

Filed: November 16, 2016  
Revises: December 9, 2016  
Staff: Trever Parker  
Staff Report: January 9, 2017  
Commission Hearing Date: January 18, 2017  
Commission Action:

**STAFF REPORT: CITY OF TRINIDAD**

APPLICATION NO: 2017-01  
APPLICANT / OWNER(S): David and Sharon Winnett  
AGENT: Bonnie Oliver  
PROJECT LOCATION: 586 Hector Street  
PROJECT DESCRIPTION: Design Review and Coastal Development Permit for a 421 sq. ft. master suite addition to an existing 2-bedroom, single-family residence; a new deck and septic system will also be installed.  
ASSESSOR'S PARCEL NUMBER: 042-041-17  
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, Variance, Conditional Use Permit, and/or Design Review approval 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 northwest corner of Hector and Edwards Streets. It is currently developed with a 2-bedroom, single-story, 1,021 s.f. single-family residence; an approximately 575 s.f. shop/shed sits on the northwest corner of the lot, partially on the property to the west. The property is accessed from Hector Street, but the lot frontage, as defined by the zoning ordinance, is on Edwards Street. The existing septic system is to the south of the residence. The lot slopes approximately 10% to the south. There are single-family residences to the east, west and north with Edwards Street and the bluff to the south; the land seaward of Edwards Street includes a portion of the Tsurai Study Area.

## **STAFF COMMENTS:**

Originally this project was going to include a lot line adjustment that would have moved the western property line further to the west in order to accommodate the shop/shed that currently straddles the property line. That lot line adjustment was actually approved by the City in 1982, but was never properly recorded. Due to the length of time that has passed, City approval would again required for a lot line adjustment, even if it were the same as approved in 1982. However, the current property owners have not reached an agreement on a lot line adjustment at this time, but one is not required for approval of the proposed project. Therefore the applicants are moving ahead without the lot line adjustment.

The project involves a major remodel of and an addition to the south side the home. The structure will remain a 2-bedroom, single-story residence, though the roofline will increase in height. Other improvements include a new 280 s.f. deck near ground level and a new leachfield/septic system. 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. Referrals were sent to the City Engineer, Building Inspector and County Division of Environmental Health (DEH). The City Engineer noted that an encroachment permit would be required for any work within the City right-of-way (e.g. the new walkway from Hector Street). DEH staff noted that the addition would need to maintain required minimum setbacks from the existing septic tank and the proposed reserve leachfield. (The project does maintain the standard 10 ft. setbacks between the addition and all system components.) DEH also noted that a permit for a new 2-bedroom septic system will be required (see Sewage Disposal section below for more information).

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

None known; no Commissioners live or own property within 300 ft. of 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. The existing lot is 8,400 s.f. (Note that the plans indicate that the lot size is 9,008 s.f., but that included the lot line adjustment that was previously proposed.)

The existing and proposed project square footages are shown in Table 1.

**TABLE 1 - AREAS**

	EXISTING	PROPOSED
LOT AREA	8,400 s.f.	8,400 s.f.
FLOOR AREA		
Residence	1,021 s.f.	1,442 s.f.
Covered Porch	60 s.f.	60 s.f.
<b>Total Residential Space</b>	<b>1,081 s.f.</b>	<b>1,502 s.f.</b>
Shed	310* s.f.	310* s.f.
Deck	0 s.f.	280 s.f.
Footprint of residence	1,081 s.f.	1,502 s.f.
Footprint of all structures	1,391 s.f.	2,092 s.f.
FLOOR TO LOT AREA RATIO		
<b>Total Residence</b>	<b>12.9%</b>	<b>17.9%</b>
Total Footprint (lot coverage)	16.6%	24.9%

\*The total square footage of the shed is approximately 575, but only 310 sq. ft. of that is on the subject property.

According to the site plan and application materials, after the remodel, the floor area of the residence, as defined by the Zoning Ordinance Sec. 17.08.310, will be 1,502 s.f., including the 60 s.f. covered porch that is proposed to be moved; this is within the maximum guideline of 2,000 s.f. in the Design Review criteria. In addition, View Protection criteria C (§17.60.050) basically guarantees a minimum of 1,500 s.f. for a new residence on a vacant lot, regardless of whether views are impacted; the proposed floor area is right at this allowable minimum. Another measure that the Planning Commission uses as a standard is a 25% maximum floor-to-lot area ratio even though it is not codified; this number is based on the fact that 2,000 s.f. is 25% of an 8,000 s.f. lot. In this case, the residential floor area ratio will increase from 12.9% to 17.9%, again, within the guideline established. The floor area and footprint of other structures is included in the table for comparison.

The maximum height allowed in the UR zone (Zoning Ordinance §17.36.06) is 25 feet, (measured from the average ground level elevation covered by the structure to the highest point of the roof, §17.56.100), except that the Commission may require a lesser height in order to protect views. The current height of the roof peak is about 16.5' as measured from the average ground elevation. The proposed height is approximately 22' an increase of 5.5'. Note that the average ground elevation is somewhat difficult to determine because the site has already been graded and built on. The heights shown on the plans appear to be measured from the highest ground elevation rather than the average.

The Urban Residential zone (§17.36.050) requires minimum yards of front 20', rear 15', side 5', and street side 15' for corner lots (§17.36.060). The parcel faces Edwards Street to the south, because the zoning ordinance (§17.08.410) defines the lot frontage as the side with the shortest street frontage for a corner lot. The addition will have a 64 ft. setback from Edwards, and will maintain the existing 6' setback along the western (side) lot line. The setback to the residence from Hector Street will not change, and will maintain the existing 16' setback. The rear, north setback will not be affected by the addition. Features such as decks, balconies and stairways are allowed to extend up to eight feet into front, street side, or rear yard setbacks and three feet into side setbacks. The proposed deck will also meet all required setbacks.

