

Filed: August 30, 2016
Staff: Trever Parker
Staff Report: September 14, 2016
Commission Hearing Date: September 21, 2016
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2016-07
APPLICANT / OWNER(S): Marc Gottschalk
AGENT: Bonnie Oliver
PROJECT LOCATION: 807 Edwards Street
PROJECT DESCRIPTION: Design Review and Coastal Development Permit to remove an existing 29' x 8,' 232 s.f., second story deck and replace it with a 29' x 12,' 396 s.f. deck, with a new stairway to grade.
ASSESSOR'S PARCEL NUMBER: 042-081-20
ZONING: UR – Urban Residential
GENERAL PLAN DESIGNATION: UR – Urban Residential
ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per §15301 exempting additions to, and modifications of existing 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 **X** / is not appealable to the Coastal Commission per the City's certified LCP, and may be appealable per Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The property is located on the southern side of Edwards Street. It is currently developed with a 3-bedroom, 2-story, 1,832 s.f. single-family residence. The existing septic system is to the south of the residence. The lot slopes to the south. There is a vacant lot to the south, and then Van Wycke Street. There are single-family residences to the east, west and north.

STAFF COMMENTS:

This is a fairly simple project, and very similar to a nearby project you heard a few months ago. Because the project alters the external profile of the existing structure, it has the potential to impact neighbors' views, and it is not exempt from a Coastal Development Permit. Therefore, Design Review Approval is required. No referrals were sent for this project due to its small size, but the construction will require a building permit.

The new deck will encroach towards the existing septic system (discussed further below), but will not negatively impact it. The applicant plans to replace the existing leachpit with a 3-bedroom leachfield further to the south and merge the subject parcel with the vacant one to the south, which he also owns. This is in preparation for a possible southern addition to the residence some time in the future; the merger and septic improvements are not required for or part of this project. The property has an existing VDU license.

Potential Conflicts of Interest

None known.

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. The existing lot is 5,175 s.f. The proposed project will not change the residential square footage or density.

The Urban Residential zone (§17.36.050) requires minimum yards of front 20', rear 15', and side 5' (§ 17.36.060). The parcel faces Edwards Street to the north. The existing garage is only 15' from the front property line, but is another 12' from the edge of pavement because the right-of-way is so wide; the deck will not affect the front setback. Features such as decks, balconies and stairways are allowed to extend up to 8 ft. into front or rear yard setbacks and three feet into side setbacks. The proposed deck extension will meet all setbacks.

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 project will not affect the height of the existing structure.

The Zoning Ordinance (§ 17.56.180) requires 2 off-street parking spaces other than any garage spaces for single-family dwellings. Each parking space is required to be 18' long and 8.5' wide. The existing driveway accommodates two parking spaces, although those spaces do extend 3' into the undeveloped portion of the Edwards Street right-of-way; the deck will not affect parking.

The Trinidad General Plan and Zoning Ordinance protect importance 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 the project increases the size of a second story deck, there is the potential to impact views from residences located adjacent to or above the structure. Elevations have been provided for this project, and the neighbors have been notified. The increased deck size should not be a significant change.

Only minimal soil disturbance will be required to accommodate the extended deck footings. This site is already connected to services and utilities, and these will not change. Exterior materials and colors also will not change.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project proposes changes to the external profile of the structure and is not exempt (§17.72.070.C) from a CDP, §17.60.030 requires Design Review and View Preservation Findings to be made. The required 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: Very little soil disturbance will be required to construct the new footings for the expanded deck.

- 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 is not located in or 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: Exterior materials and colors will be consistent with the existing structure and surrounding development.
- 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 changes in landscaping are proposed at this time. The property is already landscaped.
- 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.
- 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: No changes to the existing underground utilities 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 square footage of the structure is not being altered.
 - 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: No such development is proposed.

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 visible from the

Van Wycke Trail. However, it is only a very minor change from the existing conditions and will not negatively affect aesthetics.

- 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: Due to the small size of the project and its orientation in relation to the building, it has minimal potential to block public 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 will not be located on a vacant lot, nor will it affect building height or square footage.
- 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 Holy Trinity Church, the Memorial Lighthouse, the Tsurai Study Area 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 Alquist-Priolo Fault Zone. Therefore, no geologic study is required.

