

Filed: NA (ongoing)  
Staff: Trever Parker  
Staff Report: March 3, 2014  
Commission Hearing Date: March 19, 2014  
Commission Action:

**STAFF REPORT: CITY OF TRINIDAD**

APPLICATION NO: 2013-11  
APPLICANT (S): Mike and Hope Reinman  
AGENT: NA  
PROJECT LOCATION: 407 Ocean Ave.  
PROJECT DESCRIPTION: After-the-fact Design Review and Coastal Development Permit to establish a home office in an unpermitted 650b s.f. accessory dwelling unit converted from a 1,070 s.f pre-existing, detached garage.  
ASSESSOR'S PARCEL NUMBER: 042-062-12  
ZONING: UR – Urban Residential  
GENERAL PLAN DESIGNATION: UR – Urban Residential  
ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15303 of the CEQA Guidelines exempting new construction or conversion of small structures.

**APPEAL STATUS:**

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a “Notice of Action Taken” from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project is \_\_\_ / **is not** **X** appealable to the Coastal Commission per the City’s certified LCP, but may be appealable per Section 30603 of the Coastal Act.

## **SITE CHARACTERISTICS:**

The property is located on the east side of Ocean Avenue, just south of the AT&T utility building, which is zoned PR – Public and Religious. Access to the property is from Ocean Avenue at the front and from an alley at the rear of the property. Neighboring parcels, other than the utility site, are also zoned UR – Urban Residential and are mostly developed with single-family residences. At present, the 9,000 sq. ft. lot contains a 1,655 sq. ft. primary residence on the front (west) half of the property. The lot also contains a 1,070 sq. ft. garage in the rear, approximately 650 sq. ft. of which was converted into an accessory dwelling unit (ADU) without proper permits. One parking space is provided adjacent to the converted garage, and the primary unit has a 2-car garage, plus room for 2 more vehicles in the driveway. The lot is generally flat. There is an existing septic system in the center of the property that serves the primary residence and that was connected to the second unit without Division of Environmental Health (DEH) approval.

## **STAFF COMMENTS:**

There are several other garages in the area that have been converted into ADUs both legally (prior to current zoning requirements) and illegally. The statuses of most are unknown. The City has been working toward getting this unpermitted ADU into compliance with City codes for a number of years in response to ongoing complaints. In the meantime, the City adopted an ADU ordinance based on State requirements to allow second units, and the recognized need for ADUs in order to provide affordable housing in Trinidad. Therefore, City staff decided not to pursue Nuisance Abatement on this ADU while the City was pursuing certification of its ADU ordinance through the Coastal Commission. The applicant did submit a generally complete application for the ADU in 2011 after the City's ADU ordinance was passed.

However, for the following reasons, at this time the City is requiring the unpermitted activity to be brought into compliance: (1) Nothing has moved forward in the ADU certification process in over a year, and considering the difficulties in getting the VDU ordinance certified, staff is not confident that an ADU ordinance will ever be approved by the Coastal Commission. (2) The applicants have continued to rent out the unpermitted ADU contrary to instructions from City staff that it not be occupied, and the City has continued to receive complaints about the property. (3) The applicants no longer live on the property, and so would not qualify for an ADU under the City's adopted (but not certified) ADU ordinance, which requires the property owner to occupy one of the units.

City staff sent a letter to the property owners on October 15, 2013 stating that their ADU application was no longer valid and that the City intended to commence nuisance abatement if the ADU was not removed. The applicants did respond in a timely manner, and terminated their lease or rental agreement with the tenant at the time; to the City's knowledge, there is no one currently living in the ADU. Instead of converting the space back into a garage, though, the owners have proposed converting the space into a 'home office.' The space is proposed to be utilized on a limited basis for their vacation rental business, Redwood Coast Vacation Rentals, as well as an art studio / workshop. The City has allowed

a variety of garage conversions for workshops, studios, office space and even bedrooms. (Files reviewed include, but are not limited to: Sterling 92-9, APN 042-062-14; Jones 98-15, APN 515-350-17; Preller 2000-02, APN 04-062-23; Fleschner 2003-04, APN 042-061-11; Rheinschmidt 2005-02, APN 515-331-47.) In addition, there is nothing that would restrict owners from renting out a portion, or majority, of a residence, while retaining some portion as storage or other use for themselves, and in fact, it is not an uncommon practice. Therefore, even though a proposal for a home office for an absentee landlord is a somewhat unusual request, there is nothing in Trinidad's ordinances that would prohibit it.

Referrals were sent to the Building Official, City Engineer and the County Health Department for the after-the-fact ADU permit application submitted by the Reinmans in 2011. No response was received from the City Engineer. Current policies of the Health Department do not require further review of this project since the project will not encroach on the existing system, nor is it adding a bedroom; the Health Dept. had no objections to the proposed ADU in response to the referral (see further discussion below in the Sewage Disposal section of the staff report). An after-the-fact building permit will be required for the project if approved by the Planning Commission. The Building Inspector has already transmitted several comments and a list of documents required for the building permit application to the applicant. A standard condition of approval has been included that any conditions of the Building Inspector must be met prior to building permit issuance and that all of the unpermitted construction will be addressed during the building permit process. More discussion regarding building permit requirements is included below.

### ***Potential Conflicts of Interest***

Commissioner Vanderpool resides within 300 feet (approximately 150) of the subject property. However, he is not the owner of the property, so there would not be an assumed conflict of interest in accordance with the Fair Political Practices Act. However, Commissioner Vanderpool should consider whether his residence may be affected by noise or traffic from the project in order to avoid even the appearance of a conflict of interest. It is up to each individual to make the determination as to the need to recuse oneself.

In addition, Commissioner Stockness owns property almost exactly 300 ft. (308 ft. according to the City's GIS data) from the proposed project. Recall that 500 ft. is the cut off for an assumed conflict of interest, but in small towns, that distance can be cut to 300 ft. if certain conditions apply. However, it appears that not all of these conditions are met in this case. Therefore, there is still a potential conflict of interest. The proximity issue is only a conflict based on an assumed monetary change in property values due to the project. According to then City Attorney Paul Hagen's November 2008 memo, when this *presumption* of a direct financial interest is the case, one of two things must occur: (1) the official makes a rebuttal of the presumption of a direct financial interest and proceeds to vote; or (2) if no rebuttal is made, then the official must recuse themselves and can not vote. Therefore it is an individual decision whether to recuse oneself based upon whether the Commissioner feels they will have any financial gain or loss from the project.

## ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

The property where the project is located is zoned UR – Urban Residential. The purpose of this zone is to allow relatively dense residential development; single-family residences are a principally permitted use. The minimum lot size allowed in the UR zone is 8,000 s.f. and the maximum density is one dwelling per 8,000 s.f. (§17.32.050).

The proposal includes a garage conversion to office space from an unpermitted ADU that was created. Approximately 650 sq. ft. of the existing 1,070 sq. ft. garage was converted to a 1-bdrm ADU, with the remaining portion of the garage being used for storage and utility purposes. The existing and proposed square footages are included in Table 1 below. In addition, an approximately 180 sq. ft. covered patio area was added where a larger covered area had previously been, according to the applicants. This may have been an exterior structural change that should have required Design Review. The applicant states that the majority of work was replacing existing structures with only minor modifications. The siding on portions of the garage was replaced and new windows and doors added. It is difficult to determine exactly what was pre-existing, but this is not a view issue, and there have not been complaints about the exterior modifications. However, the fence appears to be over 6 or 7 ft. high, which could require a building permit and engineering for structural integrity. The Building Official will review that as part of the building permit process.

