

MINUTES OF THE REGULARLY SCHEDULED MEETING OF THE
TRINIDAD PLANNING COMMISSION
Wednesday, November 13, 2018

I. CALL TO ORDER/ROLL CALL (6:03 pm)

Commissioners Present: Graves, Johnson, Stockness
Commissioners Absent: None
City Planner Staff: Parker
City Staff: Zetter

II. APPROVAL OF MINUTES

October 2, 2018

No changes were made.

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

Passed unanimously (3-0).

October 17, 2018

Commissioner Stockness asked for clarification regarding “solar shading.” No changes were made.

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

Passed unanimously (3-0).

III. APPROVAL OF AGENDA

No changes were made to the agenda.

IV. ITEMS FROM THE FLOOR

G. Sackville-Rosen (364 Ocean) asserts that Trinidad has been a refuge from fires this summer and residents should be grateful for where they live.

V. AGENDA ITEMS

1. Rancheria 2018-09: Design Review and Use Permit to raise the height of the existing tsunami warning siren near the Seascape vacation rental and place it on a 35-ft. tall pole to meet recommendations for appropriate height and sound propagation. The purpose of the project is to meet recommendations for appropriate height and sound propagation. Located at: 1 Bay St.; APN: 042-071-08

Staff Report: City Planner Parker explained that this is essentially a revision to a previous project that was approved in 2011. The Trinidad tsunami siren was part of a larger, grant-funded project to place sirens in key coastal locations. Due to aesthetic concerns, the Trinidad siren was placed at ground level near the vacation rental above the Seascape rather than on a pole as originally proposed. The Rancheria is now proposing to place the siren on a pole as recommended by the County Office of Emergency Services (OES). Although audio tests showed adequate sound propagation at the current elevation, the volume had to be lowered so as not to cause detrimental hearing damage to people using the nearby trail and driveway. Additionally, the siren is currently being damaged by vehicles running into it.

City Planner, Parker, noted that the harbor area is an ADC (area of deferred certification), thus the City is not authorized to issue Coastal Development Permits (CDP); so this approval is just for Design Review, and the Rancheria will need to apply to the Coastal Commission for the CDP or waiver. Parker summarized the applicable zoning ordinance requirements. She recommends that the pole is not subject to the height limit of the zone pursuant to §17.56.100. Parker further explained that the project is not in a slope instability zone, and geological studies are not required. The engineered plans will be reviewed through the building permit process, and the project will not affect sewage disposal or landscaping. Parker advised that a cultural monitor will need to be employed during ground disturbance.

Commissioner Comments/Questions:

Commissioner Stockness asked who represents the City at the OES. Commissioner Johnson advised that the City has an emergency preparedness plan, but that it needs to be updated. Commissioner Stockness agreed with the need for an update. It was recommended that the Council take up this issue.

Commissioner Johnson asked whether any new sound propagation data or acoustical analyses have been performed for this project. Parker answered that the only information she has been provided was included in the packet. Commissioner Johnson inquired as to whether the siren is in the proposed area that is being considered to be transferred to the federal government. Parker advised that it is, but that it should not impact their decision.

Commissioner Stockness asked if the City will conduct another siren test. Commissioner Graves confirmed that the County conducts periodic tests. Johnson requested clarification regarding the CDP. Parker confirmed that a permit or a waiver from the Coastal Commission will be required prior to a City building permit being issued.

Public Comment:

S. Laos (Government Affairs Coordinator for the applicant, Trinidad Rancheria) advised that raising the siren is being requested because the sound is not propagating at the desired levels. She explained that she has participated in the original and subsequent siren tests. Laos also advised that the County OES is in support of raising the height of the siren.

K. Tayes (previous resident and member of Friends of Trinidad Head) states that her goal has been to reduce clutter on Trinidad Head due to its cultural and aesthetic significance. She does not want to see additional structures in this prominent location; just because there are other nearby structures is not an excuse for additional clutter. She suggests that there are alternative sites that would meet public safety needs and not be in the viewshed. She also opined that the staff report did not adequately address Coastal Act policies. She requests additional acoustic analysis to show that placing the siren on a pole in this location is necessary.

C. Lindgren (Trinidad area resident), advised that she understands that public safety needs to be a priority, but that is not the primary issue in this case. She suggested that there are better options, and the Rancheria should find another solution. She points out that people come to Trinidad for the beauty, and the Head is the gem of Trinidad.

K. Lake (436 Ocean), is concerned about public safety and has been a part of emergency response crews. However, she is worried about a lack of coordination and that the City is trying to fit this project into outdated ordinances, noting that small decisions have lasting impacts. Lake cites a lack of data and advised that more analysis needs to be completed. She does not want this on a such an important landmark. She suggests that the federal government needs to weight in prior to approval if this land will be transferred to a federal agency. Lake notes that she can hear the siren on Ocean Ave. She is also concerned about how this project will impact the Trinidad Memorial Lighthouse in its new location.

J. Cuthbertson (840 Van Wycke), recalls the original project, and that there were complaints about alternative locations as well. He suggests that public safety should be the top priority, and he supports the proposal to raise the siren. He does not think it is currently loud enough.

