

**MINUTES OF THE REGULARLY SCHEDULED MONTHLY MEETING OF THE**  
**TRINIDAD PLANNING COMMISSION**  
**WEDNESDAY, FEBRUARY 3, 2011**

**I. CALL TO ORDER/ROLL CALL**

Commissioners Present: Becker, Johnson, Vanderpool (Fraser joins Commission during Agenda Item 2)  
Commissioners Absent: none  
Council Liaison Present: none  
Staff: Planner Parker, Caldwell

**II. APPROVAL OF MINUTES**

*October 20, 2010*

Parker notes that because of Planning Commission turn-over, the Commission will never have a quorum to approve these minutes. Only comments can be made.

Commissioner Johnson commented on page 1/5: Modify 964,907 sq. ft. to: 964 sq. ft.-907 sq. ft.

**III. APPROVAL OF AGENDA**

*Motion* (Becker / Vanderpool) to approve.

**Passed unanimously.**

**IV. ITEMS FROM THE FLOOR**

None.

**V. AGENDA ITEMS**

1. **Perry 2011-01:** Design Review, Conditional Use Permit, and Variance to expand Trinidad Massage and Day Spa to this location. The Use Permit is required for the change of use of the existing building. Design Review is required for the proposed new exterior signs. The Variance is required because the site lacks two of the parking spaces required by the Trinidad zoning ordinance. No major remodeling is proposed. The building is currently being used as a residence, and prior to that was a retail quilt shop. Located at 529 Trinity St. APN: 042-101-09

Staff reviews the project. Staff recommends that the signage and Use Permit are consistent with the City's General Plan and Zoning Ordinance, however because the number of parking spaces does not comply with the Zoning Ordinance, approval of the project depends on approval of a variance.

Commissioner Becker inquires as to how many people will be onsite at one time, in the interest of parking.

Katherine Perry, applicant, figures that at maximum, two therapists and two clients would be the present, parking three cars on the street and one in the back. In response to Commission Becker's follow-up question regarding street traffic as a result of retail sales, Perry explains that the products sold on the premises are more related to client services. She adds that all clients will be informed of where they can park and a parking map will be provided online.

Commissioner Johnson about the use placed on the septic tank and sewage disposal. Perry explains that it will be minimal; she had the laundry facilities removed and will restrict use to sanitizing arms, equipment, etc. and the occasional client shower.

The neighbors that Perry has contacted have been supportive of her business. Parker adds that in accordance with the standard notification process, all property owners within 100 feet of the project were noticed.

*Public Comment*

None.

*Commissioner Comments*

Commissioner Johnson states that he thinks this project is a great addition to the community, will add to the City's tax base, and it's nice to see another business move into this location. Based on comments provided in the packet, he sees synergy with the surrounding businesses.

Commissioner Becker inquires about the leach line situation and if the way it's proposed, if it's infringing .... Parker shows the property map and explains the leachfield status.

***Motion (Becker/Vanderpool) Based on the information submitted in the application included in the staff report and based on public testimony, I move to adopt the information and required findings in the staff report and approve the Variance as requested and as conditioned in the staff report.***

***Passed unanimously.***

***Motion (Vanderpool/Becker) Based on the application materials, information and findings included in the staff report and based on public testimony, I move to adopt the information and required Design Review and View Protection findings in the staff report and approve the signs as proposed and as conditioned in the staff report.***

***Passed unanimously.***

***Motion (Vanderpool/Becker) Based on the information submitted in the application included in the staff report and public testimony, I move to adopt the information and Conditional Use Permit findings in the staff report and recommend approval of the Use Permit to the City Council as conditioned in the staff report.***

***Passed unanimously.***

Parker thinks there is room on the City Council's agenda for the Planning Commission to submit their recommendation for the March 9<sup>th</sup> meeting.

- 2. Rancheria 2011-02:** Design Review and Conditional Use Permit to install a tsunami warning siren near the Seascape vacation rental. The purpose of the project is to warn beachgoers, harbor users and boaters of a tsunami hazard as part of the Remote Community Alert Systems Program funded by the Office of Emergency Services and in coordination with the National Tsunami Hazard Mitigation Program. The siren will be mounted on a telephone pole approximately 35 ft. in height. Located at 1 Bay St.; APN: 042-071-08.

