations; these properties are used for education, religious worship, community meetings, and related activities. This designation replaces the previous 'Public and Religious' designation. Public agency ownerships include, but are not limited to schools, public parking areas, utility and public service substations, fire stations, public buildings, parks and recreation facilities, and cemeteries. Public or private community facilities shall be compatible with nearby uses and should be located adjacent to streets that offer convenient access.

Maximum Density: No new residential dwelling units allowed other than one caretaker unit per lot.

Goal LU-1b: Promote development and conservation of land in Trinidad according to the pattern shown on the Land Use Designations Map.Land Use Map Policies

LU-1b.1 The Land Use Map (Figure 1) designates specific land use areas. Place all new development into appropriately designated areas so that land use conflicts can be minimized.

LU-1b.2 Densities and uses specified under each General Plan designation are further defined by language and regulations included in the corresponding Zoning designation.

LU-1b.3 Some properties include existing land uses that are nonconforming to their land use designations. Do not allow legally established existing land uses to increase their existing degree of nonconformity.

Program LU-1b.3.1: In deciding on any permit application to alter a nonconforming use, exercise discretion in determining whether a nonconforming use is compatible with a given area, including, but not limited to, the attitudes of the nearby property owners to the nonconforming use.

LU-1b.4 The Planning Commission will periodically review the Zoning Ordinance and recommend amendments to it, as necessary, to allow adequate response to current or ongoing issues, identified shortcomings or conflicts, and to ensure compliance with State and other applicable laws.

LU-1b.5 Revise the Zoning Ordinance to provide more refined Design Review Guidelines that objectively address the design, size, bulk, and scale of new development and ensure that new and remodeled buildings are compatible with and enhance the character of the neighborhoods in which they are located. Base the revisions on policy guidance contained within the Community Design element of this General Plan.

Goal LU-1c: Preserve and maintain the natural and community environments by promoting sustainability in development patterns.Sustainable Land Use Policies

LU-1c.1 Investigate and adopt appropriate policies encouraging green building technologies and uses that reduce negative impacts on the environment from both existing and new development (CD-##).

LU-1c.2 Encourage, both inside and around the City, principles of smart growth and mixed-use development concepts where feasible to improve circulation and reduce the need for auto use.

LU-1c.3 Incorporate fundamentals of low-impact-development (LID) technologies into the requirements of the City implementation plans and provide education and / or incentives to property owners to incorporate LID alternatives into new and existing development where it will not negatively impact any OWTS. (CONS-1c.1, CD-##)

LU-1c.4 In order to ensure adequate services and infrastructure for development, only approve new or increased buildings if it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development are grounds for denial of the development.

LU-1c.5 In order to minimize impacts on air quality and green house gasses, ensure new and revised development: (1) be consistent with State reduction targets; (2) be consistent with any requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development; and (3) minimize energy consumption and vehicle miles traveled to the extent feasible.

LU-1c.6 Encourage, through City implementing ordinances, sustainability and alternative technologies. This includes, but is not limited to, community agriculture, solar wind and micro-hydro power, rainwater collection and LID.

LU-1c.7 Ensure that all new parcels have adequate area to provide for anticipated uses or structures. Provide adequate setbacks from nearby septic tanks, wells, nearby slopes and streams. Demonstrate sufficient area for adequate sewage disposal requirements prior to any intensification or addition to existing uses.

LU-1c.8 Maintain an Onsite Wastewater Treatment System (OWTS) Management Program, consisting of an ordinance and guidelines, in compliance with the CA OWTS Policy and the North Coast Basin Plan, that includes regular inspections, maintenance, and pumping requirements to assure that State and federal water quality standards are met. (CIRC-11.1/ CONS-1b.6)

Program LU-1c.8.1: As part of this program, require accurate and current septic information as part of any development application, including subdivisions. OWTS upgrades may be required based on the proposed development. Uses with large quantities or high strength discharges are subject to more stringent reviews and requirements. Encourage the County to adopt a similar program in the Trinidad-Westhaven area.

Goal LU-1d: Assess, plan for, and adapt to the impacts from climate change through appropriate land use controls to maintain community character and resources.

Climate Change Planning Policies

LU-1d.1 Update and continue to reevaluate land use patterns and zoning requirements to minimize risks from climate change effects, including sea level rise, global warming, precipitation patterns, and wildfire risks.

LU-1d.2 Establish shoreline management plans to address long term sea level rise.

Program LU-1d.2.1 Create policies that require a management plan for priority area that are subject to sea level rise hazards.

LU-1d.3 Limit new development in hazard areas.

Program LU-1d.3.1 Restrict or limit construction of new development in zones or overlay areas identified as hazardous.

LU-1d.4 Develop a plan to remove or relocate structures that become threatened.

Program LU-1d.4.1 Require new development authorized through a CDP that is subject to wave action, erosion, or other hazards to be removed or relocated if it becomes threatened in the future.

LU-1d.5 Plan ahead to replace loss of access and recreation areas.

Program 1.d.5.1 Protect existing open space adjacent to the coast.

Program 1.d.5.2 Plan for removal of structures that limit inland migration of beaches.

LU-1d.6 Foster efforts to better understand impacts of sea level rise.

Program 1.d.6.1 Support research on impacts to recreation and public beach access.

2. Residential Land (Urban Residential, Suburban Residential)

The residential areas of Trinidad have mostly been built-out, particularly in the UR Zone.. Homes are typically located on local and collector streets rather than on the busier arterial streets (see Circulation Element). Trinidad's residential development is diverse, as further described in the Community Design Element. Residents have expressed a desire to maintain Trinidad's small-town character, continue to protect public and private coastal views, and to embrace green and appropriate technology in both new and existing residences.