However, covered porches are required to meet the residential setbacks, which makes the existing porch a nonconforming structure because it is only 11' from Hector Street, where 15' is required. The porch is proposed to be relocated about 5' to the south. Section 17.64.010 allows nonconforming structures to be "altered, repaired, or extended provided that such alteration, repair, or extension shall not increase the existing degree of nonconformity." The relocated porch will not be any closer to the street, and the nonconformity will not be increased, so staff does not see an issue with the relocation. Note that the new stairs off the east side of the porch do meet the required setbacks because stairs are allowed to extend up to 8' into a street side setback. The existing shop/shed that straddles the western property line is also a nonconforming structure that will not be altered by this project, and is therefore allowed to remain.

The Zoning Ordinance (§ 17.56.180) requires two 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 can accommodate four parking spaces; there is no garage on the property. The addition will not affect the existing parking spaces or increase parking requirements.

The addition will be located on fairly level ground that is already developed with structures, and only minimal grading will be required to accommodate the new construction. This site is already connected to services and utilities, and these will not change (other than the septic system discussed further below). Exterior materials and colors, as well as new architectural features are shown on the provided plans. Materials include new hardiplank horizontal lap siding to replace the existing aluminum siding and the addition of hardi shingle siding on the gables. A standard composite roof is proposed

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 includes an addition and increases the roof height, 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 applicants have been requested to place story poles to outline the project extent before the meeting, and as I understand, have already done so. Commissioners are encouraged to visit the site (from the street).

## **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:**

There is no DEH file information for the existing septic system, which means it is likely old and not built to current standards. The previous property owner had soil testing done and a design for a new 3-bedroom septic system completed last year. The current project will not increase the number of bedrooms, but the applicants still plan on installing a new leachfield to current standards. For projects that do not increase the number of bedrooms but increase the footprint of the structure, current DEH regulations require, at a minimum, soil testing and location of a reserve leachfield. The City’s OWTS Management Program goes a bit further, requiring testing and upgrades at the time of property sales and improvements. This project involves both, since the property was recently sold (October 2016).

The previous property owner did submit an OWTS operating permit application and inspection report to the City as required by the OWTS ordinance, and the system was functioning fine. Staff has not yet had time to issue an operating permit. But the information does allow a general assessment of the system and required upgrades at this time. The existing system does utilize a leachline of unknown length; this was verified during the suitability investigation. However, the septic tank is only 800 gallons, not the 1,200 shown on the plans. New risers and lids were installed on the old tank in 2010. So when the tank was uncovered for the suitability investigation, it was assumed the tank was newer based on the new lids. The inspection report and pumping done in 2010 indicate the tank is 800 gallons. The minimum tank size allowed under current regulations is 1,200 gallons for either a one or two bedroom residence. I spoke with Adam at DEH about the project. He stated that because the leachfield is being brought up to current code, it makes sense to replace the old tank at this time as well. Because of the size and scope of the project, DEH will require that as part of the SDS permit requirements. However, there may be other acceptable options such as installing a second small tank to achieve the required volume. The owners can work with DEH on the final design. The project has been conditioned on obtaining a valid sewage disposal permit from DEH for a 2-bedroom septic system.

## **LANDSCAPING AND FENCING:**

This project does not involve any new landscaping or fencing.

## 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 of the zoning ordinance 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 conflicting information is submitted at the public hearing 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: Minimal grading will be required to accommodate the addition; the increased footprint is approximately 5% of the lot area.
- 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 located across Edwards Street from the Tsurai Study Area (TSA) and parcels zoned open space. The current structure is approximately 135' from the boundary of the TSA and open space area, and the addition will be 20' closer. So the house will still be more than 100' away, and the materials are consistent with surrounding residential development.
- 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. Screening can be found to be unnecessary, because the structure is consistent with surrounding development.
- 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 residence after the proposed addition will be 1,502 s.f., well under the maximum guideline.
  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 TSA across Edwards Street. However, the addition will be more than 100' away, and is consistent with adjacent residential development; in fact, the house will still be smaller than many of the nearby residences even after the addition.
- 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 project location and adjacent development, it has minimal potential to block public views. There may be minor impacts to public views of Trinidad Head from Hector Street, but they will not be significant.
- 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, but the addition will result in a residential floor area of only 1,502 s.f., near this minimum allowance. However, the roof line will be raised, and private views could be impacted. The neighbors have been notified, and the owners have erected story poles to show the extent of potential view impacts.

- 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, or the Cemetery. With the addition, the structure will be approximately 115' from the Tsurai Study Area. However, due to the modest size of the proposed structure and the fact that it is consistent with nearby development, impacts are not anticipated. In addition, the existing undersized septic system will be replaced with one that meets current standards.

## **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 submitted in the application, and 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.