Staff introduces the project and Michael Hostler, Tribal Programs Director for the Trinidad Rancheria, introduces Dan Larkin from the Office of Emergency Services who oversees the grant program that is funding the tsunami siren. Michael Hostler responds to Commissioner Becker's question regarding the necessity of having the siren on a 35-foot pole. He explains that they are most interested in the siren being heard from Indian and State Beaches. With sound displacement from Trinidad Head and Little Head blocking the mooring, this is the approved height at which sound wouldn't be inhibited.

Commissioner Fraser joins Commission.

Commissioner Johnson asks for clarification with respect to the Coastal Commission and waiver. Planner Parker relays that Bob Merrill at Coastal Commission indicates support of the project and he feels it's important. Fast-tracking the project requires a waiver or exemption for coastal development permit requirements. The Coastal Act contains certain exemptions, often including public works and utility projects, etc. Current coastal act regulations will be processed to get it through to avoid loss of funding.

Commissioner Johnson asks if Tribal communication with the Coastal Commission is in written form.

Hostler explains that the Coastal Commission will perform an internal administration review to try and expedite this process. The project is exempt from the normal process. He had this information in an email and can forward it on. Commissioner Johnson thinks this information would be useful for the records packet.

The Commission reviews the specs of the siren before opening the floor to public comment.

Commissioner Fraser refutes the proximity to her property assumption. She believes safety comes first.

#### *Public Comment*

Stan Binnie (487 View)

Asks if the proposed project is what is depicted in the picture and if there is another option for a different siren. He also inquires about when they go off and wants to know whose standard is referenced when they refer to the "standard height of the structure."

Dan Larkin (Humboldt County OES)

Explains that the sirens were donated by PG&E. There are 11 sites total—6 are installed and 3 are to be installed next week. The closest installed example is at Big Lagoon in back of the bathrooms or at Clam Beach. The sirens will be tested once a month for one minute. They will test all sirens in the State at the same time on the same day but will emit a different sound from the warning wail. These sirens are placed at the standard height as referenced in the grant.

Stan Binnie

Objects to the size and location and compares it to the cellular tower. He feels that if the project is approved as is, it will be appealed at the City

Council and Coastal Commission, slowing the process down. They should consider reducing the height and location.

Robert Vogel (Stagecoach Dr)

Inquires as to if there is any research available for relocating the siren, perhaps at a higher elevation, roof of a building, on a smaller structure. As proposed it's located at 70 feet above sea level. He proposes to relocate the siren somewhere up the side of Trinidad Head on a small box so it doesn't protrude higher than a bush. At this height it can achieve a maximum line of sight to more areas. He appeals to the view protection ordinance to make it small visual disturbance and have it reach College Cove, which he states has more visitors than the immediate beaches.

Michael Hostler (Rancheria Project Manager)

They are coordinating against a time frame. The particular location was chosen because it is as unobstructed as possible with the best line of sight to the beaches.

Cindy Lindgren (Westgate Dr.)

Feels that the grant and deadline process is too quick. Inquires as to the fiscal year of the grant and if it would be possible to delay the installation at this location and reapply for the grant.

Dan Larkin

Explains that the grant was applied for in the federal fiscal year 2008, received in 2009 and they were given a 1-year time-frame to install the sirens. A 6-month extension was granted until December 2010. Because of unresolved issues, an additional 3-month extension was granted until the end of March 2011. There are no more opportunities for extensions. The opportunity to reapply could come years the future, but most likely Mendocino will get the next round, etc. The City probably cannot apply as a single-site. A California management agency allowed the county to participate. The County has no say in make-up or operation of the grant program; they just provide information to the State.

Brad Twoomy (120 Himalaya Dr)

Believes this is a view protection issue. Protecting the views is the Planning Commission's biggest job. If these sirens are free (no cost), losing the grant isn't a priority. He gives history of the Trinidad Head and its issues over the years.