**TABLE 1 - AREAS**

	EXISTING	PROPOSED
LOT AREA	9,000 s.f.	<b>9,000 s.f.</b>
FLOOR AREA		
Primary Residence	1,655 s.f.	1,655 s.f.
Detached Office	0 s.f.	650 s.f.
<b>Total Living Area</b>	1,655 s.f.	<b>2,305 s.f.</b>
Primary Residence Garage	205 s.f.	205 s.f.
Rear Garage / Storage	1,070 s.f.	430 s.f.
FOOTPRINT (w/ garage/storage)	2,930 s.f.	2,930 s.f.
FLOOR TO LOT AREA RATIO		
<b>Total Living Area</b>	18.4%	<b>25.6%</b>
Total Footprint	32.6%	32.6%

In the past, the Planning Commission has approved several types of living spaces inside garages, including a bedroom, offices, workshops, art studios and even a temporary caretaker unit, so this request is not inconsistent with past precedence. However, what is different in this case is that the property owner rents out the existing residence, but is proposing to utilize this space himself as a home office. As mentioned above, I can find no reason that an owner could not rent out a residence while maintaining exclusive access to storage, office or workshop space for themselves. However, the level of use would have to

remain a residential use, and not rise to the level of a commercial use; the regulations on home occupations (§17.56.060) can be used as guidance for that. The applicant has stated that the smaller room (previous ADU bedroom) will be utilized as workspace for art projects such as sewing and painting and that the larger space will be used for office deskwork and occasionally meeting with a limited number of clients. As described by the applicant, the use would generally be during normal business hours, but could be somewhat earlier or later. This appears to be consistent with the requirements for a home occupation, and is within the bounds of normal residential use in terms of visitors, traffic, noise, etc. In order to ensure that the project is not used at a commercial level where it could be a nuisance to the neighborhood, a condition of approval has been included that the applicants must maintain a level of use not to exceed the standards for home occupations. This is important because it will not be the residents of the dwelling utilizing the office. The home occupation regulations from the Zoning Ordinance include the following restrictions:

*“17.56.060 Home occupations. Home occupations, including but not limited to sewing, music studios, art studios, home and health care product distributors, bookkeeping, rooming and boarding, of not more than two persons, including tourists, shall be permitted as an accessory use to any dwelling, subject to the following conditions:*

- A. No employees other than members of the resident family;*
- B. Not more than one sign not to exceed three square feet in area and attached to the dwelling;*
- C. No outside display of merchandise;*
- D. Electrical motors only, and not to exceed a total of one horsepower;*
- E. No radio or television interference or noise audible beyond the boundaries of the site;*
- F. No significant increase in automobile traffic over normal residential use and no trucks of greater than three-quarter ton on the site. (Ord. 166 §6.06, 1979)”*

Home occupations do not require a permit, and these regulations would be enforced on a complaint-driven basis. However, they are written such that many of them would be difficult to enforce, particularly the traffic restriction (there is no limit on the number or hours of visitors to a residence). These requirements appear to limit home occupations to residents. However, like I discussed above, had a home office already been permitted for use by the resident(s), there is nothing to stop the property owner from renting the residence and maintaining access to the home office for their own use. In order to address any additional outstanding concerns (from the public, neighbors or the Commission), the Planning Commission could consider including additional restrictions on the use of the office space such as capping the number of employees and / or visitors, limiting the amount of traffic and / or parking and limiting the hours of operation, but staff is not recommending that option at this time.

The applicant has proposed to keep the layout and features of the office space the same as it was for the ADU, the only difference being that the stove has been removed (which was required by the Building Inspector). Staff feels that the submitted floor plan is inappropriate for a home office, and that it still too closely resembles an ADU. As proposed, this is not only inconsistent with past precedent, it would be too easy to quietly convert back to an ADU by the current or a future property owner. I have reviewed various files and spoken at

length with the Building Inspector. The Building Inspector has stated that jurisdictions he is familiar with generally do not allow a stove, a shower or a separate room with a closet (= a bedroom) in this type of accessory structure conversion in order to ensure it does not become a separate living unit. He stated that he has transmitted these requirements to the applicants. (He also stated that the plumbing and electrical connections associated with those features would also have to be removed such that they could not easily be reconnected.) The applicant has indicated a desire to keep the shower so that he could clean up before meeting clients after working on vacation rentals. It is also likely that the shower/tub can not be removed without removing a portion of a wall, at least temporarily.

Staff understands that the applicants do not want to make a lot of alterations to the existing space. However, the Planning Commission should view this project as if the structure were still a garage, since the ADU was created without permits; the applicants would have to remove all the interior walls and other improvements to bring the structure back into compliance with existing approvals. In looking at past projects where some type of living space was allowed in a garage or accessory structure, the Planning Commission has consistently not allowed a shower or a kitchen sink / wet bar; there was also an approval that specifically did not allow any 220V electrical power, in order to preclude appliances. However, that could also preclude the use of a washer and dryer. Consistent with past approvals, staff recommends that the shower, closet and kitchen sink be required to be removed to the satisfaction of the Building Inspector. In addition, a deed restriction should be required to be recorded that limits the property to 3 bedrooms and a single residential unit based on the septic system capacity. The Planning Commission could consider requiring removal of other improvements as necessary to address additional concerns.

The Urban Residential zone requires minimum yards of front 20', rear 15', and side 5' (§ 17.36.060). The parcel faces Ocean Avenue to the west. Section 17.56.110 allows eaves and overhangs to extend 2.5' into side yards and 4' into front, street-side and rear yards. Decks and stairways, landings, balconies and uncovered porches are allowed to extend up to eight feet into front, rear or street-side yards and three feet into side yards. The existing residence meets these required setbacks. However, the converted garage does not, but no changes to the building footprint have occurred or are proposed. It depends on how the garage is defined whether it is currently nonconforming or not as to setbacks.

A couple of past Planning Commission approvals, one as recent as 2006, have determined that garages are not accessory structures, and therefore presumably subject to the same requirements and restrictions as a primary structure. Note that both of those projects were located east of the freeway off Berry Road. This interpretation was made so that detached garages are not limited to 15 ft. in height (per §17.56.090) and also to ensure that they are subject to Design Review (§17.72.070.B.1 allows construction of an accessory structure up to 500 s.f. in size in certain areas without Design Review or a CDP). However, this interpretation also means that detached garages would be subject to setback requirements, the implications of which were not discussed in either of those staff reports. Setbacks also were not discussed in the two staff reports I have reviewed where living space was allowed to be created in an existing detached garage on an alley (and therefore in the rear setback). There is a handwritten note in my copy of the Zoning Ordinance stating that garages on

alleys do not have to meet rear setbacks, but no reference to a file or code section was included.

It does make some sense that detached garages should not have to meet the 15 ft. height limitation on accessory structures. And it also makes sense that detached garages should have to meet some kind of setback requirement (besides just the front), unlike the existing allowance for accessory structures in §17.56.090. However, if garages are not accessory structures, then they don't fall under any existing definition in the Trinidad Zoning Ordinance; how would they be regulated other than as a primary structure. I find this to be a somewhat difficult situation without clear guidance from either the existing regulations or past precedence, and it is an area where the City's Zoning Ordinance could use updating.