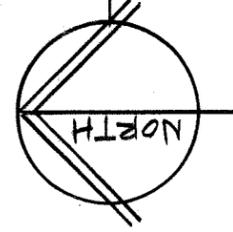
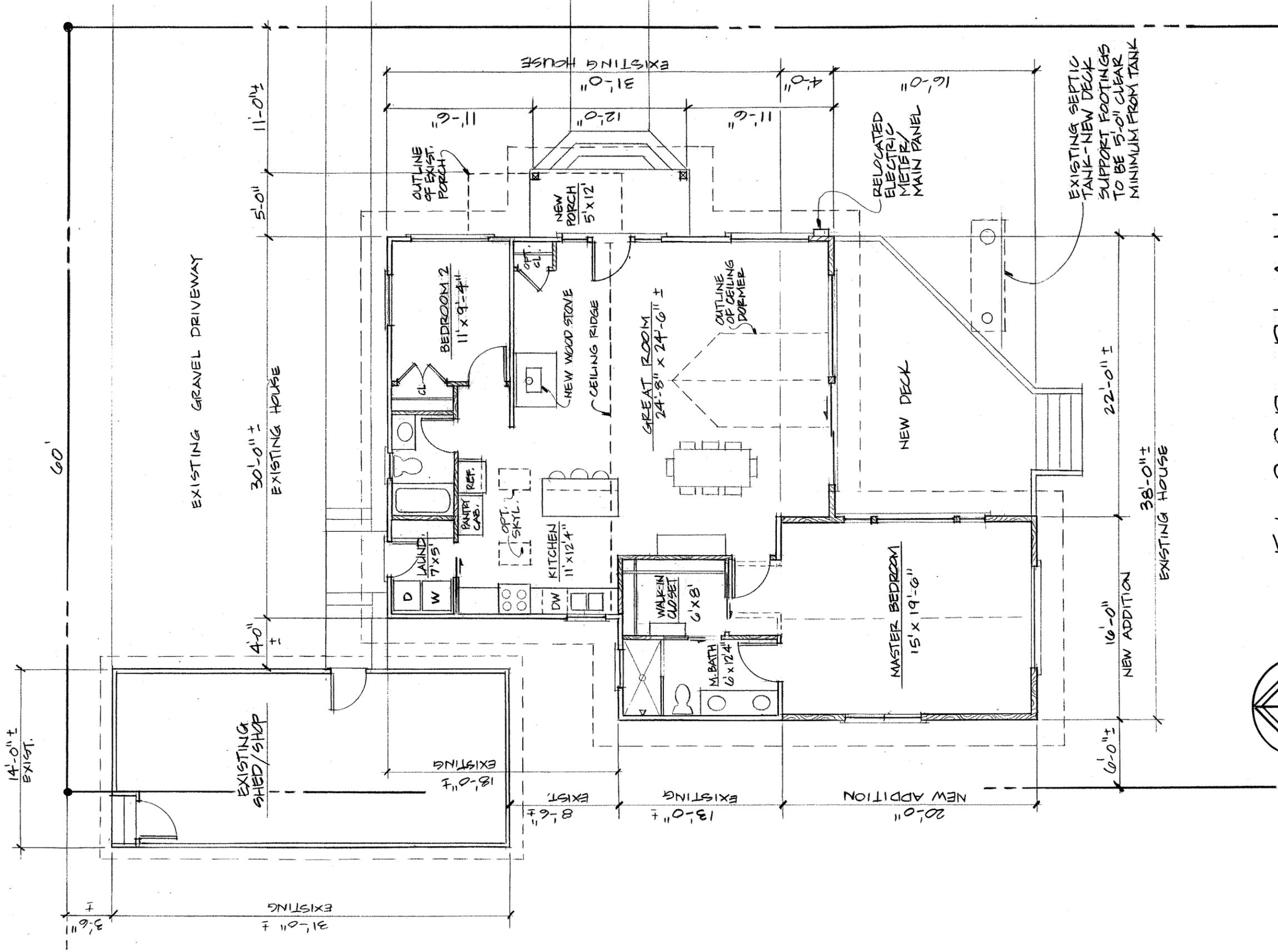
- A. Add conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
  - In this case, the Planning Commission should specify any additional information required from staff or the applicant 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 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 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. Applicant shall demonstrate septic system suitability by obtaining an approved sewage disposal system permit for a two bedroom residence from the Humboldt County Environmental Health Division. Any greywater discharge, including from the laundry, must be routed to the septic system. Risers and an in-line filter are required on the septic tank. *Responsibility: Building Inspector to verify prior to building permits being issued.*
4. 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.*

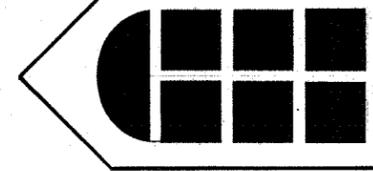
5. Applicant shall direct roof drainage downspouts away from the septic system components. *Responsibility: Building Inspector to confirm at time building permits are issued.*
6. The applicant is responsible for submitting proof that a statement on the deed, in a form approved by the City Attorney, has been recorded indicating that any increase in the number of bedrooms above a total of two bedrooms, or number of dwelling units above one, will require City approval of adequate sewage disposal capabilities and other applicable standards. *Responsibility: Building Inspector to verify prior to building permits being issued.*
7. 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.*
8. Applicant to provide method for City to verify height measurements (such as a reference stake) before and during the roof framing inspection and upon project completion. *Responsibility: Building Inspector to confirm at time building permits are issued and during construction inspections.*
9. Applicant to secure an encroachment permit from the City for any work that takes place in or interferes with the public right-of-way, including the proposed walkway from Hector Street. *Responsibility: Building Inspector to confirm prior building permits being issued.*
10. 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.*





# FLOOR PLAN

SCALE: 1/8" = 1'-0"



**BONNIE L OLIVER  
ARCHITECT**

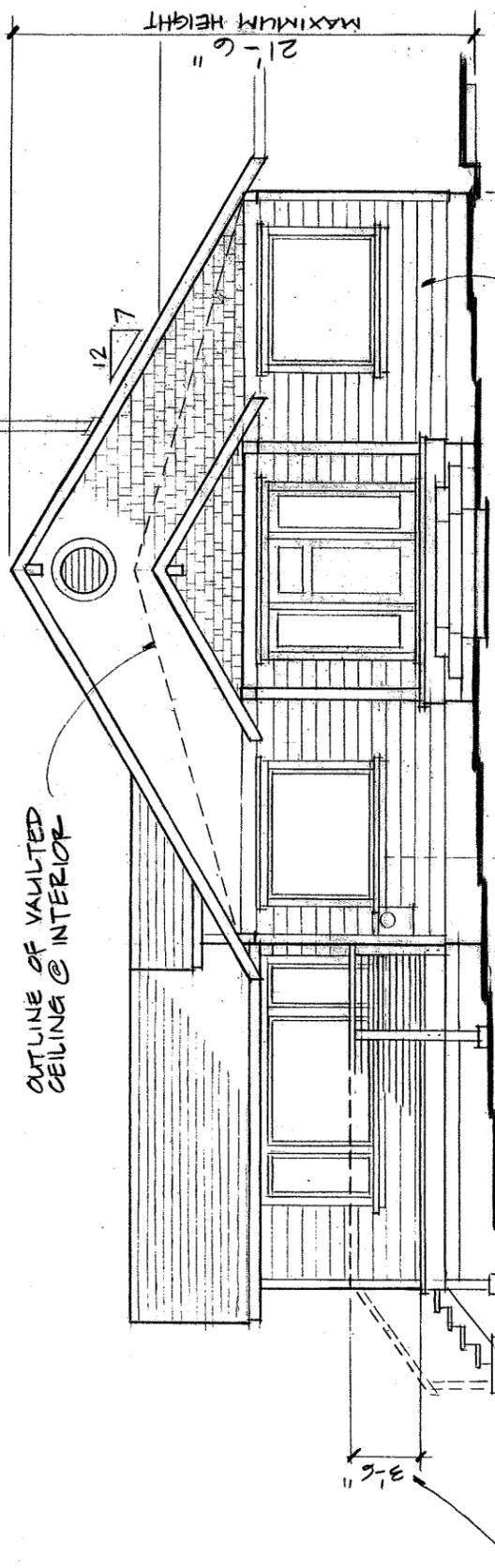
1953 COTTONWOOD AVE  
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A.P.N. 042-041-017

