

MINUTES OF THE MONTHLY MEETING OF THE
TRINIDAD PLANNING COMMISSION
Wednesday, May 16, 2018

I. CALL TO ORDER/ROLL CALL (6:00pm)

Commissioners Present: Graves, Stockness, Gregory, Morgan
Commissioners welcome new member Mike Morgan.
Commissioners Absent: Johnson
Staff: Parker

II. APPROVAL OF MINUTES

April 18, 2018

There were no comments on the minutes.

Motion (Stockness/Gregory) to approve the minutes as submitted.

Passed unanimously (3-0) with Morgan abstaining having not been in attendance.

III. APPROVAL OF AGENDA

Motion (Morgan/Gregory) to approve the agenda.

Passed unanimously (4-0).

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

1. Election of Vice Chair:

Parker noted that at the March meeting, Commissioner Gregory had been nominated for Vice Chair in absentia. However, the Commissioners felt that they should not vote without Commissioner Gregory in attendance.

Commissioner Gregory accepted the nomination.

Motion: The Planning Commission moved to appoint Commissioner Gregory as Vice Chair.

Passed unanimously (4-0).

2. Mullin 2018-02: Use Permit and Coastal Development Permit to remove a large (>12" DBH) nonnative Monterey cypress tree from the property that creates and nuisance and poses a potential hazard to adjacent property and structures.

Located at 520 Pacific Street; APN 042-082-001.

Staff Report

Parker summarizes the staff report. Parker explains the reasons the applicant is requesting removal and references the materials provided as part of the application. She explains that a Coastal Development Permit is required for "major vegetation removal," and the City's Zoning Ordinance requires a Use Permit for removal of trees greater than 12 inches in diameter at breast height (DBH) in the UR zone. The tree removal will not affect any structures and may improve coastal views. The project is outside any unstable areas, and has been conditioned to avoid soil disturbance. Parker notes that CA Fish and Game Code prohibits disturbance of active nests. Since it is the peak nesting season, staff proposed a condition that a qualified person check the tree for nests prior to tree removal, unless removal occurs after September 1. Parker then summarizes the Use Permit findings and proposed conditions of approval. She provides a staff recommendation for approval, but also explains the Commission's alternatives.

Commissioner Comments/Questions

Commissioner Morgan questions the costs of the processing the application. Specifically, he is concerned about the costs of having someone check the tree for nests. Parker responds that it should only take an hour, plus driving time.

Public Comment

Commissioner Stockness reads an email submitted by a neighbor expressing support for the project. She notes that view blocking vegetation is a problem around town, and suggests that the Commission take that into consideration. There was no other public comment.

Commissioner Discussion

Commissioner Gregory expresses appreciation of the letter of support.

Commissioner Morgan discloses that he spoke with the applicant/property owner when he visited the site to view the tree. He believes the removal request makes sense.

Motion (Morgan/Gregory): Based on information submitted in the application and included in the staff report and public testimony, I move to adopt the information and findings in the staff report and approve the project as conditioned therein. Passed unanimously (4-0).

Commissioner Morgan adds that he doesn't necessarily want to set precedence for requiring nesting surveys for tree removals. He wants to see how this one goes.

3. Farmer 2018-03: Design Review and Coastal Development Permit for construction of a new pitched roof in place of an existing flat roof. Located at 436 View Avenue; APN: 042-062-008.

Staff Report

Parker provides a summary of the staff report. She explains that because the project alters the external profile of the structure, it is not exempt from Design Review or a Coastal Development Project, even though it is a minor project. She notes that because Commissioner Stockness lives within 300 ft. of the project, there is an assumed financial conflict of interest. Parker explains that Stockness may refute that assumption, noting that it is unlikely that the project would have any effect on property values in the neighborhood. The project will not change the square footage of the structure or physical components of the property, other than the height and profile of the roof. Parker continues, noting that due to the project location, there is minimal potential to impact views. She also notes that the project will not affect the septic system on the property, but that the owner has not submitted a complete OWTS Operating Permit application, and that has been included as a condition of approval. Parker then summarizes the design review and view protection findings as well as the proposed conditions of approval; the staff recommendation is for approval.

Commissioner Comments/Questions

Commissioner Stockness states that she will not be impacted monetarily by this project, and therefore does not have a conflict of interest.

Commission Morgan asks about the costs to process this application. Parker explains that is probably impossible to keep the costs under the \$750 deposit due to all the required steps. But due to the minor nature of the project, it could be less than \$1000 in total.