In looking at the existing code, since garages are not otherwise defined, then staff feels that they should be regulated as accessory structures, and they do fit within the definition (“a detached building or structure, other than a sign, the use of which is accessory to the use of the lot” (§17.08.690)). That would make the existing garage structure conforming as to setbacks, since accessory structures do not have any required side or rear setbacks. Converting the garage to living space does not change the subordinate nature of the structure, and so it would still meet the definition of an accessory structure. Therefore the project would not create any zoning ordinance conflicts or nonconformance in terms of setbacks. However, even if the Planning Commission feels that garages should be regulated as primary structures, then the pre-existing garage would be nonconforming as to setbacks (it was constructed prior to the Zoning Ordinance being adopted). Conversion of the garage space to living space would not alter or increase the degree of nonconformity and so would be allowed by §17.64.010 (nonconforming uses and structures). Therefore, this is probably a moot point for this project.

The maximum height allowed in the UR zone, by Zoning Ordinance § 17.36.06 (average ground level elevation covered by the structure to the highest point of the roof), is 25 feet, except that the Commission may require a lesser height in order to protect views. The maximum allowable height for accessory structures in the UR zone (§17.56.090) is 15 ft. As shown on the plans, the maximum height of the existing garage / proposed office is 14 ft; the project will not alter the height of the structure.

The Trinidad General Plan and Zoning Ordinance protect important public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. Because of the location of the addition, within the existing profile of the structure, and the fact that it is small, there is minimal potential for view impacts.

The Zoning Ordinance (§ 17.56.180) requires 2 off-street parking spaces other than any garage spaces for single-family dwellings. There are two parking spaces in the driveway shown on the plot plan, in addition to the two garage spaces, for a total of four parking spaces for the residence. In addition, there is another parking space off the alley adjacent to the converted garage as shown on the plot plan.

No grading is required for the project. This site is already connected to services and utilities and these will not change. Exterior materials were altered as part of the unpermitted work, but generally match existing materials and colors with new natural cedar shingles on the east and south sides, and the pre-existing tan siding on the west and north elevations.

## **DESIGN REVIEW / VIEW PROTECTION FINDINGS:**

Only minor exterior modifications were made in converting the garage to an ADU, including modifications to an existing overhang and porch and the surrounding fence or screen, siding, windows and doors. However, the project is proposing a change in use of a structure and increasing the residential square footage on the property, which requires a Coastal Development Permit at a minimum. The City's Zoning Ordinance does not provide for a separate CDP process apart from other approvals. Therefore, since neither a Use Permit nor Variance is required, Design Review is the most appropriate process, along with the LCP consistency analysis above, to approve this project. Recommended Design Review / View Preservation Findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

### **Design Review Criteria**

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: The project does not require grading or other ground disturbance.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project site is not adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: Only minor exterior modifications were done for this project, and the exterior materials and colors of the converted garage are consistent with the existing residence.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: No new buildings are proposed, and the development is consistent with the surrounding residential neighborhood. Vegetative screening can be found to be unnecessary.
- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No signs are

proposed as part of this project. However, the applicant would be allowed to have one sign not to exceed 3 sq. ft. attached to the structure as part of the home office without Design Review approval. (§17.56.160.A.1 & §17.56.060.B)

- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: The site is already connected to utilities and no changes are proposed.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are proposed as part of this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.* Response: The existing residence is 1,655 sq. ft. in size, and the proposed office space would bring the entire residential square footage to 2,305. This is somewhat larger than the 2,000 sq. ft. guideline, but it is broken up into two structures rather than one large one. Further, the project is not proposing any increases in the footprint or height of the existing structures. The City also uses a 25% floor-to-area ratio based on a 2,000 sq. ft. residence on an 8,000 sq. ft. lot. This lot is 9,000 sq. ft. in size, and the floor-to-area ratio will be 25.6%.
  2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.* Response: NA

## **View Protection**

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: This project is not visible from open space areas.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The project, due to its location and minimal external modifications, does not have the potential to block views.

C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.*

Response: The project does not involve a vacant lot.

D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.

E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Tsurai Study Area, Holy Trinity Church, the Memorial Lighthouse or the Cemetery.

#### **SLOPE STABILITY:**

The project site is not mapped as being unstable or of questionable stability on Plate 3 of the General Plan. The project is located outside of the City's slope stability map for areas mapped "unstable" or "questionable stability" and is also located outside of the Alquist-Priolo Fault Zone. Therefore, the finding can be made that no geologic study is required by the Zoning Ordinance.

#### **SEWAGE DISPOSAL:**

The property has an existing septic system serving the 3-bedroom residence. The proposed garage conversion will not affect the existing system and will not significantly increase sewage flows. The project does not include the addition of any bedrooms or building footprints. The unpermitted ADU was connected to the septic system without proper approvals. However, staff worked closely with Humboldt County Division of Environmental Health (DEH) on the previously submitted ADU application. The applicant also had the

system inspected and some soil testing done at that time to locate and design a reserve field. For that project, DEH had no objections as long as the main residence was restricted to 2-bedrooms so that no more than 3 bedrooms existed on the property. The existing system appears to be undersized to serve a 3-bedroom residence under current standards. However, it is functioning fine, and there is room for a reserve field on the lot.

Although current DEH regulations do not require an upgrade for this project, the City's OWTS ordinance does require upgrades for undersized (nonconforming) systems when improvements are proposed (§13.12.410). As with any project that increases square footage or adds rooms, staff is proposing a condition requiring recordation of deed restriction for the number of bedrooms and units on the property. One option would be to limit the number of bedrooms to t

wo, which would bring the system close to current standards. However, due to the configuration of the floor plan of the residence, and the addition of this large office space, staff recommends that the property be limited to 3 bedrooms and a single unit, but that the applicant also obtain DEH approval for a reserve leachfield. The soil testing and design work has already been done for this anyway; it should just be a matter of obtaining the DEH permit.

#### **LANDSCAPING AND FENCING:**

This project does not involve any changes in landscaping or fencing.

#### **STAFF RECOMMENDATION**

Based on the above analysis, the project can be found to be consistent with the City's Zoning Ordinance, General Plan, Coastal Act, and other applicable policies and regulations. Therefore the necessary findings for granting approval of the project can be made. If the Planning Commission agrees with staff's analysis, a proposed motion might be similar to the following:

Based on application materials, information and findings included in this Staff Report, and based on public testimony, I move to adopt the information and required Design Review and View Protection findings in this staff report and approve the home office space as proposed and as conditioned in this staff report.