RESIDENCE  
ADDITION & REMODEL  
DAVID & SHARON WINNETT  
AT: 586 HECTOR STREET  
TRINIDAD, CA 95570

DATE:  
12/9/16

SHEET  
A2



NEW ADDITION

EXISTING HOUSE

MAXIMUM HEIGHT 21'-6"

OUTLINE OF VAULTED CEILING @ INTERIOR

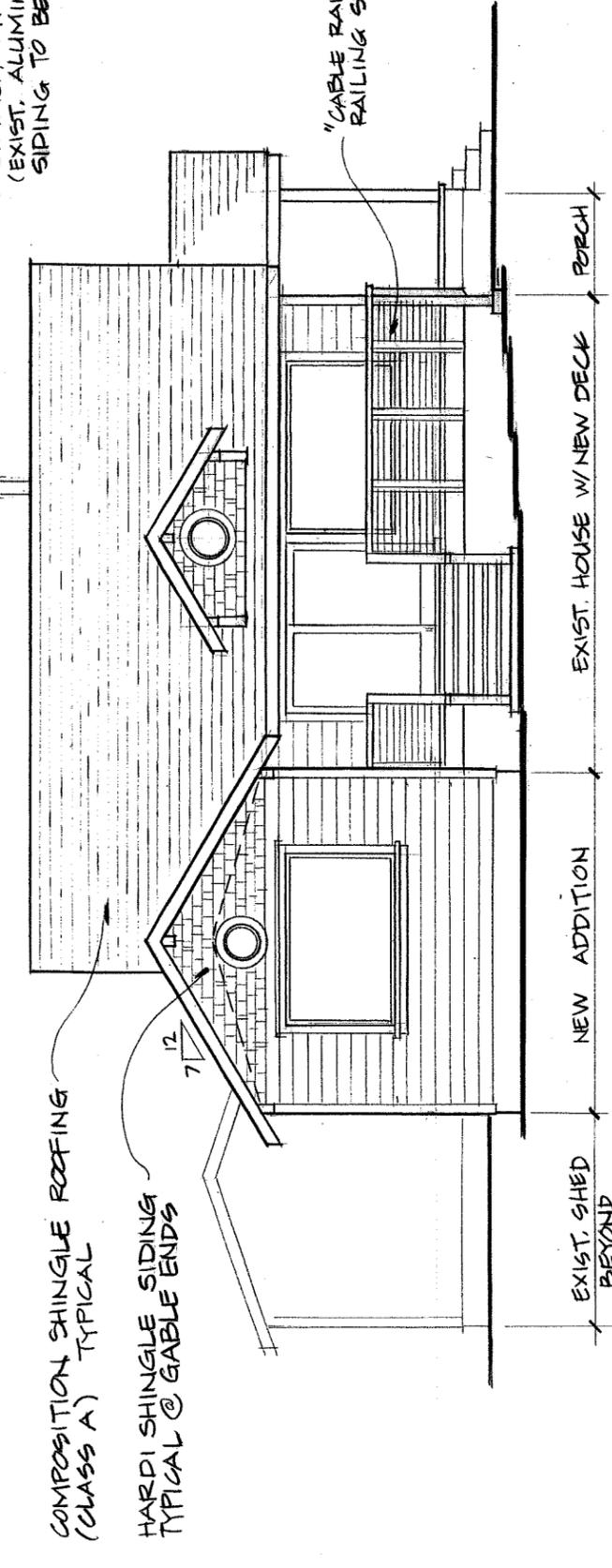
12/7

HARDIPLANK HORIZONTAL LAP SIDING, TYPICAL (EXIST. ALUMINUM SIDING TO BE REMOVED)

3'-6"