SEWAGE DISPOSAL:

The property is served by a septic system that was installed in 1975. It consists of a tank and leachpit. The property has a valid operating permit. However, as part of the recent sale of the property to the applicant, the leachpit must be upgraded to leachlines in accordance with the City’s OWTS Management Program. The previous owners obtained a permit from Humboldt County Division of Environmental Health for new leachlines (what is shown on the submitted site plan for this project). However, the new owner is considering a different design that would allow a southern addition to the residence in the future. That design would also require the subject property to be merged with the vacant parcel to the south to accommodate the new leachfield. The applicant owns both parcels. However, neither design affects, nor is affected by this project.

The deck expansion will be located over the existing septic tank. However, the deck footings will be at least 6 ft. from the tank. DEH staff was sent a copy of the plans and had no objections to the project design.

LANDSCAPING AND FENCING:

This project does not involve any new 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 project as described in this staff report and as conditioned herein.

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: Building Official 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 the project has been initiated through issuance of a building permit or an extension is requested from the Planning Commission prior to that time. *Responsibility: Building Inspector prior to building permits being issued.*
3. Construction related activities are to occur in a manner that will not impact the integrity of the septic system. The leachfield area shall be staked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the contractor. If the proposed system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The contractor will be required to file a mitigation report for approval by the City and DEH prior to permitting additional work to occur. *Responsibility: Building Inspector to verify prior to building permits being issued and during construction.*
4. Recommended conditions of the City Building Inspector shall be required to be met as part of the building permit application submittal. Grading, drainage and street improvements will need to be specifically addressed at the time of building permit application. *Responsibility: Building Inspector prior to building permits being issued.*

5. Construction related activities are to occur in a manner that incorporates storm water runoff and erosion control measures as necessary in order to protect water quality considerations near the bluffs. Specific water quality goals include, but are not limited to:
 - a. Limiting sediment loss resulting from construction
 - b. Limiting the extent and duration of land disturbing activities
 - c. Replacing vegetation as soon as possible
 - d. Maintaining natural drainage conditions

Responsibility: Building Inspector to confirm prior building permits being issued.

PLOT PLAN DATA

LOT AREA:

APN 042-082-20 : 5175 SF ±
 APN 042-082-22 : 5902 SF ±
 MERGED TOTAL : 11077 SF ±

EXIST. HOUSE AREA: (CONDITIONED)