Kim Tayes (resident)

Passes out handouts of alternative mounting options she researched online. She asks how much it costs to install the siren.

Dan Larkin

Out of the \$18,430.00 that the County received, the Trinidad site will cost \$21,774.42.

Michael Hostler

States that the soil survey by LACO cost an additional \$3,000.00, the installation cost will be upwards of \$950.00, and the Rancheria already put in 40 hours of work totaling \$2,500.00.

Public

Can the design be approved for the grant, and altered and built later?

Michael Hostler

The siren must be installed by March. He apologizes for the lack of public outreach and being naive to the process—he works with the Hoopa Tribe where projects do not go through such procedures like Trinidad's approval process. However, he was incident commander during the last tsunami threat and Trinidad needs a siren. He and Dan picked the proposed site because of the number of people at the Seascape location and surrounding beaches. Though they are now up against a deadline, he understands the sensitivities to the project and is willing to listen to ideas and compromise on the project.

Kim Tayes

Feels rushed and finds the height, look, and scale of the tsunami siren objectionable. Trinidad will have to live with this for decades. If its only \$21,000, she will donate money toward the costs of installation if it can be put in a different site. She believes in the siren but not as a landmark. She asks the Planning Commission to approve the grant but change the plans.

Dan Larkin

Explains more about the grant. Trinidad was never an original site—it was an alternate. By the time they recognized there were extra funds to install at that site, the grant was close to ending. The City was involved in the process up to this point; Chief Thraikill was at the meetings.

Brad Twoomy

Suggests putting the siren on the NOAA site. If they're involved, can't they approve it?

Dan Larkin

They will take a year to get back to us. He just wants to see the siren go in. If it can be put on another site, fine.

Robert Vogel

Will the siren notify more people if it's higher than sea level?

Dan Larkin

Explains that noise doesn't travel that far on the coast. With wind and wave noise and sound refraction, the distance heard probably is probably a ¼ of a mile up or down the coastline, but not always.

Robert Vogel

College Cove is ¼ -½ mile from the proposed site. There is a large land form that obstructs the sound waves from the site to College Cove at that height. Has that been considered?

Dan Larkin

Just wants the siren to be installed. It was the easiest site to choose on a \$50,000 minimum shoe-string budget. They're open to alternative sites as long as it gets installed.

Stan Binnie

Disappointed that this is so last minute. He asks why they're not taking more time for research and public input.

Michael Hostler

Responds that there is no way the Rancheria will move forward knowing these concerns. The siren can be installed on the Rancheria property. Perhaps a subcommittee could help figure out an alternative. Relationships between the governments (City, Tribe, etc.) are important and he doesn't want to upset anyone. He will talk a Rancheria location over with the Tribal Council.

Public

Is there any way to install it there and move in the future?

Michael Hostler

The issue is not having the siren. He worries about installing it on the Rancheria property and it not getting moved to an appropriate location. The point of getting the sirens was to benefit everyone.

Kim Tayes

Appreciates their willingness to listen. She thinks that putting it on the Seascape Restaurant is workable and is willing to work as part of a committee.

Michael Hostler

Stresses that he needs to know specifics soon. If the Planning Commission could help out with the design and engineering of a rooftop structure, they can get it in the ground. He considers putting it on Scenic Drive to save the project.

*Commissioner Comment*

Commissioner Johnson

Feels that this is an important issue, especially as there was 4.3 earthquake 105 miles off the coast of Eureka. This is both a view and public safety issue and one does not trump the other. Without the luxury of time or knowledge of future budgets, he is concerned about not getting something in the ground. Trinidad has been waiting for a siren for the public safety program for years now.

He would like to comment for the record that two City Council meetings ago it was agreed that a Planning Commission member would give a status update and review in a public forum of upcoming projects at City Council meetings. For whatever reason, that was not implemented. He attended the last meeting with the intent to announce today's projects, but though the announcement was on the City Council agenda, they did not do it.