GUARD RAIL REQ'D WHERE DECK IS OVER 30" ABOVE ADJACENT GRADE

**EAST ELEVATION**



NEW ADDITION

EXIST. HOUSE W/ NEW DECK PORCH

EXIST. SHED BEYOND

COMPOSITION SHINGLE ROOFING (CLASS A) TYPICAL

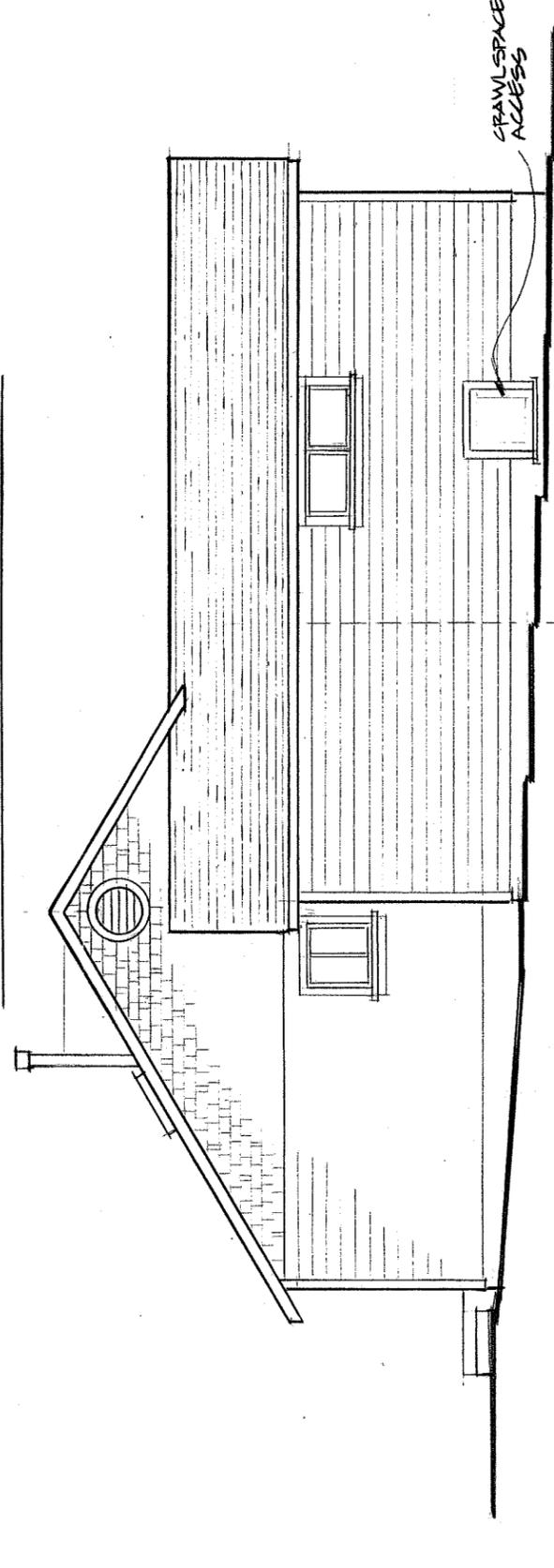
HARDI SHINGLE SIDING TYPICAL @ GABLE ENDS

12/7

"CABLE RAIL" RAILING SYSTEM

3'-6"

**SOUTH ELEVATION**



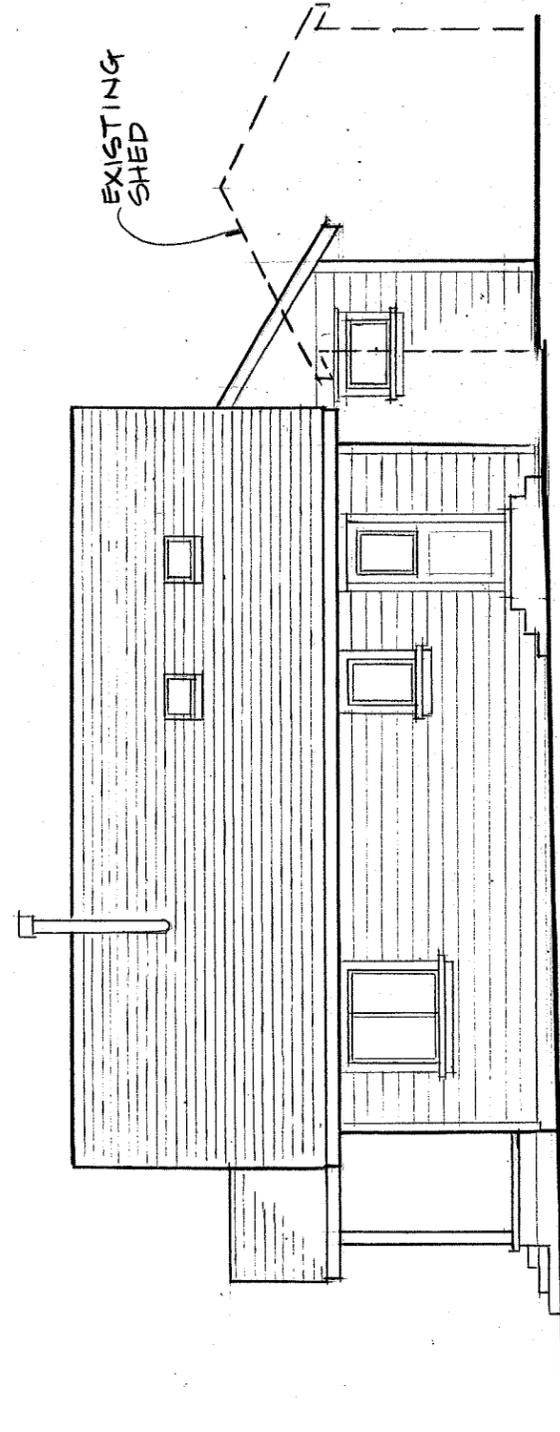
EXIST. HOUSE

NEW ADDITION

CRAWLSPACE ACCESS

3'-6"

**WEST ELEVATION**



EXISTING HOUSE

EXISTING SHED

3'-6"