MAIN LEVEL : 933 S.F.
 LOWER LEVEL : 899 S.F.
 TOTAL : 1832 SF

EXIST. GARAGE AREA : 484 SF

EXIST. DECK AREA : 232 SF

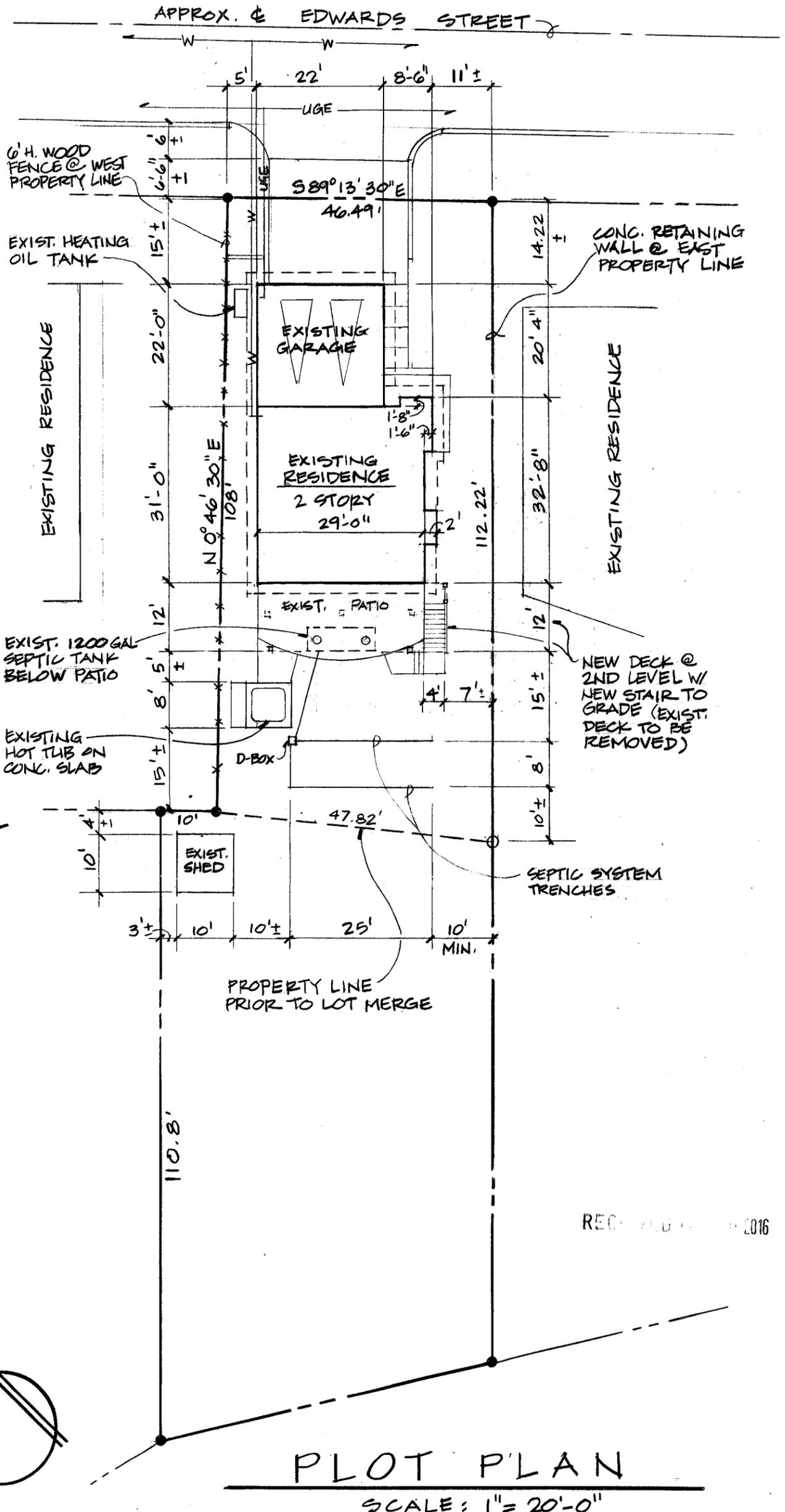
NEW DECK EXPANSION : 164 SF

DECK TOTAL : 396 S.F.

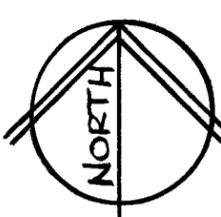
EXIST. SHED : 100 SF

NOTES

1. LOT IS WITHIN THE COASTAL DEVEL. ZONE.
2. NO NEW CONDITIONED AREA IS PROPOSED
3. REVISIONS TO EXIST. SEPTIC SYSTEM HAVE BEEN APPROVED AND PERMITTED BY HUMBOLDT COUNTY DIVISION OF ENVIRONMENTAL HEALTH.



REC-700-1-2016



PLOT PLAN

SCALE: 1" = 20'-0"