Home businesses (Home Occupations) have occurred throughout the City in recent years, especially as a result of personal computers and internet services. The primary review criteria mandate that they do not impact adjacent residential uses. Short Term Rentals (STRs), or vacation rentals, have also become more numerous in the community, prompting concerns over their impacts on the community. While short-term

vacation rentals provide important visitor-serving accommodations and economic benefits to the City, an increase in the number and density of short-term vacation rentals have adversely affected the small-town atmosphere of the City and the character of residential neighborhoods.

Goal LU-2: Provide adequate land to accommodate the housing needs of all income groups while maintaining the character of existing residential areas and keeping the small town feel and coastal views that residents and visitors enjoy.

Residential Land Policies

LU-2.1 Accessory dwelling units (ADUs) are a valuable source of affordable housing in Trinidad. However, they need to be carefully regulated to ensure that sewage disposal and other requirements can be met, and they may not be appropriate on all residential lots.

Program LU-2.1.1: Maintain ADU regulations consistent with State ADU laws, Coastal Act requirements, environmental constraints, service limitations and community character.

LU-2.2 Review Trinidad's View Protection Criteria, and revise them as necessary to provide clearer guidance and reduce community conflicts while still protecting important public and private coastal views (CD-1.2.1).

LU-2.3 Home Occupations are allowed in Residential or Mixed Use areas to the extent that they do not impact the residential character of the neighborhood.

Program LU-2.3.1: Specify limitations and permitting requirements for Home Occupations in the City Zoning Ordinance. Some of the issues that need to be considered include:

- Determining the suitable density of residential and commercial uses;
- Providing sufficient sewage-disposal systems and adequate water services;
- Minimizing nuisance impacts such as noise;
- Limiting traffic and providing off-street parking / loading.

LU-2.4.: Specify limitations and permitting requirements for all short term rentals in the City Zoning Ordinance. Impose conditions on any permit to operate a vacation rental that address the following at a minimum:

- Requirement to maintain a business license and pay transient occupancy taxes;
- Adequacy of the OWTS and notification to guests regarding proper operation;
- Occupancy, parking, traffic, lighting and noise and other standards to minimize nuisances;
- Strong enforcement provisions.

3. Commercial Land (Commercial, Visitor Services, Mixed Use)

Many of the commercial establishments in the City are dispersed near the freeway interchange and along Main, Trinity and Edwards Streets, as well as in the Harbor area. The current businesses in town include restaurants, a gas station, various small retail and service shops and a grocery store. These businesses attract residents and visitors year-round to the City. The sales tax and bed tax revenue generated by businesses in the City is an important component of City revenues.

Additional commercial and visitor-serving areas can be found just outside the City, mostly along Patrick's Point Drive, several campgrounds and R.V. parks as well as Trinidad State Beach and Patrick's Point State Park. The Trinidad Rancheria operates a casino located south of the City on Scenic Drive and owns the Trinidad pier and harbor area, including the boat launch, restaurant and a vacation rental. Based on the Coastal Act, the Harbor Area has been redesignated to a Harbor zone rather than general commercial to better protect coastal-dependent and coastal-related land uses. The summer months brings an influx of tourists to the City to enjoy the many coastal amenities found in Trinidad.

There are no vacant parcels designated as Visitor Services. During the adoption of the existing General Plan, it was determined that these parcels, in conjunction with others outside City limits, were sufficient to accommodate future visitor needs. However, many of the R.V. spaces in the City are now used for long-term tenancy. Trinidad Bay Trailer Courts is now designed by the California Department of Housing and Community Development as purely a mobile home park.

The City encourages tourism and supports the efforts of local businesses to ensure City revenues do not decline and that essential services for residents are provided. Most property owners within the planning area want to maintain the small-town feeling of Trinidad and support only a small increase of businesses that cater to local needs and a small to moderate increase in specialty shops catering to visitors. The City, whenever necessary, attempts to minimize adverse impacts to the small-town atmosphere caused by visitors. This is accomplished, in part, through land use regulations.

There are four large, vacant, MU designated parcels in town. These parcels include the vacant lot behind Murphy's Market, the two lots that make up the horse pasture and one to the southeast of Hidden Creek R.V. Park on the eastern edge of town. These parcels represent the primary development potential remaining in Trinidad.

Goal LU-3: Promote the economic vitality of the commercial district while maintaining the historic, civic, cultural, and commercial core of the community without marring resources, views, or rural characteristics of the area

Commercial Land Policies

LU-3.1 The City's Commercial and Mixed Use designated areas provide for a mix of local as well as tourist-related, goods and services in a manner that is compatible with surrounding land uses.

LU-3.2 Convenience shopping facilities are located near the freeway interchange. Gift shops, smokehouses, tackle shops, restaurants and other visitor related businesses can be located along primary collector streets provided they are compatible with nearby residences. The compatible blending of these types of businesses with the community enhances the seaside character of the town.

LU-3.3 Carefully analyze commercial uses with high-use sewage disposal needs as to adequacy to provide for year-round needs without impacting groundwater or increasing seepage to the bluff area.

LU-3.4 Commercial accommodations need buffers from adjacent residential areas and must have convenient access to a primary collector street.

4. Harbor Area

The Trinidad Harbor Area has had a varied and colorful history in the past, supporting first a Native American population, then furring, gold mining supply, logging, whaling and fishing. It also serves as the last safe harbor north of Humboldt Bay (20 mi. south) until Crescent City (50 mi. north). In 1946 the Hallmark family purchased the lands around the harbor and constructed a fishing pier. The commercial and fishing industry continued to increase for the next 40 years with a peak of up to 150 commercial salmon fishermen and at least 300 sport fishermen during the salmon season. In 2000 the Trinidad Rancheria purchased the property. The decline of commercial salmon fishing in recent years is due to dwindling fish stocks, increased operating costs, added government restrictions and recent listing of several salmon species on the Endangered Species list. Primary activities now are the winter Dungeness crab commercial season and summer sport fishing.