#### **PLANNING COMMISSION ALTERNATIVES**

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

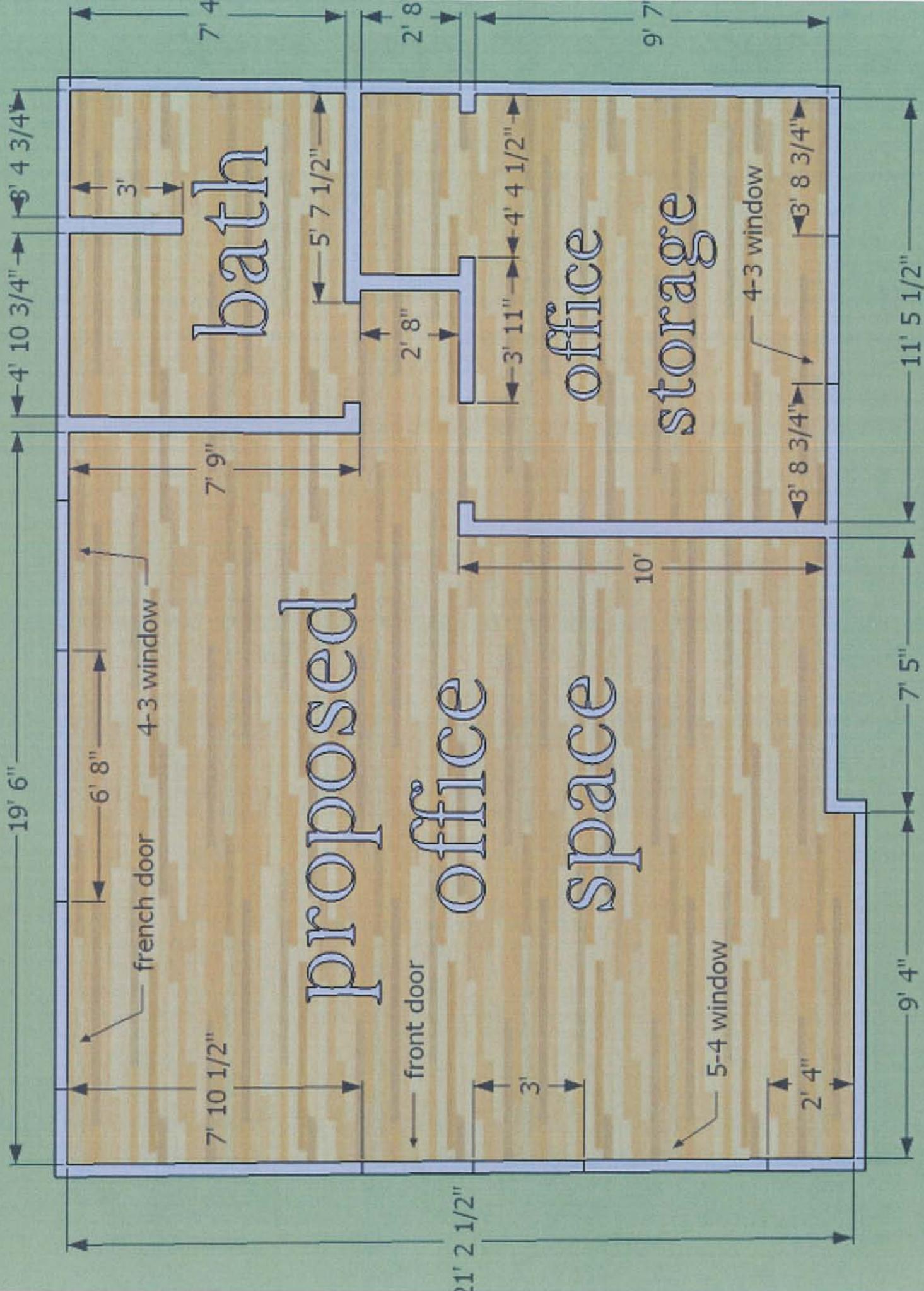
- A. Add conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.

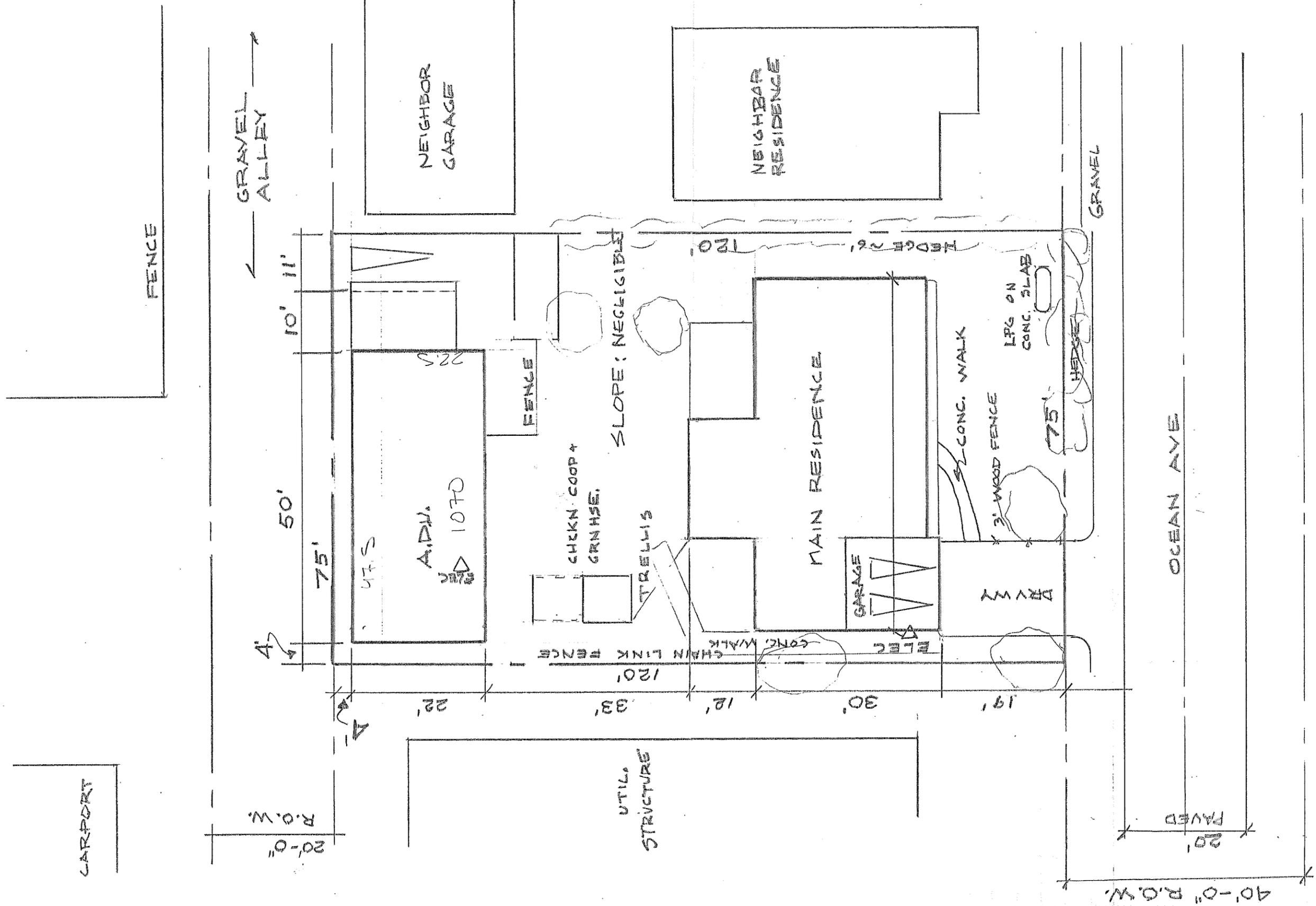
- In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
- The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

## CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk / Building Inspector prior to building permits being issued.*
2. Based on the findings that community values may change in a year's time, approval of this Design Review is for a one-year period starting at the effective date and expiring thereafter unless building permits have been issued or an extension is requested from the Planning Commission prior to that time. *Responsibility: Building Inspector prior to building permits being issued.*
3. Recommended conditions of the City Building Inspector shall be required to be met as part of the building permit application submittal. Both indoor and outdoor unpermitted structural improvements, including new windows, doors and the enclosed porch on the south side of the garage, will need to be specifically reviewed and addressed at the time of building permit application. *Responsibility: Building Inspector prior to building permits being issued.*
4. The applicant is responsible for submitting proof that a statement on the deed, in a form approved by the City Attorney, has been recorded indicating that any increase in the number of bedrooms above a total of three bedrooms, or number of dwelling units above one, will require City approval of adequate sewage disposal capabilities and other applicable standards. *Responsibility: Building Official to verify prior to building permits being issued.*
5. The applicant shall demonstrate that the site can support a reserve leachfield by obtaining a sewage disposal system permit for a reserve area from the Humboldt County Division of Environmental Health. *Responsibility: Building Inspector to verify prior to building permits being issued and during construction.*
6. The applicant shall ensure that the use of the office space in the detached garage does not exceed the standards for home occupations as required by Zoning Ordinance §17.56.060. *Responsibility: Property owner on an ongoing basis.*

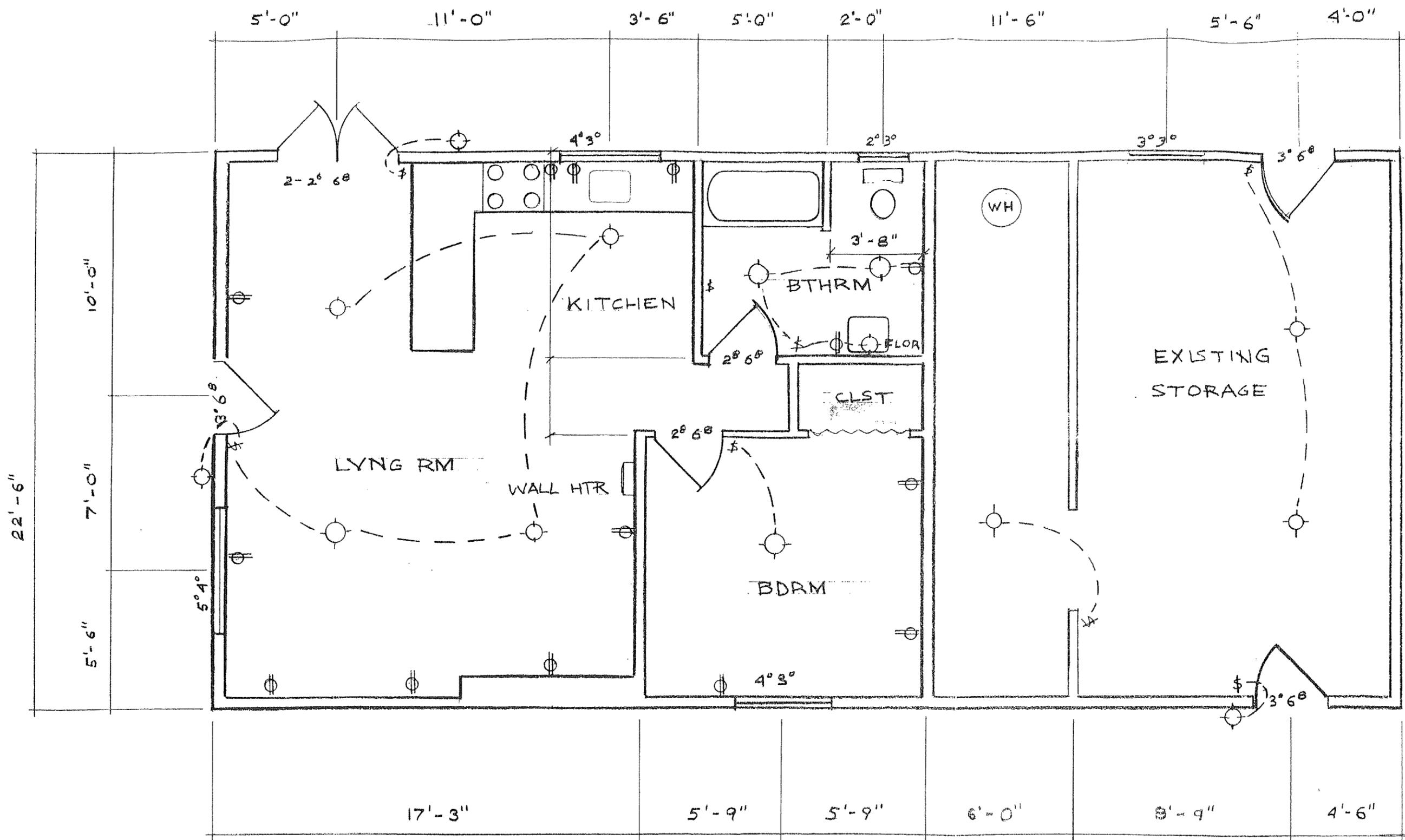






$1/16" = 1'-0"$

# PLOT PLAN



CDR SHNGL  
1/2" CDX PLY

TYVEK OR  
EQUIV

TYPICAL  
SCALE

ADU Floor Plan



## MEMORANDUM

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**TO:** Trinidad Planning Commission

**FROM:** Trever Parker, City Planner

**DATE:** March 13, 2014

**RE:** Community Design Element

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Based on the discussion at the last meeting, I took the categorized design policies and put them into the draft Community Design Element. I included most of the sample policies other than duplicates and things that really did not seem to apply to Trinidad. Therefore, there is likely an overabundance of policies. Other than the policies, I only made a few changes, so did not bother using the 'track changes' tool. I added basic goals for each of the policy categories; the Planning Commission should carefully review these for consistency with community sentiment. Hopefully this is in a form that is conducive to a detailed review.

One thing this element seems to be lacking compared to other elements is background and narrative. However, such narrative is not required, but it helps to put the policies into their community context. The following language is from the existing 1979 Trinidad General Plan. Consider whether any of it still has relevance to Trinidad, and whether some should be included in the current draft:

*Some communities are a hodge-podge of disconnected development. Others have a unique character – a sense of unity. What residents and visitors see and hear form their impression of a community. In Trinidad they experience rugged coastal headlands and islands, beaches and surf, the vast expanse of ocean, and sound of the whistler buoy, the cozy harbor with fishermen unloading their salmon, children poking among the tidepools, seals barking in the distance, homes tucked into the hillside looking out over each other at the scenery, and boats, burls, driftwood and crab pots in the yards. The people visitors meet are walking in the narrow streets, willing to give directions or pass the time of day.*

*This is the atmosphere that draws people seeking a place to retire. It is the reason that people are willing to commute twenty-five miles into Eureka every day, and the reason that sport fishermen come back again and again.*

Development Preference

*Property owners strongly preferred that new development be consistent with the present unique characteristics. When asked to describe Trinidad, they mentioned these terms: rural, uncrowded, quaint, rustic, peaceful, unsophisticated, small, casual, a feeling of openness, no tract houses, not commercialized. Sometimes they put it in terms of what they didn't want: no high density housing, no mobilehomes and trailer parks, no buildings greater than two stories, no motel-hotel-condominium complexes, no commercial exploitation and garish signs.*

## **COMMUNITY DESIGN ELEMENT**

### **A. Purpose**

The Community Design Element is concerned primarily with the aesthetic quality of the City, and what residents and visitors see. The City's appearance is essential to the quality of life in Trinidad. Visual quality and amenities go hand-in-hand with long-term economic development strategies, and strengthen the stability and desirability of the community. To be attractive to residents, visitors, and businesses, and to fit in with its scenic setting, the City must be concerned about its appearance, physical character, and livability. Existing residential real estate values and the desirability of businesses that depend on tourism are closely tied to the visual character of the community.