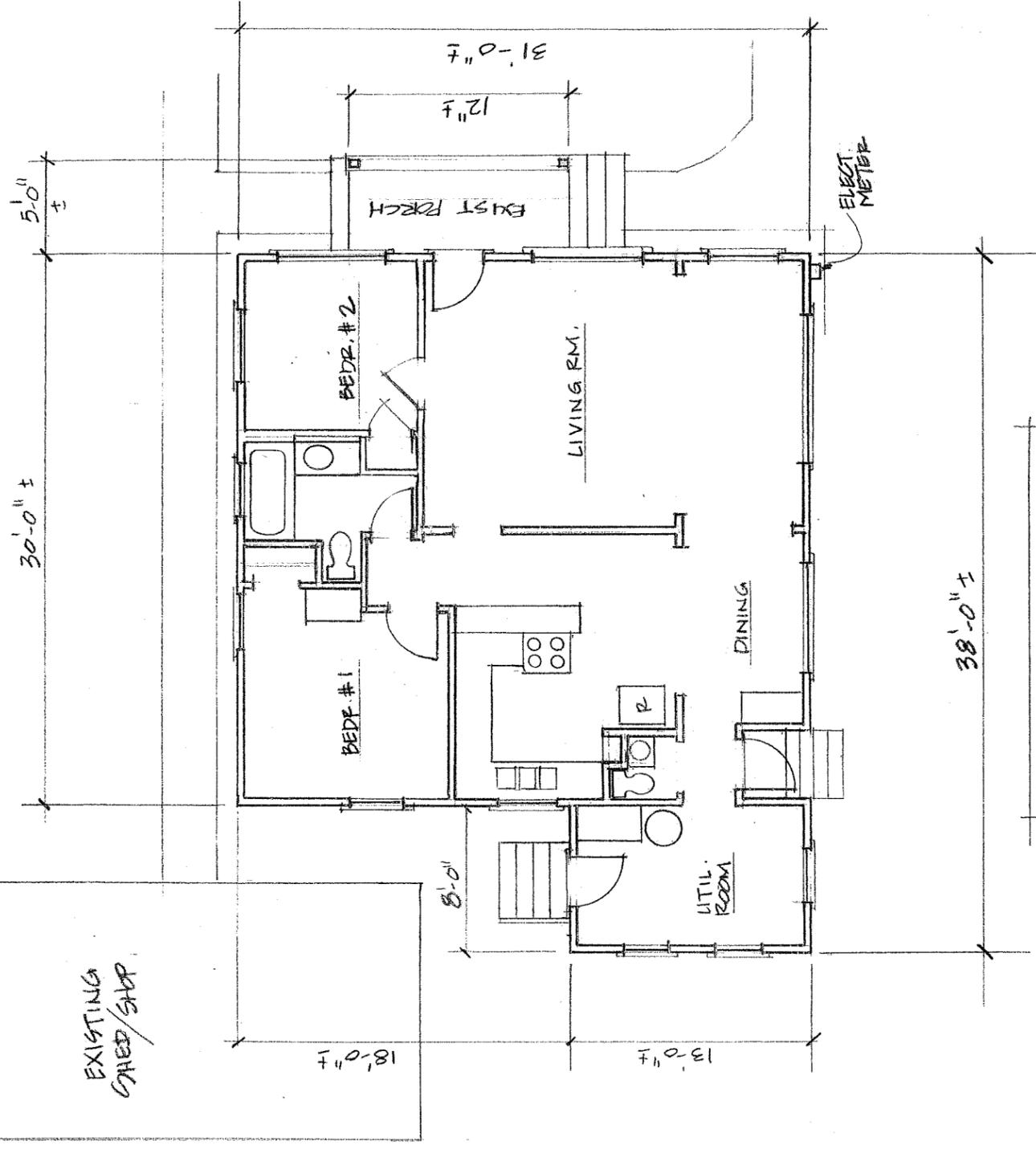
**NORTH ELEVATION**

SCALE: 1/8" = 1'-0"

042-041-017

DATE:	12/9/16
SHEET	A3

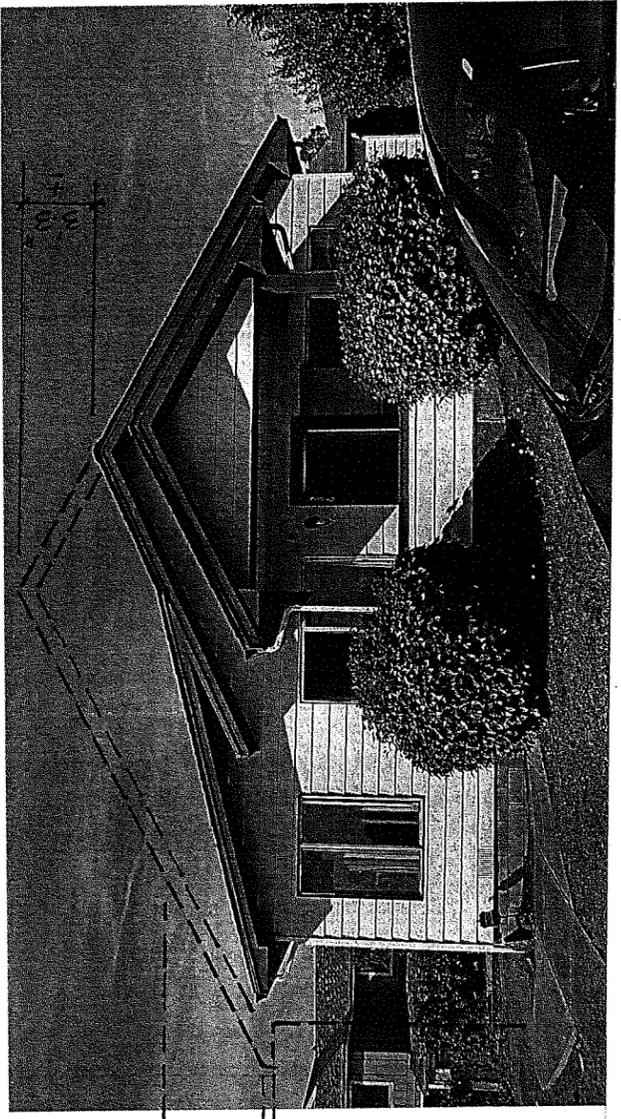
RESIDENCE  
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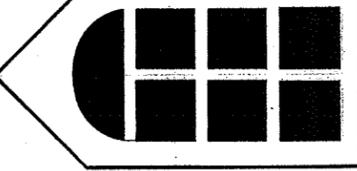
FOR REFERENCE ONLY

EXISTING HOUSE FLOOR PLAN

SCALE: 1/8" = 1'-0"



EAST ELEVATION - EXISTING  
NOT TO SCALE



**BONNIE L. OLIVER**  
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A.P.N. 042-041-017

RESIDENCE  
ADDITION & REMODEL  
DAVID & SHARON WINNETT  
AT: 586 HECTOR STREET  
TRINIDAD, CA 95570

DATE:  
12/9/16

SHEET  
A 4



## MEMORANDUM

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**To:** Trinidad Planning Commission  
**FROM:** Trever Parker, City Planner  
**DATE:** January 13, 2017  
**RE:** LCP / General Plan Update Discussion Agenda Item

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I prepared the following memo as an informational update for the Council for their January meeting. But it is also relevant for our more immediate discussion and action purposes. This memo should provide you a general background about what the LCP and General Plan are, the steps taken thus far in the update, the next steps, and a proposed timeline for completing the update. I am currently working on updating the older elements to make them consistent with the more recent ones. I am also working on formatting them to be more organized and consistent across elements. In terms of content, I am working on adding some of the information from the Climate Change Vulnerability report that was prepared last year, as well as filling in some gaps identified in LCP Update Guide analysis comparing the existing general plan policies to the regulatory requirements for an LCP that was completed in 2015.