The property area is approximately 10 acres in nine individual parcels with ocean frontage both on the Pacific Ocean and Trinidad Bay. Most of the parcels are owned by the Trinidad Rancheria, but there is also a City-owned parcel as well. The site is improved with: a boat sling launcher, tackle/bait and gift shop, a pier, skiff dock and rental, water taxi service to transport boat owners to boat moorings, a vacation rental, and a restaurant. The City owns the land under the pier and mooring field to hold in trust for the people of the State. These lands were granted to the City by the State; the City leases these tidelands to the Trinidad Rancheria. The Rancheria has applied to transfer their harbor ownership into Tribal Trust. Trinidad Bay is also a State designated Area of Special Biological Significance and State Water Quality Protection Area. As such, it is subject to special discharge prohibitions and high water quality standards.

The primary use for the harbor area is to provide a working harbor for commercial and sport fishing. Recreational boating and public coastal access are also priority uses.

Care needs to be taken to ensure that permitted uses do not conflict with each other and do not detract from the primary and historic use of the area as a fishing port. Some of the current recreational uses include sea kayaking, sailing, pleasure boating, and whale watching. Public access to the coast is available throughout the harbor area, providing continued public access and parking to adjacent beaches, trails, the pier, and Trinidad Head, as well as boat launching to Trinidad Bay.

The harbor area experiences significant congestion at times. The congestion is most severe on summer weekends when ocean conditions are favorable for boating, but can occur throughout the year when the weather is nice or special events occur. This indicates that there is not a lot of potential for additional development in the Harbor Area without further impacting parking. The number of people visiting Trinidad Harbor puts a strain on other services that are provided there, including maintenance of the public restrooms and refuse management. The parking, restrooms and public access to the shore and trails are all provided free to users.

People in Trinidad are generally strongly opposed to any kind of offshore energy development as well as onshore support facilities. Opinions regarding aquaculture development are more mixed.

Being the only low-lying area in the City, the Harbor Area is the most at risk from tsunamis and sea-level rise. A tsunami siren has been installed in the Harbor Area as well as signage indicating the tsunami hazard zone. The City and other agencies and organizations provide public educational materials for residents and visitors on what to do if an earthquake or tsunami occurs. Because of uplift occurring in the Trinidad area, sea level rise is not expected to inundate large areas, with a maximum projection of about 30 cm by 2065. Sea level rise is more of a threat to bluff stability through increased wave action and toe erosion. Both sea level rise and tsunamis are also discussed in the Public Safety Element.

Goal LU-4: Encourage a mixture of commercial fishing, recreational boating and fishing, mixed coastal dependant / compatible commercial and visitor-serving uses consistent with coastal access policies while protecting the Trinidad Head ASBS.

Harbor Area Policies

LU-4.1 Coastal-dependent and coastal related uses are given priority in the harbor area.

Program LU-4.1.1 Limit non-coastal-dependent / non-coastal-related uses, including visitor-serving uses, to a total of twenty-five percent (25%) of the developed land in the harbor area.

LU-4.2 Ensure any intensification or addition to existing uses proposed in the harbor area is accommodated with adequate sewage disposal, water, parking, access

and other public services. The property owner is encouraged to create a long-range plan for the orderly development of the Harbor Area into the future.

Program LU-4.2.1 As part of an application for any intensification or addition to existing uses, require the property owner to identify suitable leach field reserve areas for septic systems for existing and future uses or show proof that the existing system is adequate. Protect existing and reserve leachfield areas from adverse activities and development.

Program LU-4.2.2 Prior to approval of an application for any intensification or addition to existing uses, require the property owner to identify and offer to dedicate areas reserved for public access to the pier, Launcher Beach, Trinidad Beach, Trinidad Head and public trails as necessary and appropriate to protect public access.

Program LU-4.2.3 As part of an application for any intensification or addition to existing uses, require the property owner to identify suitable public parking for public access to all of these areas. Provide a minimum thirty-five public parking spaces overall, in addition to that necessary for on-site uses.

Program LU-4.2.4 The property owner, with coordination of the City, should enter into a water service agreement for the provision of additional services necessary for future coastal-dependent and coastal-related uses as allowed by the general plan designation prior to approval of any intensification or addition to existing uses.

LU-4.3 Parking and congestion have increased dramatically over the past few years. Develop a parking plan to accommodate all the uses in the harbor area with an emphasis on coastal access. Offsite parking within walking distance and/or shuttle service may be appropriate.

LU-4.3 The Harbor area is intended to be retained and managed under one ownership. Intensification or addition to existing uses in the harbor area will require merger of existing lot lines. Subdivision is only allowed for lease purposes or public access dedications.

LU-4.4 Commercial fishing has special needs, and other uses should not detract from these facilities.

LU-4.5 Public launching facilities are recognized as an important aspect of the harbor area. These facilities are to be kept in working order in conjunction with other allowable uses in the Harbor designation.

LU-4.6 The property owner is encouraged to provide an improved, safer, method for refueling boats than the current hand carrying method. The fueling system shall include an emergency response plan in case of a fuel spill.

LU-4.7 The property owner is also encouraged to construct a non-discharging fish-cleaning station.

LU-4.8 Dredging or filling of coastal waters is to be consistent with provisions of Coastal Act 30233 limiting development to, among other requirements, new or expanded commercial fishing facilities, maintenance of previously dredged depths in the harbor, and public recreational piers.

LU-4.9 Ensure new development and additions to existing development within the Harbor Area are evaluated for potential impacts to the Trinidad Head ASBS and that any impacts are mitigated to the maximum extent feasible.

LU-4.10 Onshore support facilities for off-shore energy development are not consistent with commercial and sport fishing, tourism, community residential uses or the environmentally sensitive habitats of Trinidad, and as such, are not allowed. The City also opposes offshore energy development that could interfere with commercial or sport fishing or pose a rise to coastal resources.