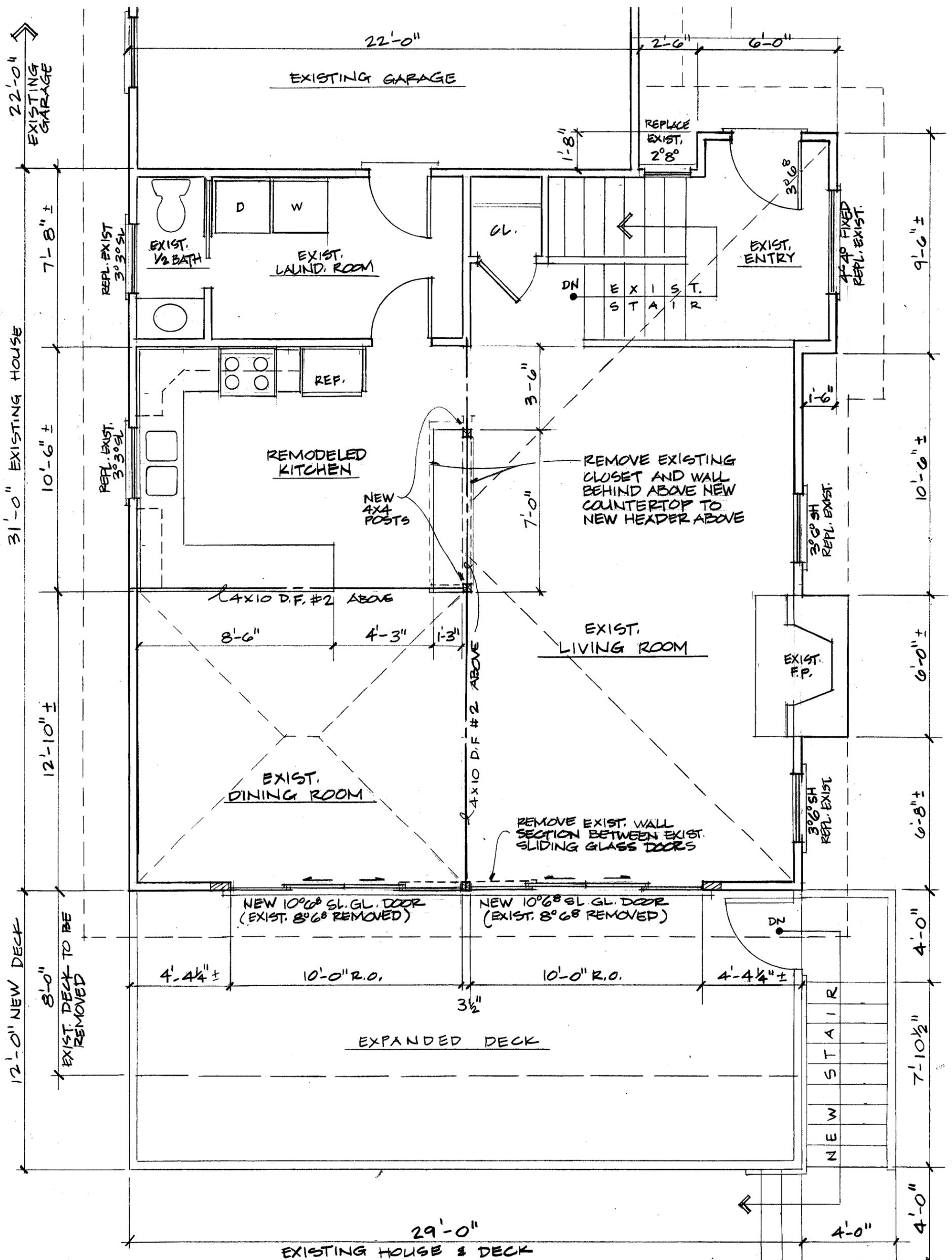


BONNIE L. OLIVER
 ARCHITECT
 1953 COTTONWOOD AVE
 MCKINLEYVILLE, CA 95519
 (707) 839-8829
 bonnie_oliver@sbcglobal.net