V. Sackville-Rosen (364 Ocean), explains that she was one of the ones operating a decibel meter during the acoustic tests in 2011. She opines that there isn't enough data to justify raising the siren, because it was loud enough then, and she appreciates Commissioner Johnsons request for additional analysis. She also recalls an OES representative stating that raising the siren would not help propagate the sound. Sackville-Rosen notes that Trinidad Head now has National Monument status, and this decision should not be rushed. She also states that these sirens are out-of-date technology and advised that there are other ways to notify people of an impending disaster.

P. Eveleth (Los Angeles), explains that pictures of Trinidad Head are what made him want to visit Trinidad. He noted that from a tourist stand point, it would be better to find an alternative location. He advised that in Los Angeles, where he resides, he sees a lot of mistakes, so the City needs to protect what they have. Eveleth also asserted that the sirens installed in Los Angeles aren't being used anymore.

S. Laos, Trinidad Rancheria (applicant), states that several studies were done leading up the decision to place the siren in its current location in 2011, and none of the other locations that were considered were deemed to be viable. She advised that multiple tests have been conducted and the decibel readings were analyzed. She reiterates that the purpose is for the safety of human lives. Laos notes that other notification methods are not 100% effective, and so the siren is just one among the several that are needed. Laos stressed that the Rancheria is solely looking to improve public safety and summarizes some of the other locations that were considered. She advises that the Rancheria works closely with OES and is well-informed regarding the need for the project, and she reminds the Commission that the Rancheria is following OES recommendations.

Commissioner Discussion:

Commissioner Stockness requested additional information regarding the alternative locations that were considered in 2011 as part of the planning process. S. Laos advised that one of the requirements be that the siren be located on public property. During this time, the City disbanded its police department, and they temporarily stopped coordinating and meeting with OES. Therefore, it was determined that the siren would need to be on Rancheria property. The parking

lot and pier were considered but would not have worked due to topography interfering with sound propagation. S. Laos confirmed that the pole is the same height as the siren at Clam Beach and it blends in well. S. Laos explained that the Rancheria looked into the possibility of placing the siren on a nearby utility pole, but the pole owner denied the request. Commissioner Stockness advised that she is in support of having a siren appropriately placed within the City.

In response to an inquiry from Commissioner Johnson, S. Laos confirmed that the current project will be paid for by the Rancheria. Commissioner Johnson noted that it appears that most of the analysis done so far has been qualitative. He knows money is an issue but would like to see more quantitative data.

Commissioner Graves explains that as a previous home theater consultant designer, he has some understanding of acoustics. He understands the aesthetic concerns but feels that public safety is more important. He also states that he doesn't think the aesthetic impact is significant, based on the project mock-ups and visiting the site. Graves notes that when he sees tsunami sirens when visiting Hawaii, it gives him peace of mind rather than spoiling the view. He doesn't think that this is an unreasonable request and that the required findings can be made.

Commissioner Johnson questioned where the control boxes are. Laos confirmed that the boxes are located on the adjacent residence and will not be on the pole.

Commissioner Stockness questioned whether there will be landscaping around the pole. Parker advised that landscaping will not be impacted or added. Commissioner Johnson questioned the placement of the memorial lighthouse. Laos advised that it is likely close to its eventual location.

Commissioner Graves advised that he believes that the proposed placement of the siren is a logical place for the most coverage.

Public Comments:

K. Lake (435 Ocean) has a problem with suppositions being made; no information has been presented to show that raising the siren would improve the sound. Planner Parker reminds her that the volume was turned down from what would be standard, due to the potential for hearing damage at its current elevation.

V. Sackville-Rosen (364 Ocean), suggests a second siren instead of raising the existing one.

Commissioner Discussion:

Commissioner Johnson advised that the City is now in the same position, as it was in 2011 with this controversial project. He takes emergency preparedness and the OES recommendation very seriously, and he also appreciates the aesthetic concerns. He would really like to see additional acoustical analysis but understands that there is lack of funding for such a study. Alternatively, he would prefer to have the Coastal Commission act and hear their input prior to Planning Commission action as long as there is no rush to get the project approved, which S. Laos confirms.

Commissioner Graves opines that he doesn't think the City would gain anything in delaying the decision, since the project requires Coastal Commission approval either way. He wants to support the Rancheria in this endeavor to further public safety. He does not feel that the aesthetic impacts are significant, especially in light of public safety concerns. Commissioner Stockness concurs.

Motion – (Graves/Stockness) based on the information submitted in the application, 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 in the staff report. Passed (2-1). Johnson opposed.

2. Steinberg 2018-10: Use Permit and Coastal Development Permit to remove four (4) large (>12' DBH) nonnative Monterey Pines from the property along upper Van Wycke Street. This is a separate, but related, application for the view restoration process that was previously occurring for these trees (VRP 2015-02). Located at: 723 Van Wycke St.; APN: 042-091-003.