LU-4.11 Ensure that any aquaculture facilities proposed within the Harbor Area do not interfere with existing recreational boating facilities and existing coastal-dependent industry, including fishing or with the public's right of access to the sea and that any aquaculture development protects the water quality and ecological integrity of the Trinidad Head ASBS.

Program LU-4.11.1: Most types of aquaculture would not be appropriate in Trinidad due to the discharge prohibition into the ASBS and for the potential to negatively impact fishing and recreation in Trinidad's small harbor. Should aquaculture be proposed, the City will work closely with other regulatory agencies, including the SQRCB and Coastal Commission to review any permits.

5. State and Federally Owned Lands

For Trinidad's small size, it has a high proportion of State and other publicly owned lands. State lands within City Limits include Trinidad Beach State Park, Trinidad School and playing field, the Humboldt State University Telonicher Marine Laboratory and the underwater portion of Trinidad Harbor; CalTrans owns and manages Hwy 101 and the interchange right-of-way. Some of these State properties are still subject to the City's Local Coastal Plan and approval of Coastal Developments Permits by the City (including the State Park, Elementary School and CalTrans right-of-ways). Federal lands include the Coast Guard facility (lighthouse), and National Oceanographic and Atmospheric Administration (NOAA) weather station on Trinidad Head. In addition, the Trinidad Rancheria (Bureau of Indian Affairs) is located adjacent to the City on the southeast, and the BLM manages the offshore rocks as the California Coastal National Monument. The 13-acre Coast Guard property on the southern end of Trinidad Head

was recently transferred to the Bureau of Land Management (BLM). And that land has now been included in the California Coastal National Monument.

State and Federal agencies may acquire, develop, manage, or dispose of land and make land use decisions. Such activities can have a major effect on local development. Local jurisdictions such as Humboldt County, Trinidad Rancheria, and the Trinidad Union School District also manage land and make land use decisions affecting the City. Figure 2 shows where existing governmental facilities and land holdings are located. It is in the City's best interest to work cooperatively with those agencies that manage land in and around the City to further community goals. The City will seek to acquire any land within City Limits that may be disposed of by an agency if such acquisition will benefit the City.

The property owners in the City have opposed acquisition of residential areas for expansion of HSU's Telonicher Marine Laboratory at the west end of Edwards Street. State properties are exempt from paying property taxes so additional property acquisition by State agencies would also mean a gradual erosion of the City tax base, and it would affect the residential character of the town. Further, Section 30519(b) of the Coastal Act reserves CDP authority over State University lands in the Coastal Zone to the Coastal Commission rather than the local LCP. The Marine Laboratory is an important asset to the community for teaching, research and exhibits and is a partner with the City to achieve marine resource goals, but should not be allowed to reduce the importance of, or adversely affect, the fishing industry or the residential community.

Goal LU-5: Ensure that State owned lands are managed such that they are compatible with, and do not detract from Trinidad's coastal village character.

State and Federally Owned Lands Policies

LU-5.1 Development on lands of Trinidad State Beach and Trinidad School playing field, and any other State properties within City Limits, except the Telonicher Marine Lab, are subject to coastal development permit / design review approval from the City as required by the CA Coastal Act and the City's certified Local Coastal Program. In lieu of individual development proposals, the City may approve an appropriate Management Plan addressing specific future development activity on those lands.

LU-5.2 Work with federal agencies owning and managing property within the City to ensure appropriate consultation and coordination with the City.

D. DEVELOPMENT OUTSIDE OF CITY LIMITS

Land use decisions outside City limits affect the City in a variety of ways. Traffic and upstream pollution or disturbance are good examples. Land use designations differ from City designations in the lands under County jurisdiction surrounding the City. Since the

City's Planning Area is under Humboldt County jurisdiction, the land use categories shown in Figure 4 correspond to the existing Humboldt County General Plan (Framework Plan 1984). Note that these land use designations may change as a result of the current update of the County General Plan. There are four different areas outside the City that have been designated based on their relationship to City Planning.

The first and the smallest of these designations is the Sphere of Influence, which represents the area where the City has the capacity to provide services and that is anticipated to possibly be annexed in the future. The next is the City's Service Area, which is defined as the area that the City currently does and potentially may provide water service. The third, and largest, area is the Planning Area. The Planning Area encompasses those areas that bear a relationship to City land use and planning in terms of resource use, land use, traffic, community, etc. In addition, there is an Urban Limit Line that limits intensive growth, which some of the following policies are based upon.

1. Sphere of Influence

As mandated in Government Code § 56425, "the Local Agency Formation Commission (LAFCO) shall develop and determine the sphere of influence of each governmental agency within the county. Sphere of Influence means a plan for the probable ultimate physical boundaries and services of a local government agency. The Sphere of Influence, after adoption, shall be used by the commission as a factor in making regular decisions on proposals over which it has jurisdiction." The Sphere of Influence boundary will be determined based on the City's "Master Service Element" that indicates capabilities and management of all services provided by the City (or district). A Municipal Service Review for the City of Trinidad was prepared by LAFCO in 2008 without City review. These elements need updating in order to be used to formulate Sphere of Influence boundaries and dictate how and when land is developed around the City. The Sphere of Influence report is to be updated every five years.

The purpose of the Sphere of Influence is to promote orderly, regulated growth that best represents the desires of the community. It is intended to represent the anticipated physical boundaries and service area of the City for the next twenty years. Trinidad adopted a sphere of influence in 1984, but only a very small portion has actually been annexed into City Limits since that time. There has been a strong indicated desire on the part of Trinidad residents to maintain the compact urban form of Trinidad. Some residents outside City limits have also expressed an aversion to being annexed into City limits. Benefits to the City from annexation include additional land use control, and potential increase in property tax revenue. In particular, annexation would allow the City to expand its OWTS program and increase protection of the Trinidad Head ASBS. It has also been suggested that annexation would benefit the City by increasing the population base for running a City government. One of the main advantages to residents of being annexed would be the provision of City services, particularly water. At this time, Trinidad's Sphere of Influence is relatively small. A minimal population growth projected for the City and the adjacent areas as well as the restrictive nature of the land use

policies contained in this Local Coastal Plan will help preserve the community's character.

