

MINUTES OF THE REGULARLY SCHEDULED MEETING OF THE
TRINIDAD PLANNING COMMISSION
Wednesday, October 17, 2018

I. CALL TO ORDER/ROLL CALL (6:03 pm)

Commissioners Present: Graves, Johnson, Stockness
Commissioners Absent: None
City Planner Staff: Parker
City Staff: Zetter

II. APPROVAL OF MINUTES

September 11, 2018

***Motion (Johnson/Stockness) to approve the minutes as submitted.
Passed unanimously (3-0).***

September 19, 2018.

Change on page 4 of 6. "She requests input from the Commission on whether they **want** to use old or new data or a combination." Changed from water to want.

Change on page 5 of 6. "The usefulness of figures 7a and 7b are discussed, and it is generally agreed to keep them, but add a disclaimer that the maps don't **show** all ESHAs." Changed shall to show.

***Motion (Stockness/Johnson) to approve the minutes as amended.
Passed unanimously (3-0).***

III. APPROVAL OF AGENDA

***Motion (Johnson/Stockness) to approve the agenda.
Passed unanimously (3-0).***

IV. ITEMS FROM THE FLOOR

Do. Cox (436 Ocean Ave) noted that, in relation to the minutes, McConnahas Mill Creek had been misspelled with an "n" on the map, not an "s". Cox also stated that there had been issues with the website, and she was not able to access some of the menus and documents. Zetter responded that the City is working on fixing it.

Commissioner Stockness asked about the status of the stormwater project. Parker advised that any questions about the work should be directed to City Manager, Dan Berman or Grant Administrator, Rebecca Price-Hall.

V. AGENDA ITEMS

1. Hazeleur 2018-08: Design Review and Coastal Development Permit to accommodate the remodeling of an existing 640 sq. ft. accessory structure that was previously utilized as living space. Remodeling includes the addition of a 142 sq. ft. second story to the existing

accessory structure, resulting in a total residential floor area of 2,141 sq. ft. No increase in the number of bedrooms is proposed. Located at: 513 Trinity Street; APN 042-101-001

Staff Report

Parker summarized the staff report. She explains that the property is zoned PD – Planned Development. Parker advises that this zone allows for multiple uses, however the property is not large enough to accommodate a second dwelling unit. Parker explains that the proposal includes remodeling a detached accessory structure to create additional living space and the addition of a small second story on the accessory structure. Parker noted that the applicant has stated that the previous owners also used the detached structure as a living space. Parker summarizes the square footage, setbacks, septic system and other applicable regulations as well as the required findings and proposed conditions of approval. Staff recommendation is for approval, because the project is consistent with the standards of the LCP.

Commissioner Comments/Questions

Commissioner Stockness commented that the lot coverage is a concern for her. Commissioners Stockness and Johnson raised a concern regarding the septic system. City Planner, Parker advised that no bedrooms were being added, and DEH had no objections to the project. She also explained that the application is in the process of building a small shed that does not require a permit, but due to DEH concerns about taking up potential reserve area, the applicant was required to sign a statement acknowledging that the shed may need to be removed if additional leachlines are ever needed. Commissioner Johnson requested clarification regarding a reserve leachfield. Parker responded that a reserve leachfield was not required to be officially located as part of this project, but that there is room for additional leachlines if needed.

Commissioner Stockness was concerned about the structure's proximity to property lines, and an existing telephone pole that is close to the accessory structure and an eyesore. Parker states that notices were sent to surrounding property owners, so they would have a chance to comment. She adds that no changes are being made to the footprint of the structure. She doesn't know anything about the pole; it is not part of the project.

There was a discussion about the possibilities for renting the structure. Parker noted the condition for the deed restriction to restrict the use to a single-family residence. All the conditions from the City's new detached living space policy were included in the project. However, it was discovered that there was an error in condition #6, so the wording was amended to be consistent with the City's policy. The conditions would allow the space to be rented as part of the main residence, like renting a bedroom in a home, but space cannot be rented as a separate unit. Similarly, it could be rented as a type of STR (homeshare).

There was a discussion regarding periodic inspections and enforcement. The Commissioners were generally satisfied with the conditions, but wanted to ensure that the applicant also understood them.

Commissioner Graves requested clarification on the setbacks and the nonconformance. He also asked whether solar shading is an issue. Parker explained that the zoning ordinance allows nonconforming structures to be altered and expanded, as long as the existing degree of

nonconformance is not increased. Solar shading also is not addressed in Trinidad's ordinances, but the neighbors have an opportunity to weigh in at this hearing.

Applicant Comment

B. Hazeleur (applicant, 513 Trinity St.) explained that the property was purchased approximately two and a half years ago, and he has been fixing it up ever since. He described the condition of the detached structure when he bought it, and the living area improvements it already had. He explained that he does not want to rent the space as an STR, but he may want to rent it in the future, possibly to a caretaker.

The applicant also stated that he has received support from neighbors, including the winery property owner. He advised that he isn't aware of any opposition. He also explained that he had reached out to PG&E to remove the telephone pole, since it is out of commission. However, PG&E required a payment of approximately \$10,000 for its removal, as they claim it is structurally sound. Hazeleur explains the small storage shed he is building and its relation to the leachfield, noting that he had to sign a document acknowledging that the shed may need to be (re)moved if additional leachlines are needed in the future.

Commissioner Stockness, asked how an individual would access the space and where would the additional occupants park. Hazeleur advised that interior stairs will be installed and cars will park in the gravel driveway. Hazeleur also noted that he is planning on building a fence around the property.