The Community Design Element establishes goals, policies, and programs to preserve and enhance Trinidad's authentic, small town, coastal character. The community is defined in part by its isolated location on the magnificent coastline of Humboldt County. Its sense of place derives from its heritage as a regional center for the mining, timber and fishing industries. As the economy evolves to a more tourism and service-based economy, the community has acknowledged the importance of maintaining the cultural and scenic identity of the town and the integrity of the residential neighborhoods, while enhancing views and access to the coastline and planning for managed growth and development.

This element contains sections addressing design review, view protection, lighting, signs and other aspects that contribute to the aesthetic setting of the community.

### **B. Community Design and the Coastal Act**

Protection of visual resources is called for by the Coastal Act. Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded area.

Trinidad has many valuable visual resources in the Coastal Zone, including high bluffs, the jutting headland of Trinidad Head, rugged offshore rocks, coastal streams and riparian areas, beaches, dunes and a quiet harbor. The southern and western views to, from and along the coastline, particularly from Edwards Street, provide an important visual resource. Scenic resources attract many visitors to these areas and provide the basis for the City's tourist industry. Visual resources can be readily degraded through poorly-designed and located structures, roads, signs, and utility lines that block coastal views, alter natural landforms, and detract from the small town character of the community.

Trinidad has traditionally been very protective of its views. One area where Trinidad's view protection has differed from the Coastal Act is in its regulatory protections of private views from residences. These protections have been in place since at least the adoption of the 1976 General Plan that was certified by the Coastal Commission in 1980. Since this time, the City has also restricted the size of homes and commercial structures as well as the use of 'franchise' development.

## C. Design Review

Most new development in the City is subject to a design review process which is intended to ensure that it preserves and enhances the aesthetic character of its setting. The Planning Commission is tasked with design review approvals along with Coastal Development Permits and other required land use approvals for new development. Compliance with the **Design and View Protection Guidelines** is the basis for Design Review approval. While the Guidelines are flexible in order to encourage innovative and creative designs, they do include many requirements that are qualitative statements rather than quantitative standards. There are many acceptable ways to meet each of the Guidelines.

### 1. Scenic View Policies

#### **Goal CD-1 Preserve, enhance and restore scenic views for the benefit of the public and residents.**

*CD-1.1* Site and design permitted development to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas (Fort Bragg).

*Program CD-1.1.1* Adopt additional Citywide Design Guidelines for scenic views and resources identified in **Map CD-1**. Consider including, at a minimum, the following guidelines (Fort Bragg):

- a) Discourage continuous buildings that block scenic views and require view corridors providing unobstructed views of the shoreline and/or the sea from public rights-of-way.
- b) Limit the size and bulk of structures to maintain Trinidad's small-town character and open spaces between structures.
- c) Require bluff setbacks for development adjacent to or near public areas along the shoreline.
- d) Minimize the size of advertising, business identification, and directional signs to ensure scenic views are not obstructed.
- e) Design night lighting of buildings to be indirect with no source of light visible, and lighting should not intrude on adjacent property or cause glare.
- f) Prohibit or require screening of the following uses in **scenic view corridors**: signs and fencing which block the scenic views, mechanical equipment, refuse containers such as dumpsters, and the outdoor storage of materials.

- g) Require open view fencing where appropriate.
- h) Ensure that new development in locations which are highly visible from beaches, trails and open space areas maintains a high quality of design and construction.

**CD-1.2** Prohibit structures, including fences, walls signs, and landscaping from significantly blocking views of the harbor, Little Trinidad Head, Trinidad Head, the Pacific ocean, rocky coastline or islands from public roads, trails, key public viewing (vista) points or from inside an occupied residential or commercial structure (Trinidad).

*Program CD-1.2.1* Trinidad's View Protection Criteria should be reviewed and revised as necessary to provide clearer guidance and reduce community conflicts while still protecting important public and private coastal views (LU-2.2).

**CD-1.3** Require Design Review for all development that has the potential to affect visual resources, unless otherwise exempt from Design Review pursuant to \_\_\_\_\_. Design Review approval requirements shall not replace, supersede or otherwise modify the independent requirement for a coastal development permit approved pursuant to the applicable policies and standards of the certified LCP. Ensure that development is constructed in a manner consistent with the Citywide Design Guidelines. (Fort Bragg)

**CD-1.4** Retain unobstructed coastal views from Edwards Street to the extent feasible (Fort Bragg). The lands designated as open space lying seaward of Edwards and Van Wycke Streets shall remain entirely undeveloped and preserved in their present data. It is from these lands that the unparalleled view to the south is obtained.

**CD-1.5** Ensure trees are planted in locations that frame but do not block important coastal view corridors. Require that trees be shown on landscaping plans and for new developments subject to city review and approval. In view corridors and on bluff-top lots, tree species should be limited to low-growing canopies that will not impair views from nearby properties. (Pismo Beach)

## **2. Compatibility With Natural Surroundings**

### **Goal CD-2: Ensure that new development demonstrates sensitivity to the environment and scenic beauty of Trinidad.**

**CD-2.1** Maintain and incorporate the City's natural amenities, including its hillsides, indigenous vegetation, and rock outcroppings, within proposed projects. (Menifee)

**CD-2.2** Integrate site design with infrastructure systems of the surrounding area, including street patterns, trails, open space, water courses, drainage and utility systems. (Palmdale)

**CD-2.3** Minimize the alterations of natural land forms caused by cutting, filling and grading shall. Design structures to fit the site rather than altering the land form to accommodate the structure by (Trinidad): (Fort Bragg)

1. Conforming to the natural topography.
2. Preventing substantial grading or reconfiguration of the project site.
3. Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.
4. Requiring that man-made contours mimic the natural contours.
5. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.
6. Minimizing grading permitted outside of the building footprint.
7. Clustering structures to minimize site disturbance and to minimize development area.
8. Minimizing height and length of cut and fill slopes.
9. Minimizing the height and length of retaining walls.
10. Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.

**CD-2.4** Incorporate a setback from the edge of the bluff that avoids and minimizes visual impacts from the beach and ocean below from blufftop development. The blufftop setback necessary to protect visual resources may be in excess of the setback necessary to ensure that risks from geologic hazards are minimized for the life of the structure. (Fort Bragg)

**CD-2.5** The beaches and sea cliffs which border the southern and western sides of the city (identified by Open Space) shall be preserved from further development and allowed to remain in their present, essentially natural state. (Trinidad)

**CD-2.6** Ensure that structures visible from the beach or a public trail in an open space area are made as visually unobtrusive as possible. (Trinidad)

**CD-2.7** Require that structures in, or adjacent to open space areas be constructed of materials that reproduce natural colors and textures as closely as possible. (Trinidad)

**CD-2.8** Provide buffering and screening between natural and built environments, where appropriate in the design of new development. (Palmdale)

**CD-2.9** Integrate the manmade and natural environments by using plant materials to screen or soften the visual impact of new development, and to provide diversity in developed areas. Use native, drought tolerant vegetation that will not grow to block scenic views. (Trinidad)

**CD-2.10** Minimize removal of natural vegetation in new development. Preserve existing native plants on the site to the maximum extent feasible. (Fort Bragg)