Goal LU-7: To provide and maintain clear boundaries and policies for considering the future expansion of Trinidad

Sphere of Influence Policies

LU-7.1 Depending on service capacity, define the City's Sphere of Influence to include the City's water service connections, as well as all properties adjacent to the City's trunk line and those properties that are not zoned for timber production within the Luffenholtz and Mill Creek watersheds. The watersheds are to be included to provide direction and oversight on land use decisions that affect the City's Water Supply, including OWTS management. (CIRC-12.6)

LU-7.2 Consider expanding City services to areas outside City limits only if it can be done without significantly increasing the costs to residents within City limits, or if it is a public health emergency; annexation is a prerequisite for any service expansions.

LU-7.3 Consider annexations if it can be proven that they are economically, environmentally, politically or otherwise advantageous to the City.

2. City Service Area

"City Service Area" refers to those areas that will receive all, or a major portion of the urban services (water, police protection, road maintenance, cemetery operation, fire protection, and planning and zoning) that are provided by the City. Of the aforesaid services, water supply and distribution, and the absence of sewage collection and disposal facilities, are the major determinants of the urban form and density of development in the City. Luffenholtz Creek is small, and has only limited capacity to provide additional domestic water. The City's water plant also has limited storage and treatment capacity, but is continually being upgraded as funding allows. The Service Area boundary is based on the areas currently connected to City water. In addition, a commercial area to the north has been included based on potential future need of City water. The Service Area could become a Service District in the future, with greater powers, and separate governing board. Please see the Public Services section of the Circulation Element for additional information.

Goal LU-8: Manage City services to the maximum efficiency and benefit for residents as well as those outside City limits where appropriate.

City Service Area Policies

LU-8.1 The City is responsible for periodically assessing the capacity of Luffenholtz Creek to provide domestic water, including existing and potential riparian

rights and groundwater wells. Upgrades to the City's water plant to improve efficiency, water quality and storage capacity will be completed as funding becomes available.

LU-8.2 If capacity and / or storage is adequate, study the feasibility of forming a Water District that includes the area to the east and southeast of the City on either side of the freeway, where some properties are already connected to the system, to allow for additional connections outside the City, as the system allows. Eventual annexation should be considered. An 'annexation agreement' (agreeing not to object to future annexation) with the City is a minimum requirement for providing any new connections outside of City limits. Areas to the north of the City should be part of such a district if services are to be provided there in the future. (CIRC-12.4)

LU-8.3 The existing commercial area on the west side of Patrick's Point Drive south of Anderson Lane and the area on the east side of Patrick's Point Drive north to the CalFire (CDF) station property should be included in the City service area / water district to allow for future consideration of water service. Annexation, or an annexation agreement, is a requirement for water service expansion, unless it is already part of a services district. (CIRC-12.6)

3. Planning Area

Government Code § 65300 provides that a City consider areas outside the City limits that have a bearing on planning for the City. The City of Trinidad has determined that activity affecting twelve coastal watersheds is the area of critical importance; therefore, it is in the interest of Trinidad to play a more active role in the decision-making processes involving land located within these watersheds, and to include them in the planning area. Trinidad has adopted this watershed based approach to planning due to particular concerns about water supply, pollution, and impacts on coastal resources; activities that occur in the upper watershed can affect downstream resources.

The designated Planning Area delineated in the previous General Plan defines an area in which the City has interests outside of its City limits and its Sphere of Influence boundary. The Planning Area might affect the City in ways such as increased circulation, impacts on water quality, or economic provisions. The designation of a planning area may be in the interest of establishing cooperation efforts with other surrounding jurisdictions, landowners or interest groups, including Humboldt County, State Parks, Trinidad Rancheria, Green Diamond Resource Co. Westhaven Community Services District, etc... This area also includes the area of interest of the Trinidad Bay Watershed Council. By adopting this specific Planning Area, the City defines the area where land use decisions affect Trinidad. Figure 3 shows the existing and proposed Planning Area.

The proposed Planning Area is more centered on the greater Trinidad-Westhaven community. The Luffenholtz Creek drainage basin was included because it is the watershed for the City water supply and serves parcels adjacent to it and along the main line extension. Residential areas west of the freeway up to the Seawood

interchange are included because they rely on the Trinidad area for commercial services and include visitor accommodations and facilities that support the local tourist and fishing activity. The forest area east of the freeway is included to ensure consideration of the potential impacts of activities to these coastal watersheds. The entire Planning Area, outside of City limits, is within Humboldt County jurisdiction.

The County has recently revised its General Plan and a revision of the County Zoning Ordinance Map will follow. This will update the County's Framework Plan (1984). The Trinidad Area LCP will also need to be updated for the coastal zone. The current County General Plan provides for specific designations throughout the planning area. Most of the Trinidad General Plan land use recommendations are consistent with present county designations (1984 Framework Plan). The reader is also referred to the County's Current General Plan and LCP for discussion of the Urban / Rural areas and policies or findings that apply for development in the areas outside the City but within the City's Planning Area.

Goal LU-9: Ensure the protection of the coastal watersheds, natural and community resources and the quality of life in and around Trinidad.

Planning Area Policies

LU-9.1 Assess impacts of development within the entire planning area when considering large projects and regional issues

Program LU-9.1.1: Adopt a watershed based approach to land use planning that accounts for the impacts of development on an entire watershed, not only the individual parcel or activity. Respond to County application referrals based on watershed impacts and encourage the County to do the same for City projects. (CONS Principle A)

LU-9.2 Comment on relevant projects located within the Trinidad Planning Area that could impact the City based primarily on goals and policies found throughout this General Plan and any specific or unusual circumstances.