He roughly calculated this project out and for the controllers, analysis, equipment, and refurbishing, \$5-6,000 still has to be spent by the contractor to take all these pieces, integrate it and put it in the ground. We have everything we need, just not the installation by Robert Colburn and electrical by Six Rivers Electrical.

Dan Larkin

The money is expended for the installation. The \$5,500 also includes the purchase of the pole from Robert Colburn.

Commissioner Johnson

The ability to get an extension is not possible. The fact that the Rancheria is willing to work with the City is commendable, but he's worried about the challenge of implementing this with the time frame in that location. He thinks they should put it somewhere and then move it, but he's guessing there's no time for an alternate design.

Commissioner Becker

Favors placing the siren on Rancheria property and ponders the possibility of that.

Michael Hostler

He will try to put it on the Rancheria property if it is the last chance to save it. He agrees it's not aesthetically pleasing, but explains that sound is linear and also absorbed. If placed at that height, the position is not optimal to reach people in the harbor. This would require money for sound mapping. He is afraid that if they put it on the Rancheria property that it wouldn't get moved. The Rancheria does not mind it there, but it's not doing service to the people for which it was intended.

Dan Larkin

There is another option. There are more sirens, just need to buy another controller to put in another siren.

Stan Binnie

Wonders if there is a cost difference to move it to the Rancheria.

Michael Hostler

The Rancheria has invested \$6,000 for design, engineering and soil testing. If it is placed at the Rancheria, he'll have to call a special meeting to get approval from the Community Council.

Commissioner Fraser

Believes they should adopt to install the siren at the current location and plan on moving it later. She's afraid of losing the funding. During the last tsunami scare people were going door to door to warn neighbors-a siren would help the manpower. If the siren proposed to be installed at the most effective location for tourists and residents to hear it, they should install it, though it doesn't have to be a permanent location.

Commissioner Vanderpool

Is concerned that once the siren is in place, it will be hard to change. He suggests putting it on the telephone pole that's in the picture at the proposed location.

Michael Hostler

Explains that PG&E will not allow anything on their power poles.

The public, Planning Commission, Michael Hostler and Dan Larkin discuss new locations and redesign ideas. Dan Larkin also describes the testing versus actual tsunami tones. The issue of educating the public about the siren is discussed and the public adds that they will do whatever to keep the siren off the Head, including contributing money.

Michael Hostler

Stresses that he has 37 days to put this in the ground. He needs an agreement before he leaves the meeting that is acceptable to the community and Planning Commission.

Commissioner Johnson

Explains that the Planning Commission needs something to vote on. If it is not approved, it gives direction. He suggests requesting an amendment that the Rancheria comes back with an alternate design proposal.

Michael Hostler

The project is State funded and he'll need approval from the granting agency. Requests to know the level of the new design and what to produce.

Planner Parker

Explains that the Planning Commission doesn't need the construction or engineering specs—photos and a site plan are adequate. On March 9<sup>th</sup> she suggests Michael Hostler attend the City Council meeting and ask the City for engineering/funding help. She also suggests continuing the hearing at a special Planning Commission meeting next week to approve the new design.

A special Planning Commission meeting is scheduled for next Tuesday, March 1, 2011 at 6:30pm. It is decided that a committee will assist Michael Hostler and Dan Larkin in redesigning the site plans. Commissioner Johnson will volunteer from the Planning Commission and people that want to can sit on the committee.

## **VI. STAFF REPORT**

Planner Parker welcomes Commissioner Chris Vanderpool and reviews some Planning Commission processes and gives an overview of the General Plan update. She notes that they will be discussing the General Plan at the next meeting. Commissioner Johnson requests the most recent Land Use, Open Space and Conservation elements. Planner Parker and Commissioner Johnson will work on trying to get them on the website. Until then, the Commission appreciates hard copies.

**VII. CITY COUNCIL LIAISON**

None.

**VIII. ADJOURNMENT**

The Planning Commission discusses changing the meetings to an earlier time.  
They agree upon 6:30pm.

Meeting adjourned at 8:35pm.

**Submitted by:**

**Approved by:**

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**Trever Parker**  
City Planner

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**Richard Johnson**  
Planning Commission Chair