CD-2.11 Preserve and enhance view corridors by undergrounding and/or screening new or relocated electric or communication distribution lines. Require underground utility service connections for new development. (Menifee)

### 3. Compatibility With Man-made Surroundings / Size, Scale and Bulk of Structures Policies

**Goal CD-3: Ensure that new development demonstrates excellence of design and sensitivity to the character of the surrounding neighborhood and built environment and that buildings are designed to maintain the small-scale character of the community.**

CD-3.1 Promote quality and diversity of design compatible with community context. Harmonize site and building design with the community context, including existing structures. (Arcata)

CD-3.2 Ensure that commercial and mixed use development, fits harmoniously with the scale and design of existing buildings and streetscape of the City. (Fort Bragg) Avoid preset architectural styles (e.g. standard fast food restaurant designs). (Trinidad)

CD-3.3 Ensure that second dwelling units, manufactured units, and single-family residences are sited and constructed in a manner harmonious with surrounding development. Discourage sameness and repetitive residential designs. (Fort Bragg)

CD-3.4 Integrate each project with the character and design of the surrounding area, with respect to such design elements as size, shape, massing, setbacks, orientation, architecture, colors and landscaping. (Palmdale)

*Program CD-3.4.1* 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. (LU-1b.5)

*Program CD-3.4.2* When reviewing the design of commercial or residential buildings, ensure that that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual, open character of the community (Trinidad)

CD-3.5 Support the development and preservation of unique communities and neighborhoods in which each neighborhood exhibits a special sense of place and quality of design. (Menifee)

*Program CD-3.5.1* Ensure that future development and redevelopment improve the environment for the public and support the distinctiveness of each neighborhood as well as the special characteristics of the existing fabric of its

local context. Adopt design guidelines for each identified neighborhood in Trinidad that recognizes, maintains, and enhances the character and identity of each district; integrate existing specific plans' policies and design guidelines as applicable. (Costa Mesa)

*CD-3.6* Except for necessary public safety facilities, ensure that structures blend with the natural visual form of the area and do not unnecessarily extend above the natural silhouette or the silhouette of existing structures in the area.

*CD-3.7* Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the streetscene. (Menifee)

*CD-3.8* Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences. (Menifee)

*CD-3.9* Ensure rooflines are compatible with other roofs along the street; larger buildings should have more varied roof massing and / or variation in heights. (Palmdale)

*CD-3.10* Design new development to ensure that garages do not dominate the residential streetscape through the use of design, location and setbacks. (Palmdale)

#### 4. Signs

**Goal CD-4: Minimize the proliferation of signage in Trinidad, and ensure that signs are designed to compliment their surroundings with sensitivity to viewsheds.**

*CD-4.1* Minimize the size of advertising, business identification, and directional signs to ensure scenic views are not obstructed. (Fort Bragg)

*CD-4.2* On-premises signs should be designed as an integral part of the structure and should complement or enhance the appearance of the surrounding area. (Trinidad)

*CD-4.3* Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should have a single design theme. (Trinidad)

*Program CD-4.3.1* The planned sign program is encouraged whenever there are multiple businesses on a site; no more than three signs may be allowed per parcel except through approval of a planned sign program permit. The planned sign program shall require harmony in shape, placement, materials, and other appropriate design elements for all signs on the site. (Arcata)

**CD-4.4** Permanent signs shall be oriented to pedestrians rather than automobile traffic (Arcata)

**CD-4.5** Pole signs shall be prohibited, except for public traffic, directional and safety signs.

**CD-4.6** Integrate project signage into the architectural design and character of new buildings. (Menifee)

**CD-4.7** Discourage the use of flashing, moving, or audible signs. (Menifee)

**CD-4.8** When lighted, signs shall be designed to minimize glare and with the minimum amount of illumination necessary to make the sign legible; neon signs with distinctive designs are acceptable. Plastic-faced internally lit signs should be discouraged.

**CD-4.9** The following criteria shall apply to all signs: (Arcata)

1. Signs shall be placed so that they do not obscure other building elements such as windows, cornices, or decorative details.
2. Size, materials, style and color shall complement the building facade and shall be compatible with the surrounding area.
3. Copy shall be limited to icons, logos, services identification, and hours of operation (rather than advertising copy) except as required by law or ordinance.
4. Flush-mounted signs and monument signs are the preferred types; no more than one freestanding sign may be allowed per business street frontage (including alleys), and freestanding signs shall not exceed **fifteen** feet in height.
5. Signs shall not be of a height or design which is intended to be read from the State Route 101.
6. When lighted, signs shall be designed to minimize glare and with the minimum amount of illumination necessary to make the sign legible; neon signs are acceptable.
7. At the time of any future alterations of a lawfully permitted existing sign, except for a change in copy, the entire sign shall be modified as necessary to conform to these policies.

## 5. Lighting

### **Goal CD-5: Minimize light pollution consistent with public safety.**

**CD-5.1** Ensure that exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) be minimized, restricted to low intensity fixtures, and shielded so that no light shines beyond the boundary of the property or into Environmentally Sensitive Habitat Areas. (Fort Bragg)

**CD-5.2** Encourage street and parking lot lighting that creates a sense of security, complements building design, is energy-efficient, avoids glare, and conforms with standards designed to reduce light pollution. (San Juan Batista)

**CD-5.3** Design night lighting of buildings to be indirect with no source of light visible, and lighting should not intrude on adjacent property or cause glare. (Fort Bragg)

**CD-5.4** Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination. (Menifee)

## **6. Green Building**

### **Goal CD-6: Encourage energy efficiency, use reduction and conservation in new and existing development.**

**CD-6.1** Ensure that site and building design emphasizes energy efficiency and solar orientation. (Arcata)

**CD-6.2** Incorporate green building concepts into site and building design, including maximizing use of recycled materials and recycling, energy efficiency, solar access, insulation, energy efficiency, use of toxic-free materials, natural lighting, native landscaping, permeable surfaces around structures, and minimizing construction waste generation. (Arcata)

**CD-6.3** Encourage renewable energy such as wind, solar, micro-hydro and waves in new and existing development. (CIRC-5.2)

**CD-6.4** Investigate and adopt appropriate policies encouraging “green building technologies” that reduce negative impacts on the environment from both existing and new development. (LU-1c.1)

**CD-6.5** Maximize opportunities for passive solar heating in new development. (Palmdale)

## **7. Landscaping**

### **Goal CD-7: Promote native landscaping appropriate to the Trinidad environment that will enhance rather than interfere with coastal viewsheds.**

**CD-7.1** Require native and drought tolerant landscaping with drip irrigation, or other water conserving irrigation system, in all new and rehabilitated development. (Pismo Beach)

**CD-7.2** Ensure that all public landscaping is adequately maintained (Menifee)

*CD-7.3* Require property owners to maintain the landscaping on developed sites such that it does not present any unreasonable view obstructions.

*CD-7.4* Ensure commercial property owners maintain required landscaping and replace unhealthy or dead landscaping in existing development. (Menifee)

*CD-7.5* Promote landscape designs that improve the environment within and adjacent to new developments by reducing heat, glare and noise, and by promoting ground-water recharge, retardation of storm water runoff, and improvement of air quality. (Palmdale)

## **8. Public Art and Open Space**

### **Goal CD-8 Support Public Art and Open Space.**

*CD-8.1* Encourage the provision of murals, fountains, sculptures, and other forms of public art in public spaces and parks.