Program LU-9.2.1: Provide comments and input during any revisions of the County's General Plan that may affect the Planning Area any future adoption of implementing ordinances, and any other agency's or organization's long range plan for that includes land within the City's Planning Area. Seek to have such plans recognize impacts that could occur to the City as a result of inappropriate changes that occur in the City's Planning Area.

Program LU-9.2.2: Review development projects in the County, including timber harvest plans, that may affect Luffenholtz Creek, Mill Creek and other Planning Area watersheds and provide comments to regulatory agencies emphasizing the need to protect water quality and quantity. Consider consistency with all relevant policies in the City's General Plan, particularly those found under Planning Area,

Conservation and Water Quality, and the objectives of the Trinidad-Westhaven Integrated Coastal Watershed Plan.

Program LU-9.2.3: Monitor land use activities and development projects within the Luffenholtz Creek watershed and oppose those activities and projects that may have adverse impacts on creek water quality and quantity.

LU-9.3 Encourage coordination efforts between Trinidad officials and surrounding jurisdictions and landowners in order to address concerns about development projects that affect the Trinidad Planning Area and the Trinidad Head Area of Special Biological Significance / State Water Quality Protection Area.

Program LU-9.3.1: Request notification from responsible agencies (CDF for THPs, ACOE for fill or discharge permits, CALFIRE, PG&E, etc.) whenever possible regarding activities that will occur within the City's Planning Area. Inform responsible agencies of the types of projects that could have impacts on the water quality of the water resources of the Planning Area.

Program LU-9.3.2: Maintain open communication with the Trinidad Rancheria, and encourage the Rancheria to keep the City informed of upcoming projects by providing pertinent background information and studies related to such projects and allowing the City to provide early input on development proposals that could impact the City.

LU-9.4 The City designates both the Luffenholtz Creek and Mill Creek watersheds as "Critical Water Supply Areas," recognizing that these watersheds areas are primary water sources and limited in area so that current development makes the streams susceptible to a potential risk of contamination to the water supply from development activities. (see CONS-1e.3)

Program LU-9.4.1: Work with the County to ensure that the County designates Luffenholtz Creek and Mill Creek watersheds as "Critical Water Supply Areas" thereby providing increased scrutiny of and special protections from land use activities as defined in the Humboldt County Framework Plan and the Trinidad General Plan.

Program LU-9.4.2: Designate properties within a "Critical Water Supply Area" "Special Environment" to minimize further subdivision and reduce potential adverse land use densities until such time that improvements are made to the water supply system so that it is not so sensitive to land use impacts. Existing lots within the watershed may be considered suitable for single-family residence provided the septic tank system is carefully designed and installed to preclude pollution of the stream, and requires periodic inspection by and fees paid to the County Environmental Health Department.

LU-9.5 Develop and maintain an open relationship with landowners within the Planning Area, particularly those in Luffenholtz Creek, in order to facilitate landowner awareness of the need for water quality protection.

Program LU-9.5.1: Pursue adoption of a public education program regarding pesticides and other hazardous chemical, and when feasible, enter into a non-binding Memorandum of Understanding, or other agreement with property owners within the “Critical Water Supply Area” to minimize the use of these chemicals and reduce contamination of water supplies.

Program LU-9.5.2: Support the efforts of the Trinidad Bay Watershed Council to improve water quality in the Planning Area. Designate a City representative to participate in the Watershed Council meetings and other activities to the extent practicable.

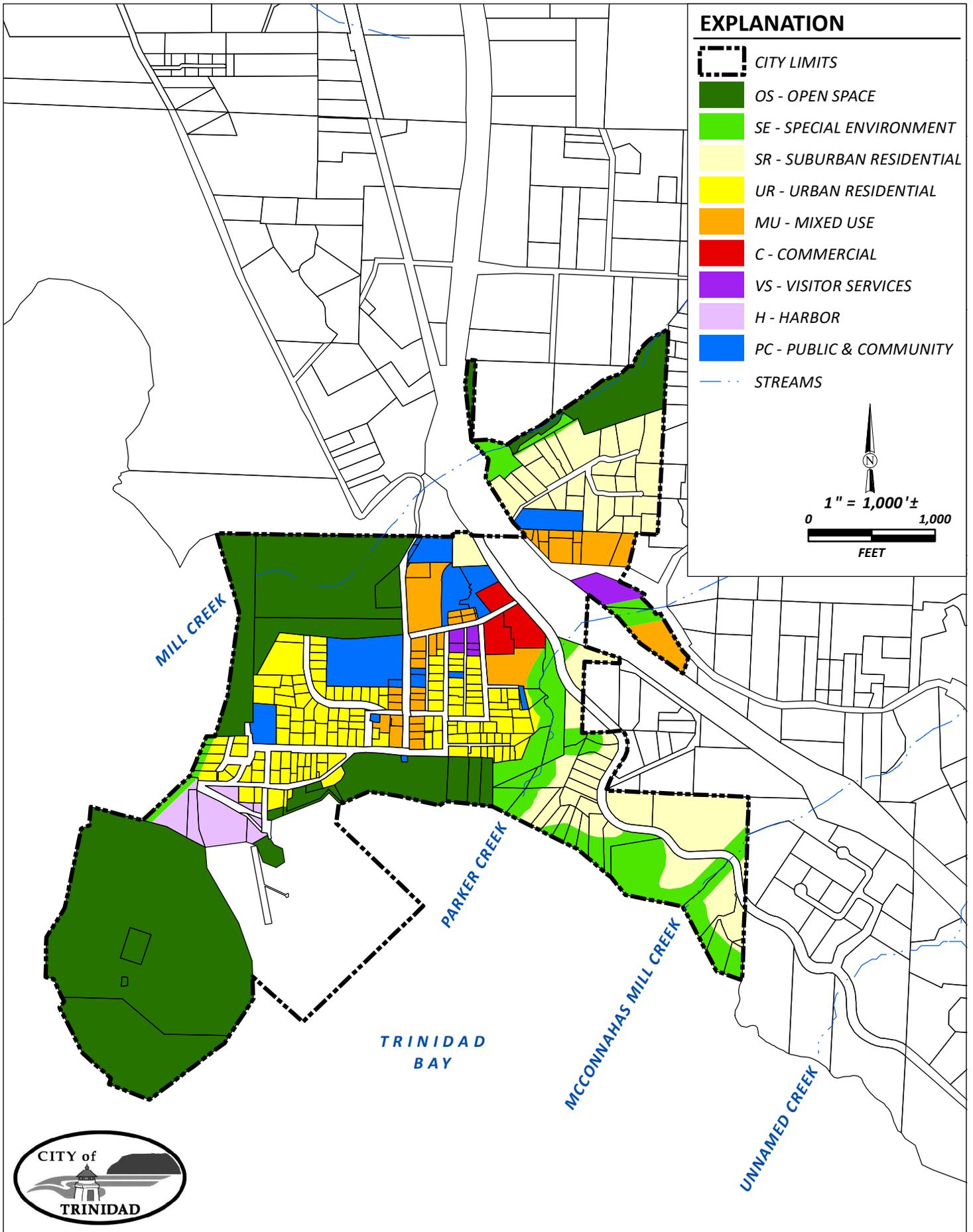
LU-9.6 Encourage responsible septic system use and installation within the Planning Area.