Public Comments:

M. Kline (500 West St.) stated that she is in support of the proposed project. The property already looks much better than it did, and the project will add to the improvements.

K. Lake (435 Ocean Ave.) stated her concern regarding the staff report, the process, the option to apply for an STR license, the required paving, and the absence of height requirements. However, she is in support of the project.

Do. Cox (436 Ocean Ave.) also provided her support for the applicants and the project. She appreciates that they are following all the rules.

Applicant, K. Hazeleur, feels that the addition will be beneficial to the neighborhood.

B. Hazeleur, adds that he explored all his options, and emphasized that he is trying to follow all the City's rules, which can be cumbersome. He appreciates all the support he has gotten from the community.

Commissioner Discussion

Commissioners discussed the amended condition six to ensure that it is consistent with the City's Detached Living Space Policy.

Commissioner Graves advised the applicant that the Planning Commission can't make decisions based on the owners' stated intent, and have to apply the rules equally to everyone. He also

advises the applicant to carefully review the conditions, and suggested that the hearing could be continued if the applicant needs more time. The applicant did question the requirement for periodic inspections. City Planner, Parker, clarified that the inspection is a safeguard policy, requires 24-hour notice to the owner, and would likely only be used if the City got a complaint that something was wrong. Commissioner Johnson noted that he is comfortable with the project and the conditions as amended and is ready to make a motion to approve the project.

Commissioner Stockness requested an additional condition be added that the applicant will construct sight/story poles to show the height of the second story for the benefit of neighbors. It was agreed upon that the poles are to be put up within a week and be in place for an additional ten days. The tenth condition reads as follows: “The applicant shall place story pole(s) depicting the finished maximum height of the proposed second story/cupola within a week of the date of the Planning Commission action (by October 24). The pole shall remain in place for at least 10 days after placement (*property owner to ensure*).

Motion – (Johnson/Stockness) moves to adopt the information and findings in the staff report and approve the project as described and conditioned therein, to include modified condition six and added condition ten.

Passed unanimously (3-0).

2. General Plan Update: Update and discussion of current status, next steps, and review of new draft Conservation, Open Space and Recreation Element.

Staff report

City Planner Parker notes that the agenda lists the wrong General Plan element, but that the item is broad enough to include a general discussion of anything General Plan related, and that the correct element was in the packet, reducing the potential for confusion. She concludes that the Commission can discuss the Circulation Element, since no action will be taken. She also noted that updated Conservation Element figures were included with the packet for discussion as well.

Commissioner Comments/Questions

In response to a Commissioner question, Parker explained the definition of Environmental Justice and will add it to the Glossary.

Commissioner Johnson addressed figure 8b, stating that there needs to be confirmation of the correct common names for the terrestrial species. He advised that a disclaimer should be added to the map, noting that these are individual observations, and it does not mean that the species do not occur elsewhere. City Planner Parker agreed with the proposed addition.

Commissioner Johnson discussed figure 9b, as he would like to add an explanation regarding the soil limitations. Parker confirmed that the figure is incomplete, because the soil limitations have not been categorized. Johnson requested that prime agricultural soils be included; Parker agreed.

Commissioner Graves questioned whether or not there would be an emergency preparedness element in the General Plan. Parker advised that there is a public safety component, and the next

element will be the Noise and Public Safety Element. Graves noted that this is an important issue for Trinidad, and that the City needs to be prepared for a disaster. The Emergency Response Plan is discussed, as well as the need for access to the east through logging roads, should Hwy 101 be compromised, such as from a tsunami.

Public Comments

K. Lake (435 Ocean Ave) advised that it is important for the Planning Commission to understand the circulation issues, as they are not clearly stated in the plan. She also advised that the General Plan needs to address the parking issues, as there are a number of parking exceptions for STRs and encroachments on City streets. She suggests reviewing the ad hoc committee's report.

Do. Cox (436 Ocean Ave.), agreed with the K. Lakes comments regarding parking and added that transit routes have also been an issue.

Additionally, K. Lake wants to know more about water service and annexation issues. In response, Parker noted that the water service section of the plan has not been recently updated, because the City is currently working on a water supply assessment.

Commissioner Discussion

Commissioner Stockness is concerned about the stormwater project. Commissioner Johnson asks if the City Engineer has reviewed the stormwater section. Parker noted that they reviewed the element in the past, but not recently. She will get it to GHD for review. Commissioner Johnson suggested that they hold off on reviewing the water section until the water study is complete.

Motion (Johnson/Stockness) continue the discussion of the Circulation Element to the next Special Meeting on October 30th.

VI. COUNCIL REPORT

The Council approved a scope and budget for the City Engineer's office to assess the treatment capacity of the City's water plant.

VII. STAFF REPORT

Parker advised that the City is working on comments regarding the Environmental Assessment for the Rancheria's hotel proposal. Parker also noted that there would be two applications on the November meeting agenda - tree removal and the tsunami siren. Parker also updated the Commission on several grants and other ongoing projects.

Commissioner Graves suggested that an ad hoc committee be formed to provide input for the City's EA comments in order to ensure transparency. The Commission agreed and suggested Commissioner Johnson be part of that committee.

The Commission tentatively rescheduled the November meeting to Tuesday, November 13, because the regular meeting would be the night before Thanksgiving.

VIII. FUTURE AGENDA ITEMS

There were no suggestions for future agenda items.

IX. ADJOURNMENT

Meeting was adjourned at 8:13 pm.

Submitted by:
Angela Zetter
Administrative Assistant

Approved by:
Original signed by: _____
John Graves
Planning Commission Chair