*Program CD-8.1.1:* Consider implementing an ongoing outdoor sculpture exhibit adjacent to City Hall and/or in other locations, with an emphasis on supporting and showcasing local artists and reflecting the cultural life of the community.

*CD-8.2* Provide special landscaping and decorative monument signage in order to highlight arrival and departure from the City. (Menifee)

*CD-8.3* Encourage the development of public open spaces for gatherings and fairs in commercial areas of the City.

*CD-8.4* Consider including public art at key gateways, major projects, and public gathering places. (Menifee)

*CD-8.5* Encourage the inclusion of public open spaces in new commercial development that is sufficiently large to accommodate such uses.

## **9. Other Community Design Issues**

### **Goal CD-9: Maintain Trinidad's beauty and character.**

*CD-9.1* Support local beautification efforts by neighborhoods and merchant groups. (San Juan Batista)

*CD-9.2* Ensure that properties are well maintained and nuisances are abated.

*Program CD-9.2.1:* Continue to implement and enforce the City's nuisance abatement ordinance, and update it, as necessary, to ensure that property values are maintained throughout the City.

*Program CD-9.2.2:* Consider adopting regulations in the Municipal Code requiring that alleyways in residential areas be kept free of obstructions to ensure unimpeded access at all times.

*Program CD-9.2.3:* Provide Code enforcement for immediate health and safety violations in conjunction with the building inspection process.

*CD-9.3* Require property owners to maintain structures and landscaping to high standards of design, health, and safety. (Menifee)

*CD-9.4* Allow for the elimination of vertical curbs, paved gutters, and sidewalks in rural areas if adequate drainage conditions are provided. (Menifee)

*CD-9.5* Apply special paving at major intersections and crosswalks along enhanced corridors to create a visual focal point and slow traffic speeds. (Menifee)

*CD-9.6* Design new and, when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration; strengthen connectivity; and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture. (Menifee)

*CD-9.7* Fences and walls within residential areas should contribute to the neighborhood identity and enhance community design and minimize view blockages. (Palmdale)

*CD-9.8* Encourage new residential development in Trinidad to specifically address the needs of seniors, including projects that have smaller yards, low-maintenance landscaping, limited mobility fixtures, and appropriately-sized parking spaces. (Menifee)

*CD-9.9* The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards. (Ord. 84-180 §3(part), 1984; Ord. 166 §6.19(part), 1979) (Trinidad)



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## MEMORANDUM

**TO:** Trinidad Planning Commission

**FROM:** Trever Parker, City Planner

**DATE:** March 13, 2014

**RE:** Historical Element Background

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As you know, historic preservation is often included as an option element in general plans. Historical resources, unlike most other resources, can never be recovered once altered or demolished. Therefore, in order for historic preservation to be recognized as a legitimate land use concern, it is essential to include historic preservation in the community's General Plan. The state Office of Historic Preservation (OHP) website provides guidelines for the preparation of the General Plan. All elements of the General Plan have equal legal status, so the historic preservation element is as important as each of the other elements.

There is great flexibility in content and organization of this Element, but the meat of the document is the statement of goals, policies, and actions. The following information is taken mostly from OHP website. I encourage you to browse through some sample historic general plan elements for ideas (there is a link at the end of this memo). At this point, since we don't know that much about the historic resources in town, it might be good to keep things very general, and direct that additional information be gathered. Alternatively, the Planning Commission can identify and include protections for certain resources regardless of whether they would actually rise to the level of historic status.

**Historic resource surveys** are performed to identify, record, and evaluate historic properties within a community, neighborhood, project area, or region. Surveys provide information needed to make informed planning decisions, prioritize preservation goals and objectives, develop and implement land use policies, perform environmental reviews pursuant to CEQA, develop adaptive reuse and heritage tourism initiatives, educate the public and increase the understanding of and appreciation for the built environment as a tangible reminder of the community's history. Surveys also assist in the identification of resources worthy of designation in a local register of historic resources, the **California Register of Historical Resources**, or the **National Register of Historic Places**, as well as properties potentially eligible for federal tax benefits or other state and local preservation incentives.

Many local, state, and federal governmental agencies have undertaken or are now in the process of performing such surveys. The **inventories** generated from these survey activities form an important component in local preservation programs, and ultimately contribute to our knowledge

of historical resources statewide when survey data is incorporated into the statewide **Historical Resources Inventory** (HRI) maintained by OHP through the **California Historical Resources Information System** (CHRIS).

When determining a community's survey needs it is important to consider how much is currently known about the existing historical resources and whether there are specific property types or neighborhoods being threatened by development or other changes.

- If relatively little is known, it is best to prepare a historic context statement and conduct a reconnaissance survey to ascertain the extent and locations of associated property types. Concentrations of resources and individual resources identified in a reconnaissance survey as potentially significant can be documented in greater detail and evaluated in an intensive level survey.
- A thematic survey may focus on resource types facing the greatest potential for loss as the result of development efforts, neglect, vandalism or other disturbances. Such resource types might include gas stations, libraries, schools, coffee shops, barns or other agriculturally related structures, or unique property types associated with a particular community's historic development.
- Local surveys are planning tools which, ideally, should continue to enlarge and expand on previously gathered information. While an existing survey over five years old can provide valuable information, it is appropriate to update the survey to ensure that local planning and preservation decisions are based on the most current information available.

## HISTORIC PRESERVATION ELEMENT CONTENT

Most historic preservation elements begin by summarizing the community's preservation program. The City of San Diego outlines the legal basis for historic preservation, including federal and state laws and local codes; the certified local government program and city's Register of Historical Resources; and San Diego history. The City of Orange includes a historic and architectural background; historic survey methodology and results; and issues and concerns. South Pasadena states the purpose of its historic preservation element and its relationship to other elements in the General Plan, followed by existing conditions and issues present in the community. These topics are fairly typical approaches to establishing the framework of the historic preservation element.

Having a separate element helps bring historic preservation into parity with other land use concerns in the debate. And while not all resources will be preserved, at least through a dedicated process and armed with emphasis by the community, preservation will have a seat at the table of discussion insuring that all avenues have been exhausted before the community loses a piece of their past.

Some example policies include:

- Guiding Goal. Preservation and enhancement of historic structures and districts.

Historic Resource Policy. Encourage the preservation and enhancement of existing historical and archaeological resources in the City.

Historic Resource Action. Develop and update a comprehensive Historic Resource inventory using the National Register, the California Register, California Historical Landmarks, California Points of Historic Interest, and any other structures or properties the City Council determines to have historic value.

- Guiding Goal. Foster public awareness and appreciation of the City's historic and cultural resources.

Historic Resource Policy. The City shall work with agencies, organizations, property owners, and business interests to develop and promote Heritage Tourism opportunities, in part as a economic development tool.

- Guiding Goal. Designate, preserve and protect the archaeological and historic resources within the community.

Historic Resource Policy. Assist and encourage property owners and tenants to maintain the integrity and character of historic resources, and to restore and reuse historic resources in a manner compatible with their historic character.

Historic Resource Action. Prepare a "how to" guide for restoring historic and architecturally significant structures and make it available to the public.

This website has a list of California cities with adopted Historic(al) Elements and links to those elements: [http://ohp.parks.ca.gov/?page\\_id=26417](http://ohp.parks.ca.gov/?page_id=26417)