Program LU-9.6.1: Pursue grant funding to monitor and implement projects within the City’s entire Planning Area to reduce pollution from onsite wastewater treatment systems. Encourage Humboldt County to participate to the maximum extent possible. Project goals include determining what areas and which onsite wastewater treatment systems are contributing the most pollution and offering financial incentives or other assistance to help landowners fix problems. The City and County should consider the feasibility and desirability of forming a Septic Maintenance District from Trinidad to Moonstone. (PUBL-18)

LU-9.7 Preserve economically viable timber stands for use as commercial timber while protecting water quality, special status species and sensitive habitats (Goal CONS-8).

LU-9.8 Provide a geographically distributed inventory of mining sites protected from incompatible land uses, permitted and operated to prevent significant environmental impacts and to satisfy long-term demand for mineral resources and construction materials (Goal CONS-11).

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City of Trinidad
 General Plan
 Trinidad, California

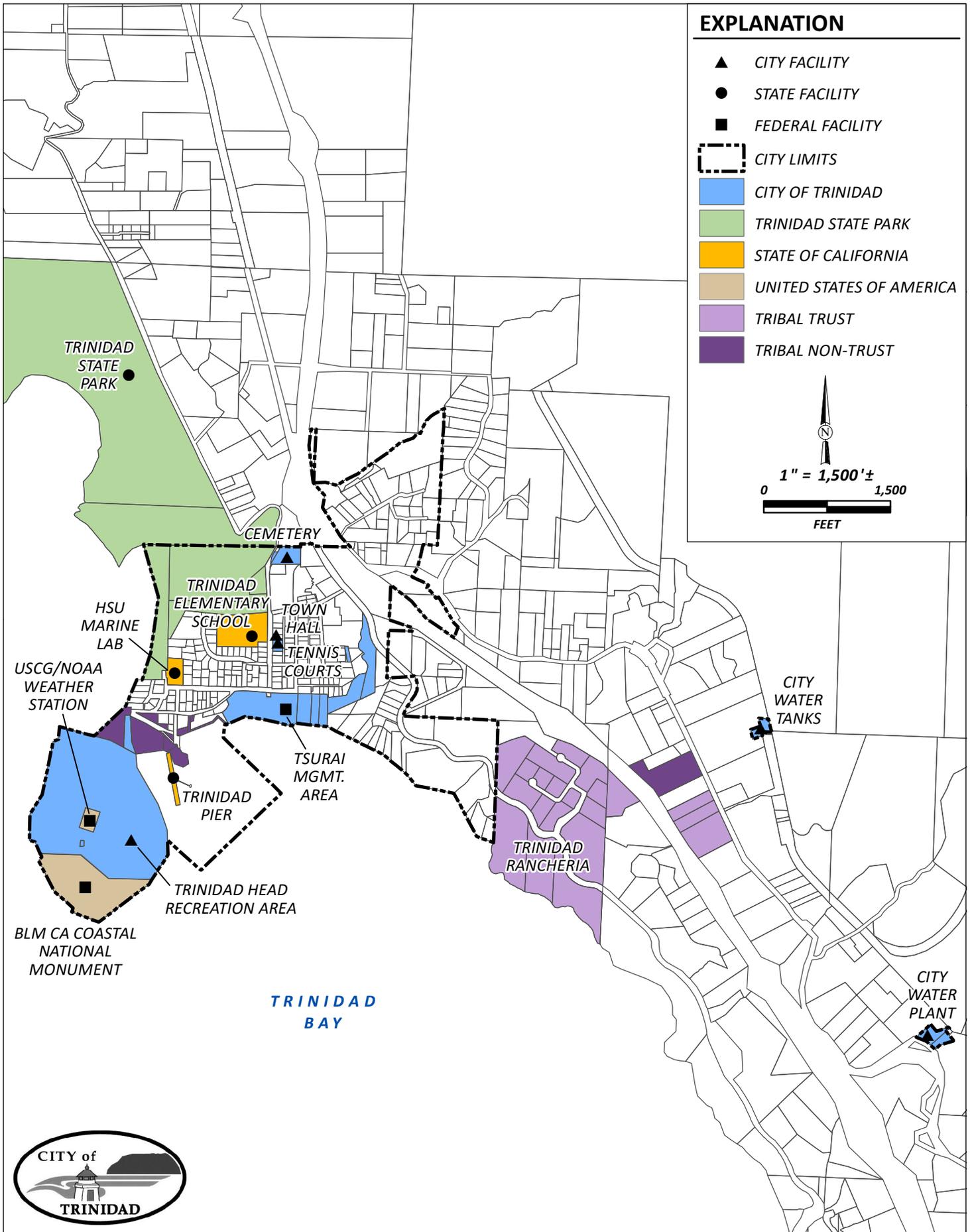
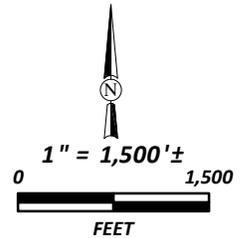
August 2018

