

**MINUTES OF THE 17 OCTOBER 2007  
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, and Richard Johnson. Judy Lake was absent. Council Liaison Kathy Bhardwaj was present. Trever Parker and Kristen Martin represented staff in attendance.

**II. APPROVAL OF MINUTES – September 19, 2007**

Kenny made a motion to approve the minutes as submitted. Rowe seconded. Motion carried 4-0.

**III. APPROVAL OF AGENDA**

The agenda was approved without a formal vote.

**IV. ITEMS FROM THE FLOOR**

Marilyn Sterling was concerned that her request to have conditions removed from a previously approved project was not on tonight's meeting agenda. Parker noted that she had only received the new materials the previous day and had not reviewed it, but would try to get it on the November agenda or otherwise respond to the request.

**V. AGENDA ITEMS**

**PLANNING COMMISSION DISCUSSION / ACTION / PUBLIC HEARING ITEMS**

1. Rancheria 2007-07: Design Review for reconstruction of 0.31-acre Trinidad Pier by replacing the wood decking and supporting wood piles with concrete decking and concrete piles; Use Permit and Coastal Development Permit to use the nearby parking lot as a staging area for construction activities; adoption of Mitigated Negative Declaration. Trinidad Pier (end of Bay St.); APN 042-071-014, -001, -008, -009.

Parker stated that due to an unforeseen issue, this project would need to be continued but some general discussion and public comment could take place tonight. The Commissioners had a few questions about the specifics of the project, which Parker responded to. She explained that project approval would be put on hold because there were unanswered questions about the environmental impacts of the polymer coating that is proposed to be used on the steel casings of the pier pilings.

Chi-Wei Lin spoke on this point after the floor was opened to public comment, and submitted his comments in writing as well. He stated that as somebody with expertise in biology and water quality issues, he is concerned about the potential impacts of the polymer coating. He said that the type of polymer to be used has not been specified and there is no proof that it will protect the steel casings from

corrosion over the long term. Corrosion of these metal surfaces would lead to unknown effects on the water quality of Trinidad Bay through rust. Due to its designation as an Area of Special Biological Significance, no anthropogenic water pollution is permitted in the bay. Mr. Lin stated that the project is on hold so the engineer can come up with a solution. Yoash Tilles, project manager for the pier reconstruction, confirmed that the specific polymer coating had not been considered in preparation of the Mitigated Negative Declaration and that the issue would be resolved in time for the November Planning Commission meeting.

Bob Hallmark, original builder and former owner of Trinidad Pier, asked Mr. Tilles for clarification regarding the project's impacts on commercial fishing and on the methodology for installing the piles. Mr. Tilles explained that reconstruction will begin at the far end of the pier and proceed toward the shoreline. Activities will be timed to interfere as little as possible with the crab and salmon fishing seasons, although access to the end of the pier will inevitably be blocked at times. He also explained that the concrete-and-steel piles will be augered, rather than driven, into the rock and that some of the loose boulders in the area will need to be moved out of the way.

Kenny asked if steel piles have been used in any other body of water designated as an ASBS. Parker stated that the method has been used elsewhere, but not necessarily in an ASBS, but that would be one of the things the agent would be looking into. Jim Cuthbertson noted that Port Orford is one example where impacts to water quality might be studied.

**Motion:** none.

2. Thraikill 2007-08: Use Permit to allow Police Department and City offices to be housed within an existing retail structure. Proposed interior changes include the addition of two internal dividing walls, an alarm system and associated police requirements. External changes will include the construction of additional lighting and a new police sign. 463 A Trinity St.; APN 042-061-011.

Parker introduced the project, explaining that the Commission was tasked to 1) make a compatible use determination for the project in the Planned Development Zone and 2) recommend approval or denial of a use permit to the City Council. The project is located in the Planned Development zone in a building that currently houses Trinidad Clothing Company. The PD zone specifically permits professional offices and a variety of other uses, but police stations are not explicitly permitted. However, there is flexibility in the definition of personnel services for the Planning Commission to determine what other compatible uses could be allowed. The proposed offices for City staff are clearly allowable in this zone, but the Commission needs to determine if the police station would be a compatible use, based on the other allowable uses listed. There are 4 parking spaces available for the commercial portion of the property. In the past, the Zoning Ordinance was interpreted in such a way that an additional 1.5 spaces

would be needed to serve the proposed use given the square footage of the building. Parker suggested a different interpretation by which the existing parking spaces would be considered adequate.

Parker also stated that although several Commissioners are involved with or affected by this project, the City Attorney had determined that there is no conflict of interest because there is no potential for financial gain or loss from the project.

The Commissioners and members of the public discussed the proposed signage, lighting, and parking. Police Chief Ken Thraikill explained that the exterior sign will be no larger than 4 ft. by 4 ft. and will meet all other Zoning Ordinance requirements. He also stated that the outdoor lighting, while necessary for safety reasons, will be designed for minimal impact to nearby residences. Regarding parking, he stated that the existing spaces are adequate because the Police Department has only one car on duty at a time and does not receive many additional visitors. Kenny said that Parker's interpretation of parking requirements is logical and should be utilized, and the Planning Commission agreed.

**Motion 1:** Kenny made the following motion: Based on the information submitted in the application, included in the staff report and public testimony, I move to determine that the proposed uses are consistent and compatible with the definition of 'personal and professional services' and are therefore an allowable use in the Planned Development Zone in accordance with the City's Local Coastal Program. Johnson seconded. Motion carried 4-0.

**Motion 2:** Johnson made the following motion: Based on the information submitted in the application, included in the staff report and public testimony, I move to adopt the information and findings in this staff report and recommend approval of the project to the City Council with the added condition that the proposed exterior sign is no larger than 4 ft. by 4 ft. and complies with all zoning requirements. Rowe seconded. Motion carried 4-0.