Over the next two months, I would like to get the Planning Commission's input on the current drafts, with an emphasis on the policies, which are the most important component of a General Plan. I will then incorporate those comments into the current updates I am working on. As you can see from the proposed timeline at the end of this memo, you will then have a chance to review the updated documents before sending them to the City Council. The proposed timeline does not give you a lot of time to review and comment on these documents. However, keep in mind that different Planning Commissions have been working on these for a number of years. And the tight timeline is necessary to meet the Coastal Commission grant requirements. I do suggest that the Planning Commission consider scheduling workshops dedicated to discussing the general plan in between regular meetings. So bring your calendars so we can try to arrange something for late January or early February.

### Introduction

The General Plan update has been in progress for a long time. Not only is it an inherently long process, but progress has been stalled a number of times in order to work on other projects, including VDUs and now STRs. Because the update has occurred over a long period of time, and not much progress has been made in the past

year, it is likely that not all of the Council is completely familiar with what the update, or even the LCP itself, entails. Therefore, I have provided some general background information along with an update on the ongoing update.

## Background

State planning law requires all cities and counties to adopt general plans. The General Plan is intended to contain policies to guide land use and development in and around the City over a 20 year period. The General Plan's policies should be fairly general, and are implemented through a series of ordinances that set forth specific regulations, such as zoning. The State requires General Plans to address at least seven elements: (1) land use, (2) circulation, (3) housing, (4) conservation, (5) open space, (6), noise, and (7) safety. Additional elements can also be added. The City has drafted the following elements: (1) land use, (2) conservation and open space, (3) circulation, (4) noise and safety, (5) housing, (6) community design, and (7) cultural and historic resources. More information about these elements is provided in the next section.

In addition to state planning law, the City also has to meet the requirements of the CA Coastal Act, which sets out a somewhat different set of issues be addressed and a variety of coastal resources to be protected. Under the Coastal Act, cities and counties must adopt a Local Coastal Program (LCP), which is then certified (or not) by the Coastal Commission as adequate to carry out the provisions of the Coastal Act and associated regulations. This certification allows the City to issue Coastal Development Permits pursuant to its LCP rather than the Coastal Commission. The LCP consists of a Land Use Plan, which is basically the equivalent of a General Plan, and an Implementation Plan, which consists of the ordinances that govern the types, location and intensity of land use and development including zoning, building, grading, subdivision and possibly others, such as stormwater. The Coastal Commission's LCP Update Guide is broken down into the following categories: (1) public access, (2) recreation and visitor services, (3) water quality protection, (4) environmentally sensitive habitat areas and other natural resources, (5) agriculture, (6) new development and cultural resources, (7) scenic and visual resources, (8) coastal hazards, (9) shoreline erosion and protection, and (10) energy and industrial development. Even though it may not seem like it, there is a lot overlap between the State general plan guidelines and the Coastal Commission's LCP guidance.

## Elements and Background Reports

The City's existing general plan was adopted in 1976 and the LCP was the first in the State to be certified by the fledgling Coastal Commission in 1980. While the existing LCP is well out of date, Trinidad is not as far behind as it may appear. There are jurisdictions that do not have a certified LCP at all, which means that development projects must be approved by the Coastal Commission after receiving City approvals. Trinidad started a General Plan update process in 1997, but it was put on hold in 2000 due to lack of funds. The update process was restarted in 2007 as part of a regional watershed planning effort funded by a Prop 50 grant. This grant funded, among other

things, the Trinidad-Westhaven Integrated Coastal Watershed Management Plan. It also funded several background reports and the initiation of a comprehensive General Plan update. Additional background reports have been prepared as part of other projects as well as senior practicums and internships at HSU. Since 2007, the update has slowly been moving forward element by element as staff time and budget allows.

The following background reports have been prepared for the general plan update so far. In addition to these documents, there are a variety of other reports, some rather old, and some prepared for larger projects and / or by other entities, that are utilized or referred to in the general plan update, but which are not listed here.

- Impervious Surfaces Study and LID Recommendations, April 2006
- Background Report: Geologic and Seismic Characteristics of Trinidad, CA, April 2007
- Trinidad-Westhaven Integrated Coastal Watershed Management Plan, May 2008
- Trinidad Walkability Study, May 2008
- Fundamentals of a Circulation Element for the City of Trinidad, May 2009
- Background Report: Biology and Environment of the Trinidad Area, October 2009
- Background Report: Soil Characteristics of Trinidad, CA, October 2009
- Trinidad Architectural Survey (incomplete), November 2009
- Draft Trinidad Climate Action Plan, April 2010
- Coastal Resilience Planning For the City of Trinidad, October 2014
- LCP Update Guide Land Use Plan Policy Compliance Analysis, December 2015
- LCP Update Guide Implementation Plan Needs Assessment, April 2016
- Climate Change Vulnerability Report and Adaption Response, April 2016

The following elements / chapters have been drafted and recommended / approved by the Planning Commission on the listed dates. The City Council has also reviewed the first six chapters (which includes all seven of the state required elements). Currently, the earlier elements are being updated and the entire document reviewed for internal consistency. Once all the elements are completed and updated, the entire draft will go back to the Planning Commission for final review and recommendation and then the City Council for discussion and adoption. Formal Tribal Consultation will occur during this final step.