Commissioner Graves observes that a lot of properties in Trinidad seem to be nonconforming as to the minimum lot size. He wonders if the minimum lot size should be reduced as part of the current LCP update. Parker responds negatively, explaining that even the current minimum lot size is small for the use of septic systems.

Public Comment

Agent K. Stearns is available to answer any questions. There were none. There were no other public comments.

Commissioner Discussion

Commissioner Stockness is concerned about construction traffic and whether construction will coincide with planned improvements to the stormwater system on View Avenue this summer. Agent Stearns responds that there will be no demolition;

the new roof will be built on top of the old roof. And there is room in the driveway to accommodate the construction vehicles. A flatbed will be used to transport the new trusses, but will only be there a few hours. He will request that the workers to stay off the street with their vehicles.

Motion (Morgan/Gregory): Based on application materials, information and findings included in the staff report, and based on public testimony, I move to adopt the information and required Design Review and View Protection findings in the staff report and approve the project as submitted in the application, and as described and conditioned in the staff report.

Passed unanimously (4-0).

4. HSU 2018-04: Use Permit and Coastal Development Permit to remove a large (>12" DBH) nonnative Monterey cypress tree that is damaging infrastructure and causing a public safety hazard in front of the HSU Marine Lab. Located at 570 Ewing Street; APN: 042-021-001.

Staff Report

Parker explains that HSU has been working on this project for some time and that there was an issue of ownership. It turns out that the tree, which was planted and has been maintained by HSU, is actually on State Park property. She notes that State Parks wrote a letter in support of the project due to the tree being nonnative and posing a hazard to infrastructure. HSU submitted an arborist report that recommends removal of the tree due to the damage occurring from the roots and the difficulty of pruning it. Parker continues, noting that removal of the tree requires a Use Permit, but will not impact any structures or other improvements. She also points out that stump removal is not proposed at this time in order to avoid soil disturbance and possible impacts to cultural resources. She summarizes the Use Permit findings and conditions of approval, which are very similar to the earlier Mullin project. Staff recommendation is for approval.

Commissioner Comments/Questions

Commissioner Stockness requests clarification regarding the property lines, and a brief discussion ensues.

Public Comment

T. Comet, Interim Associated Vice President of Facilities Management for HSU, introduces himself. He explains that continued pruning of the tree will affect its health. He also explains that current funding is only for the tree removal, and repairs to the curbs and asphalt will be a future project.

Commissioner Morgan asks if the flagpole will be used again once the tree is removed. T. Comet answers affirmatively.

Commissioner Stockness asks if the future repairs/improvements will add more parking spaces. T. Comet answers that additional parking is not part of any current plans.

Commissioner Morgan clarifies that the nearby interpretive sign belongs to State Parks.

Commissioner Discussion

Commissioners generally agree that removal makes sense at this time, and that the tree has been pruned poorly in the past.

Motion (Stockness/Morgan): Based on information submitted in the application and included in the staff report and public testimony, I move to adopt the information and findings in the staff report and approve the project as conditioned therein.

Passed unanimously (4-0).

VI. COUNCIL REPORT

Commissioner Stockness reported, since she was at the meeting. She states that there was a group at the Council meeting to protest the appointment of Commissioner Morgan. She also states that the City Engineer's office provided an update on the stormwater improvements (Phase 1) that would be occurring this summer. The Council also discussed parking issues and possible restrictions in certain areas, such as 1-hour parking and prohibiting RVs. There was also some discussion about enforcement issues and Measure Z funding; the City will be getting another part-time deputy. Stockness also reported that the County Board of Supervisors accepted Trinidad's proposal to be allowed to comment on cannabis projects within the City's Planning Area. Finally, the Council elected to formalize Tsurai Management Team meetings under the Brown Act.

VII. STAFF REPORT

Staff is working on implementation of the OWTS Management Program and has been making good progress. Finishing the General Plan update is priority for this summer. An environmental assessment for Phase 2 of the Stormwater Improvement project is also a current priority. The Civic Club is working on applications for the follow-up permitting for the emergency TML relocation.

VIII. FUTURE AGENDA ITEMS

Commissioner Gregory follows up on the Council's discussion regarding parking. He opines that there is too much camping and sleeping in vehicles. Commissioner Stockness provides some suggestions for contacting law enforcement. She feels that more signage is needed. Commissioner Morgan suggests a camping/parking agenda

item. He would like to review existing ordinances and discuss possible recommendations for additions and/or changes.

IX. ADJOURNMENT

The meeting was adjourned at 7:25.

Submitted by:

Trever Parker

Acting Secretary to Planning Commission

Approved by:

Original signed by: _____

John Graves

Planning Commission Chair