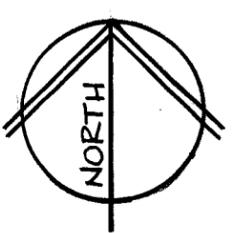
MERGED
 A.P.N. 042-081-20 & 22

RESIDENCE REMODEL &
 DECK EXPANSION FOR
 MARC GOTTSCHALK AND
 RACHEL DUCLOS
 807 EDWARDS ST., TRINIDAD, CA

DATE:
 8/30/16
 SHEET
 A1



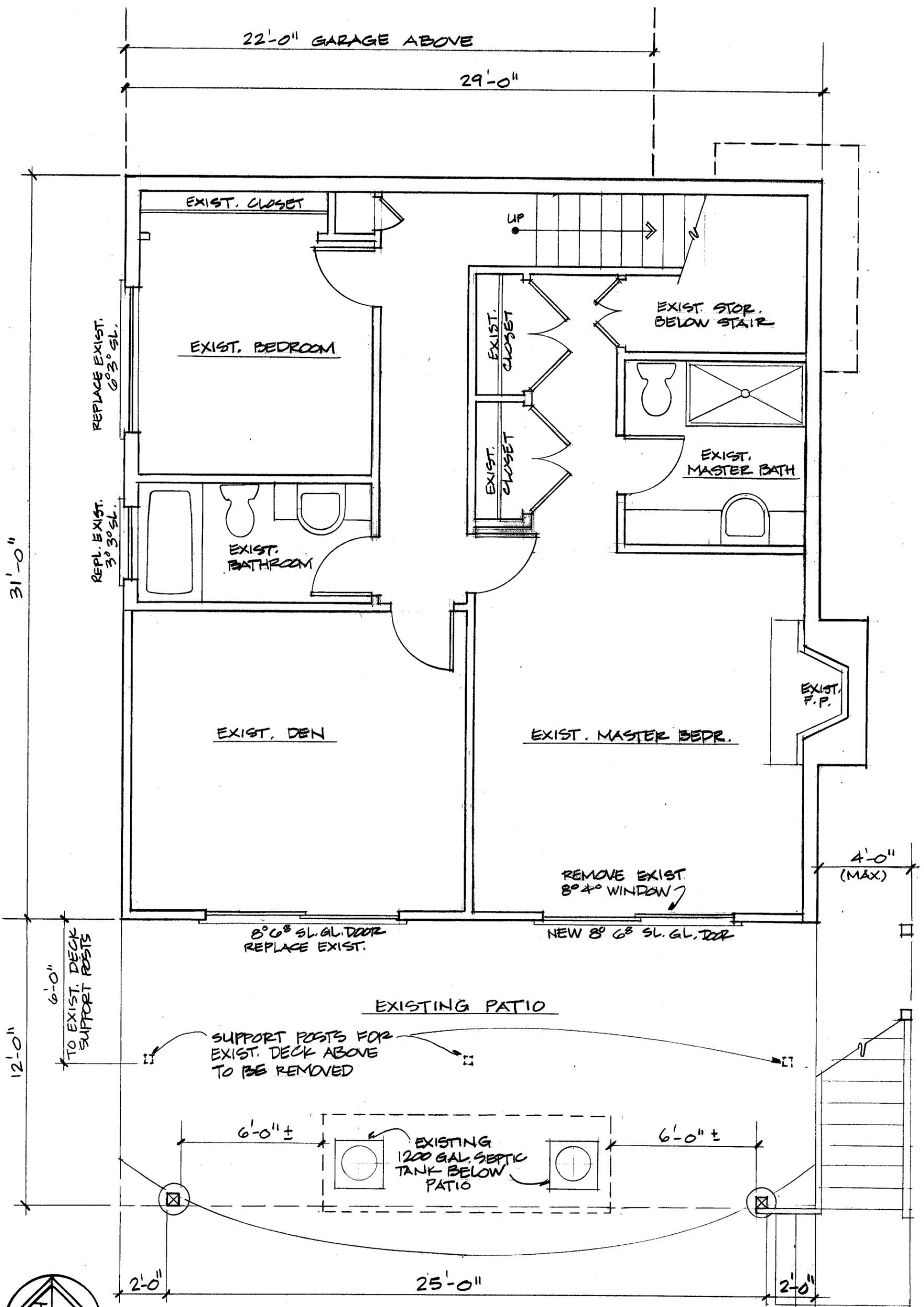
2ND (MAIN) LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"



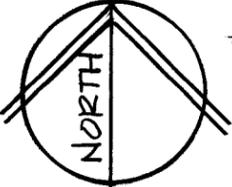
BONNIE L. OLIVER
ARCHITECT
 1953 COTTONWOOD AVE
 MCKINLEYVILLE, CA 95519
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 bonnie_oliver@sbcglobal.net

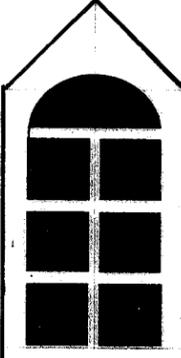
A.P.N. 042-081-20 & 22 MERGED
 RESIDENCE REMODEL &
 DECK EXPANSION FOR
 MARC GOTTSCHALK
 AND RACHEL DUCLOS
 807 EDWARDS ST., TRINIDAD, CA