- Chapter 1: Introduction – October 2009
- Chapter 2: Land Use – September 2009
- Chapter 3: Conservation & Open Space – December 2009
- Chapter 4: Circulation – July 2012
- Chapter 5: Noise & Safety – December 2012
- Chapter 6: Housing – December 2013
- Community Design – Draft July 2014
- Cultural & Historic – drafted June 2013, updated March 2016, not fully reviewed
- Glossary – October 2009, partially updated July 2014

## LCP Update Grant and Current Work

The City currently has a grant through the Coastal Commission to finish drafting the LCP update. That grant goes through April 2017. During the grant period however, the City prioritized staff time for the VDU/STR licensing process and ordinance amendment, which has slowed down work on the update. But progress has still been made. The following is a list of tasks that have been completed under the grant thus far, broken down by grant task.

- *Stakeholder Coordination and Consultation*
  - City staff were meeting with Coastal Commission staff every other month to discuss progress until that staff person retired this fall.
  - A hand-out / flyer was created to let people know about the update.
  - A section on the City's website (under the Planning and Building Services) was added where updates and documents can be provided.
  - Updates have been given at Planning Commission and Trinidad Bay Watershed Council Meetings.
- *Conduct Climate Change Planning*
  - A draft and final Climate Change Vulnerability Report has been prepared that identifies risks and adaptation strategies.
  - The draft General Plan elements are being reviewed and edited to incorporate this important information.
- *Perform Needs Assessment*
  - A Land Use Plan consistency analysis was completed that identifies gaps in the draft general plan as compared with the Coastal Commission's LUP update guidance.
  - A needs assessment for the zoning ordinance update has also been completed that identifies where the zoning ordinance falls short of current Coastal Act requirements.
- *Tribal Consultation and Cultural Resources Element Development*
  - City staff have met with representatives of the Yurok Tribe, Trinidad Rancheria and Tsurai Ancestral Society to discuss and gain input on the update and cultural element.
  - The Cultural Element has been revised based on this input and to incorporate policies and recommendations of the Tsurai Management Plan
- In addition, City staff have been administering the grant, managing subcontracts and submitting timely invoices and reports.

## Next Steps

The next steps, both within and outside of the grant scope, include: (1) updating the older draft elements, including the figures, to be consistent with the more current elements; (2) incorporating climate change planning into the draft elements where appropriate; (3) continuing Tribal consultation; (4) Harbor Area planning with stakeholders; and (5) updating the zoning and other implementing ordinances. The Harbor Area is a high priority for the Coastal Commission, because it is currently an

Area of Deferred Certification, meaning that the City's LCP has not been certified for those parcels, and the City does not issue Coastal Development Permits there. The application by the Rancheria to transfer the Harbor Area into Tribal Trust status does affect this task, but gathering stakeholder input and planning for the future of the harbor are still important at this point. The current focus is on items 1 and 2 above, with the goal of getting the entire document ready to go to the Planning Commission in the next couple of months.

The final step for the grant will be to update the zoning ordinance based on all this background work and outreach. It is anticipated that at the end of the grant period, the City will have a complete draft LCP. Unfortunately, due to the VDU/STR ordinance amendment and other tasks, staff time has been a limiting factor in completing this project. The City has requested an extension to April 2018 on the grant in order to complete the update. In addition, Coastal Commission staff have recently suggested that the City consider applying for the next round of funding to fill any gaps in the process. For example, due to recent discussions about water use and requests to hook-up properties out side of City limits to the City's water system, it has become clear that a current and comprehensive water supply analysis will be needed. It is likely that the Coastal Commission will request additional studies showing infrastructure capacity, particularly if any allowable densities are increased, such as an allowance for second units. In addition, there are other implementing ordinances that will need to be updated, though not to the extent of the zoning ordinance.

### Timeline

I have estimated and proposed a number of timelines to complete the General Plan and LCP update over the years, none of which have come to fruition. Unfortunately, when the update is delayed and put on hold, additional work is needed to get it started again. Also, it will be a new Planning Commission and City Council reviewing the documents, which could result in some changes. However, a significant amount of time and thought has been put into the current draft, so hopefully it will satisfy most people. Public input has been inconsistent, sometimes minimal, during the update at the Planning Commission level; it will increase at the Council level, which could also result in more delays. And while increased collaboration and input can result in better documents, at some point this project needs to get completed. Keep in mind that even though the Coastal Commission will not accept this comprehensive update in pieces, it is common to make amendments and updates to the LCP periodically. So once the comprehensive update is completed and certified, major and minor amendments can be made as needed.

The Coastal Commission grant final product is intended to be a draft LCP that is ready, or nearly ready, for City Council adoption and submittal to the Coastal Commission for certification. However, there was no commitment made for final adoption or submittal to the Coastal Commission due to the possibility for unknown factors, such as the public hearing process and other projects to slow down the process. Assuming that the City's extension request for the LCP update grant is approved, an ideal timeline would look

something like the following. Note that this is an ambitious timeline, and could be easily sidetracked by other issues and projects if the update does not remain a City priority. The Council should keep the LCP update in mind when prioritizing staff time and budget when considering other potential planning related projects. (Note that the grant does require a local match, most of which has already been met.)

- January – February 2017: Planning Commission reorientation to, review, and comment on the current draft. This would include the following elements: Land Use, Conservation and Open Space, Circulation, Noise and Safety, Housing, Community Design and possibly Cultural and Historic (which still needs more work and additional tribal consultation).
- March – April 2017: Background work and updates based on Planning Commission input. A harbor area stakeholder meeting to discuss planning and the future of that area should be held by this time. Tribal consultation will also occur with staff finalizing the draft Cultural and Historic element for review.
- May – June 2017: Final Planning Commission Review of the entire General Plan. Staff starts updating the zoning ordinance.
- July 2017: Revise the General Plan based on Planning Commission review. Continue to update and revise the zoning ordinance.
- August – November 2017: City Council review of the General Plan. Planning Commission review of the Zoning Ordinance. Formal Tribal Consultation with the City Council occurs.
- December 2017: Staff revision and update of zoning ordinance based on Planning Commission discussions.
- January – March 2018: City Council review of updated zoning ordinance.