3. Discussion regarding General Plan update – visioning process, issues identification, policy review.

The Commissioners were presented with General Plan-related materials that planning staff had prepared since last month's meeting. These included a series of documents containing background information and policy guidance on each of the State-mandated General Plan elements, and a questionnaire to be used as a starting point for obtaining the Commission's input on a variety of community issues. Parker said that the Commission's role at this point should be to develop a vision statement or theme to guide subsequent policymaking decisions.

Discussion centered on how to use the questionnaire and develop it into a public survey. Rowe said that a question should be added to get respondents' ideas for a community vision statement. Morgan commented that the draft survey is

lengthy and will require more time for review. This was followed up by a suggestion that a short version of the survey could be circulated first, and followed by a longer one for citizens who were interested in providing more detailed input. Johnson questioned the need for a survey and said that it may be too unfocused to obtain the desired results. Morgan reminded everybody that the purpose of a survey should simply be to get people thinking about the issues before coming to a public meeting. He told Parker that over the next two weeks the Commissioners will answer the questionnaire and highlight what they feel are the most important issues. Planning staff will then use their input to refine the survey and prepare it for possible circulation to the public.

The floor was opened to public comment at this point. Jim Cuthbertson reminded staff that a lot of time and money were spent on updating the General Plan in the 1990s and that information should be used in the current process as much as possible. Another citizen spoke about the issue of lighting and said that she hadn't been able to participate in the Citizens Lighting Committee. Morgan assured the public that they will have ample opportunity for participation in reviewing the draft Lighting Ordinance and addressing lighting issues in the General Plan update.

**Motion:** none.

4. Discussion regarding Accessory Dwelling Units (ADUs), a draft ordinance, OWTS and ASBS implications.

Parker said that she had not been able to gather much additional information since last month's meeting. She said that, from what she can tell, the State Ocean Plan's zero-discharge requirement is not intended to disallow septic systems but to prevent discharge from seeps. The implications of this for Trinidad's septic systems are unclear. She said that the City can move forward with its ADU Ordinance but discharge data from the State will not likely be available until next year.

Johnson stated that the Commission still needs to understand the overall status of local septic systems and how they are affected by ADUs. Morgan agreed and said he would like to continue this item until the OWTS Ordinance is approved by the City Council.

Members of the public commented on the need to inventory existing ADUs, both legal and illegal. Kathy Bhardwaj wondered how a delay in passing the ADU Ordinance would affect people wanting to build new ADUs. Parker said that she doesn't currently know of anybody who wants to build a new one, but there are a few who would like to legalize existing ADUs. She also pointed out that it is difficult to distinguish between legal and illegal existing units, but that the new ordinance will give different treatment to legal vs. illegal ADUs.

**Motion:** none.

5. Review, discussion, action on various public educational and informational documents relating to the OWTS Management Program.

Parker said that she would like to have these informational materials approved to hand out to the public during her presentation at the next Council meeting. The Commissioners agreed that the materials looked fine and would help the OWTS program move forward.

**Motion:** none.

6. Discussion / decision regarding November meeting date.

Parker said that the Commission's regularly scheduled meeting date falls on the day before Thanksgiving, and she will not be here. The Commissioners agreed on Tuesday, Nov. 13 as an alternate meeting date but held off on setting an alternate time until they could discuss it with Lake, who was absent.

**Motion:** none.

#### VI. **STAFF REPORT**

Parker reported that Trinidad Rancheria's proposal to construct a new fish cleaning station at the pier is expected to be on the next meeting's agenda. The Citizens Lighting Committee will also be on next month's agenda so that Rowe can provide an update.

Parker informed the Commission that Streamline Planning is continuing to work on Trinidad's Prop. 50 Coastal Watershed Project.

Rowe asked if her proposed re-drafting of the Views and Vegetation Ordinance could be put on next month's agenda. Parker said that it should be brought up for discussion but not for decision at this point. The Planning Commission can decide if they want to consider it, and then staff can spend time on it.

Johnson inquired about the status of the Chevron project that was approved earlier in the year. Parker said that no construction work has taken place yet. Morgan said that Parker should direct the Council to ask for the City Attorney's input on the legality of Chevron's tall 'freeway' sign.

The Commissioners asked about Marilyn Sterling's request to have two conditions removed from a project approval that was granted 15 years ago. This project involved a bedroom addition that was restricted so as to prevent its conversion into an accessory dwelling unit. Parker explained that until the City's ADU Ordinance is enacted there is no way to legally permit a new ADU on any property. She stated that if the project is to be approved with a different set of

conditions, a new application will need to be submitted. The Commissioners encouraged her to address Ms. Sterling's concerns as much as possible while following proper procedures.

**VII. COUNCIL LIAISON**

Bhardwaj reported on recent personnel changes and items discussed by the City Council, including the following:

- A new Building Inspector has been hired and the position of City Manager is being advertised.
- The Tsurai Management Plan has been adopted.
- The Knapp Minor Subdivision was approved.
- A fee waiver request for the Coxes' tree removal permit was denied, but raised the question of revamping the City's fee schedule.
- The City has approved a new lease for the police station.
- The rear exterior wall of Town Hall is to be replaced.
- The question of the legality of Chevron's 'freeway' sign was postponed in favor of other issues, but the Commission may instruct the Council to take it up again.

**VIII. ADJOURNMENT**

Rowe made a motion to adjourn. Kenny seconded. Motion carried 4-0. The meeting was adjourned at 9:45 PM.

Respectfully submitted by: Kristen Martin, Assistant City Planner  
Secretary to the Planning Commission  
City of Trinidad