DATE: 8/30/16
 SHEET A2



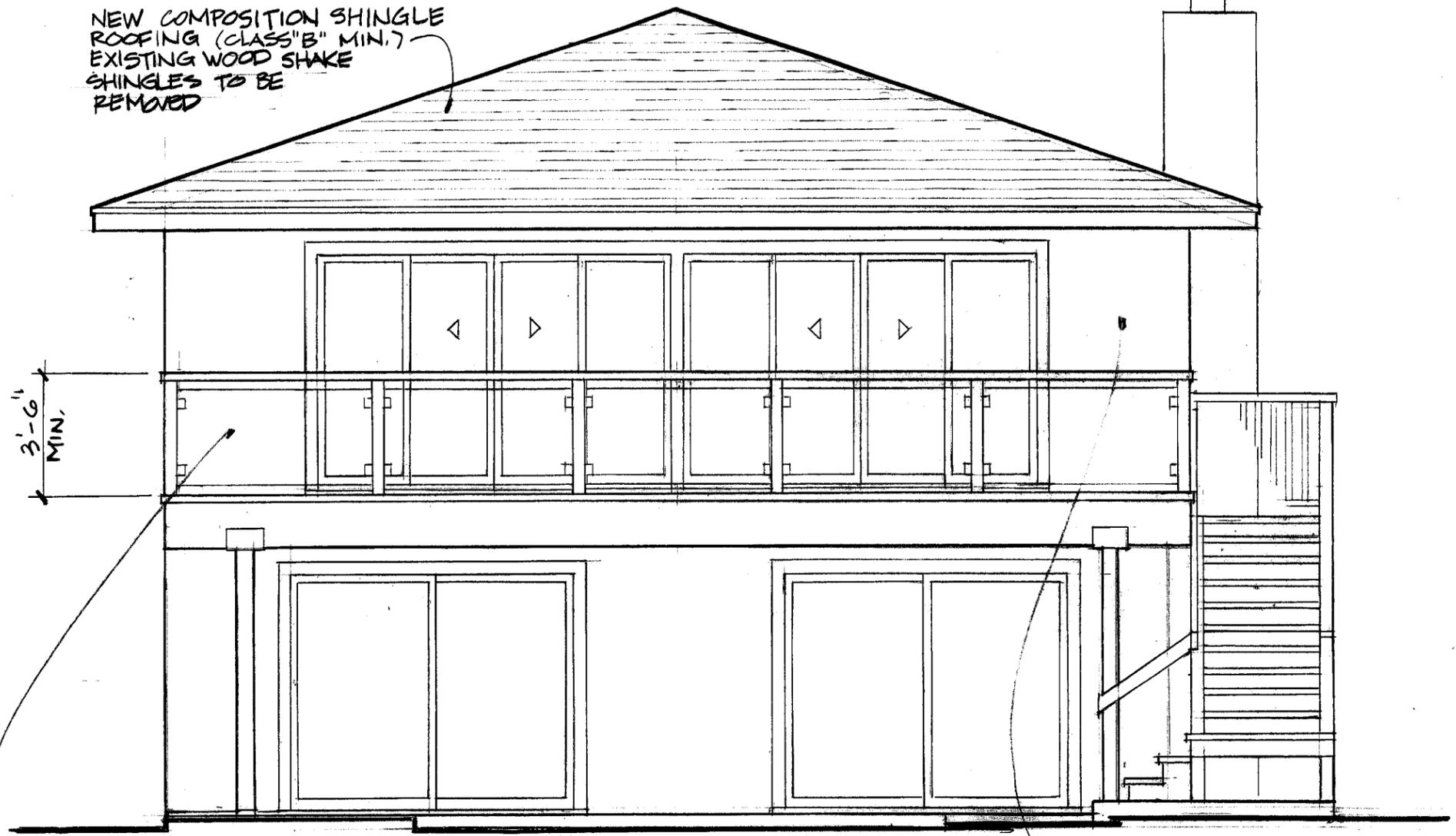
LOWER LEVEL FLOOR PLAN
 SCALE : 1/4" = 1'-0"



 <p>BONNIE L. OLIVER ARCHITECT 1953 COTTONWOOD AVE MCKINLEYVILLE, CA 95519 (707) 839-8829 ■ bonnie_oliver@sbcglobal.net ■</p>	A.P.N. 042-081-20 & 22 MERGED	
	RESIDENCE REMODEL & DECK EXPANSION FOR	
	MARC GOTTSCHALK AND RACHEL DUCLOS 807 EDWARDS ST., TRINIDAD, CA	
	DATE 8/30/16	SHEET A3

NEW COMPOSITION SHINGLE ROOFING (CLASS "B" MIN.)
EXISTING WOOD SHAKE SHINGLES TO BE REMOVED

3'-6"
MIN.