Land Use Designations
 Trinidad General Plan (DRAFT)
 SHN 016105.006

Figure 1

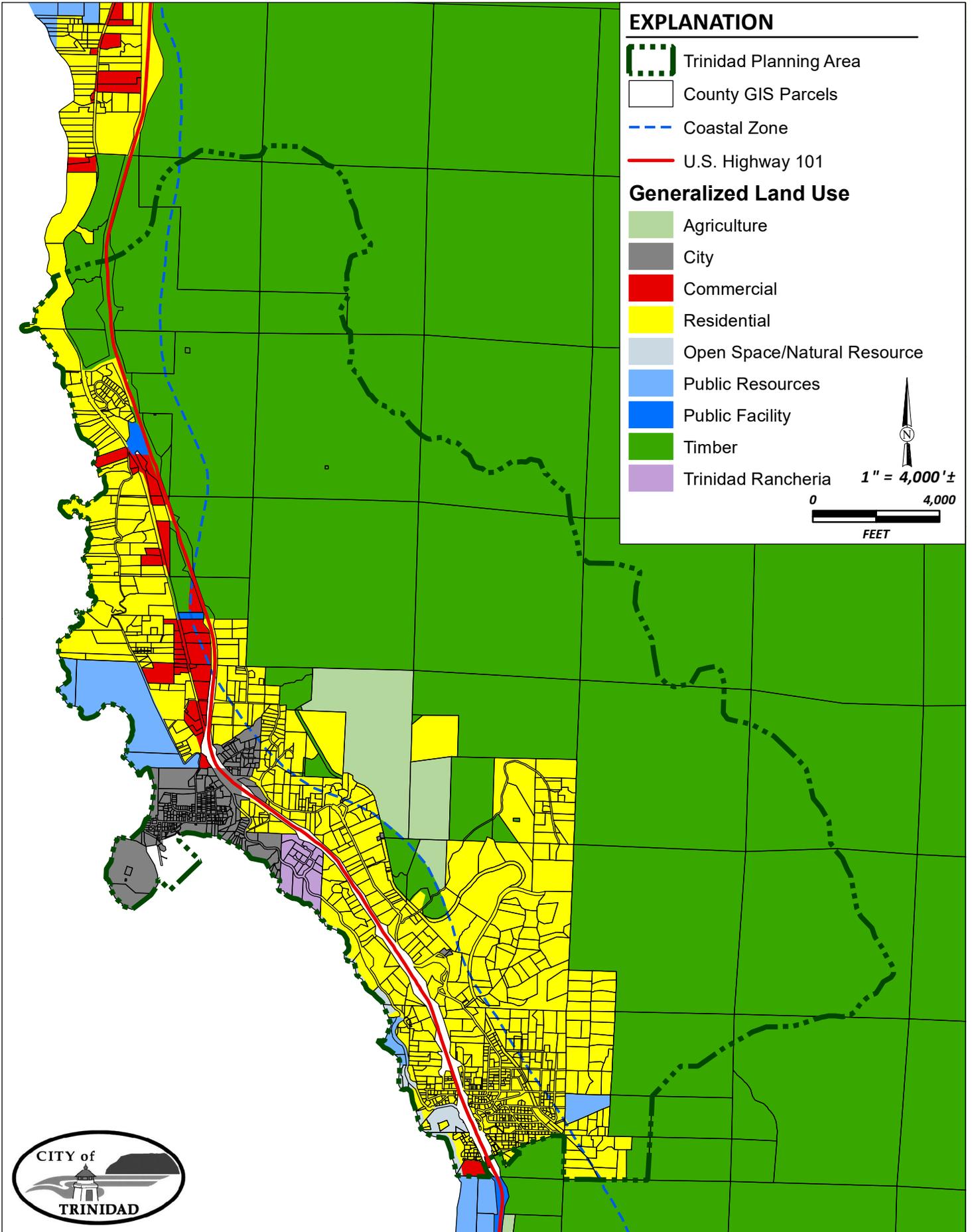
EXPLANATION

- ▲ CITY FACILITY
- STATE FACILITY
- FEDERAL FACILITY
- ⬜ CITY LIMITS
- CITY OF TRINIDAD
- TRINIDAD STATE PARK
- STATE OF CALIFORNIA
- UNITED STATES OF AMERICA
- TRIBAL TRUST
- TRIBAL NON-TRUST



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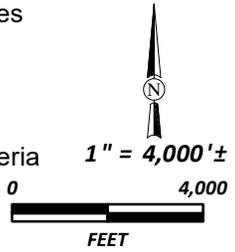


EXPLANATION

-  Trinidad Planning Area
-  County GIS Parcels
-  Coastal Zone
-  U.S. Highway 101

Generalized Land Use

-  Agriculture
-  City
-  Commercial
-  Residential
-  Open Space/Natural Resource
-  Public Resources
-  Public Facility
-  Timber
-  Trinidad Rancheria



<p>City of Trinidad General Plan Trinidad, California</p>	<p>Land Use Outside City Limits Trinidad General Plan (DRAFT)</p>	<p>SHN 016105.006</p>
<p>August 2018</p>	<p>GP2018_Fig4_LandUseOutsideCity</p>	<p>Figure 4</p>