SOUTH ELEVATION

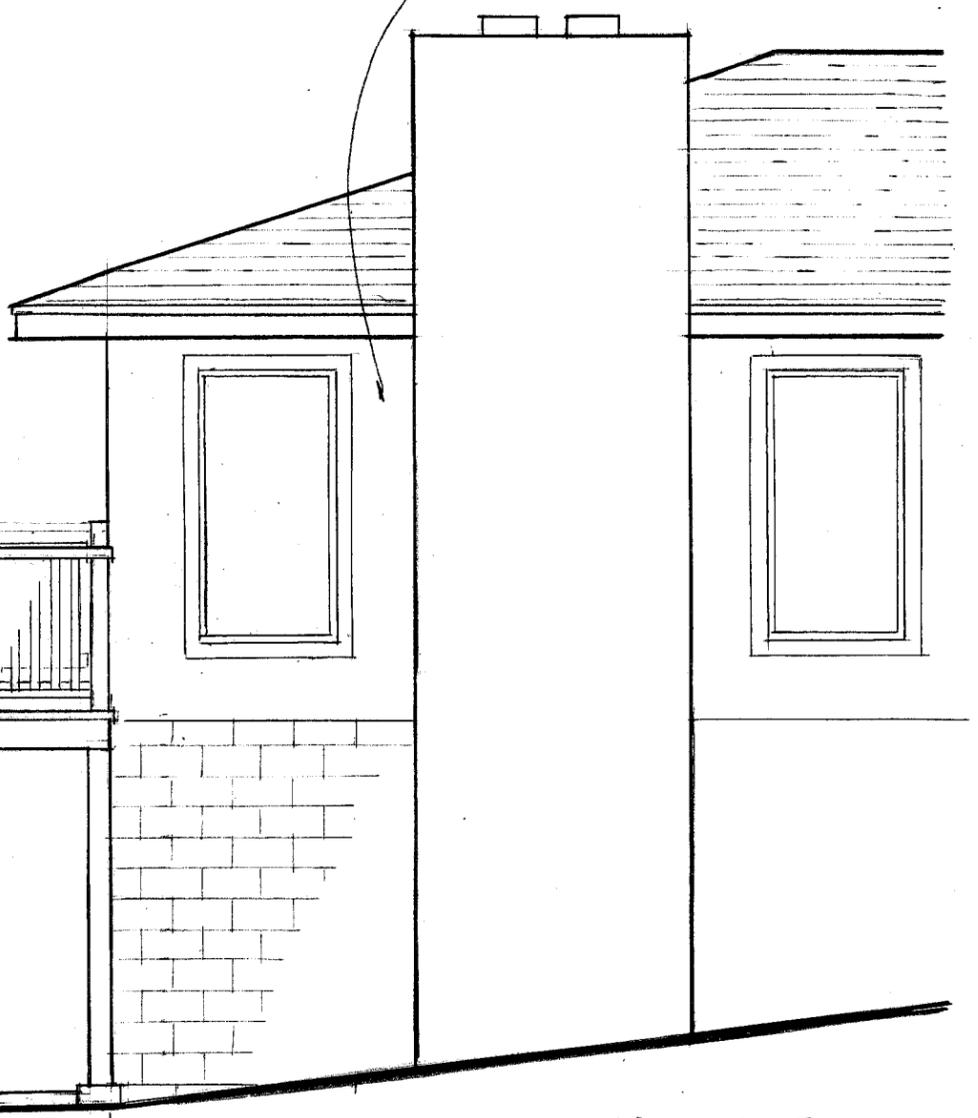
SCALE: 1/4" = 1'-0" TYP.

NEW DECK GUARD RAILING - TEMPERED GLASS IN IPE WOOD FRAMING

EXISTING WOOD SHINGLE SIDING TO BE REFINISHED & REPAIRED AS REQ'D

NEW STAIR RAILING TO HAVE VERT. WOOD BALLUSTERS @ 4" O.C.

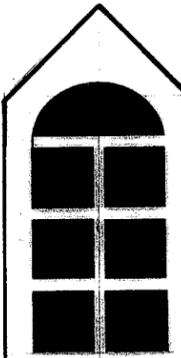
RAILING REQ'D IF LANDING IS HIGHER THAN 30" ABOVE ADJACENT FINISHED GRADE



EAST ELEVATION

(WEST ELEVATION SIMILAR, OPPOSITE)

NEW DECK & STAIR EXISTING



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bonnie.oliver@sbcglobal.net

AP.N. 042-081-20 & 22 MERGED

RESIDENCE REMODEL & DECK EXPANSION FOR
MARC GOTTSCHALK AND RACHEL DUCLOS
307 EDWARDS ST., TRINIDAD, CA

DATE
8/30/16
SHEET
A4