Staff report: Parker explains the history of this project and that it is related to, but not a continuation of, the previous View Restoration Permit (VRP) process that came before the Commission in 2015 and 2017. She notes that as part of that process, the Planning Commission has already made the determination that the trees in question cause “unreasonable view blockage.” The new owners of the property are willing to remove four of the Monterey Pines and trim other vegetation voluntarily. Therefore, the neighbors and applicants for the VRP have elected to drop that process in favor of a simpler application for the tree removal, which consists of a Coastal Development Permit and Use Permit; no permit is required for the trimming.

Parker stated that the proposed tree removal is fairly straightforward. The trees are nonnative and do not provide significant habitat. The ones proposed for removal are located in an area mapped as being of questionable stability, but are located between a residence and Van Wycke Street, well away from the bluff edge; in addition, no soil disturbance is proposed. Therefore stability is not an issue. Parker notes that the leachfield is in an area that could be impacted by heavy equipment and / or falling limbs, so a condition has been included to protect the leachfield. She explained that there is no need for a cultural monitor, because no soil will be disturbed. An encroachment permit will likely need to be obtained for work within the right-of-way during construction.

Commissioner Comments/Questions:

Commissioner Graves disclosed that he knows the previous property owners, but he did not discuss tree issues with them.

Public Comments:

R. Heller (749 Edwards) is an uphill neighbor and one of the previous VRP applicants. He states that the view blockage the trees cause is obvious. He explains that he bought property in Trinidad for the view, but it has been significantly blocked over the years by vegetation growth.

J. Cuthbertson (840 Van Wycke), explained that the neighbors have been trying to get the trees cut for years, and that the periodic trimming has not sufficed to protect views. Now the new owner is trying to do the right thing and apply for proper permits to remove some of the trees. He supports approval of the project, noting that the Coastal Act also protects views.

Commissioner Discussion

Commissioner Stockness states that she is in support of the project as well. She has walked the Van Wycke trail for years and has noted the view blockage over time. Commissioner Johnson agrees.

Motion – (Stockness/Johnson) based on the information submitted in the application, and included in the staff report, and public testimony, moves to adopt the information and findings in the staff report and approve the project as conditioned therein. Passed unanimously (3-0).

3. General Plan Update: Update and discussion of current status, next steps, and review of a new draft Circulation Element. Continued from the October 17 and October 30, 2018 meetings.

Staff Report: Parker advised that this is a continuation of the discussion from the previous two meetings; she does not have new material to present.

Commissioner Comment / Question

Chair Graves states that the Planning Commission has been reviewing the document section by section, and that they will take public comment as they go along.

Public Comment:

S. Laos (Trinidad Rancheria) notes that the Trinidad Rancheria has been active in reviewing the General Plan, however the formal consultation stage has not yet started. She did not bring her notes, but did not remember any specific comments on the Circulation Element.

K. Lake (435 Ocean) states that the City needs to make the General Plan update documents more easily available to the public. She would like to know whether Trinidad is coordinating with the County on recycling efforts.

Commissioner Discussion:

Commissioner Stockness notes that she misses the City's recycling bins, and they are also needed for tourists.

Commissioner Graves points out that there are policies and programs to promote waste reduction and recycling (e.g. CIRC-7.1.1 7.3.1) but wonders if there are any funding mechanisms available. He is concerned about both staff time and budget to implement these things. Parker notes that there are state laws that require the City to manage its waste stream.

Commissioner Johnson confirms that the City still has a Source Reduction and Recycling Plan. He suggests updating and generalizing the text regarding solid waste. There is a discussion

regarding that data. It was confirmed that yard waste being dumped over the bluff is still an issue. But it was also pointed out that the City now has curbside recycling, which may require an update of some of the policies.

There is a discussion about the validity of the information regarding the City's stormwater system. Parker notes that the City Engineer is currently reviewing the Circulation Element, and she has asked them to provide updated information, including mapping. There is also a discussion regarding the recent and planned stormwater system upgrades; Parker provides an update.

Commissioner Graves suggests that CIRC-8.3 is more of a program than a policy and asks whether a monitoring program would be funded through a grant. Parker affirms that the City is currently using grant funding for water quality monitoring. There is a brief discussion regarding monitoring efforts.

Public Comment

S. Laos (Trinidad Rancheria) wants to ensure that the text reflects the improvements that the Rancheria has done to address stormwater as well.

K. Lake (435 Ocean) wants to know where the public can access the General Plan update documents, noting that they weren't in the packet. She would like the City to make a binder available in the Library, as was done previously. Lake also advised that staff should listen to the recording and amend the minutes as needed. Commissioner Graves suggests that everyone speak clearly into the microphone.

Commissioner Discussion

Commissioner Johnson advised that the Commission will continue this discussion, starting on page 25, at the December meeting.

VI. COUNCIL REPORT

City Planner, Parker, announced that the Council meeting is tomorrow, and a couple of water issues will be discussed.

VII. STAFF REPORT

Parker advised that the General Plan updates may need to be set aside for a short time in order to make sure other priorities are met. The next element would be the Noise and Public Safety element. Parker stated that she is finishing up the CEQA document for the Van Wycke trail repair, and the City hopes to get it out for public comment in December with a hearing at the January Planning Commission meeting. She also noted that staff is currently working on a water supply assessment.

VIII. FUTURE AGENDA ITEMS

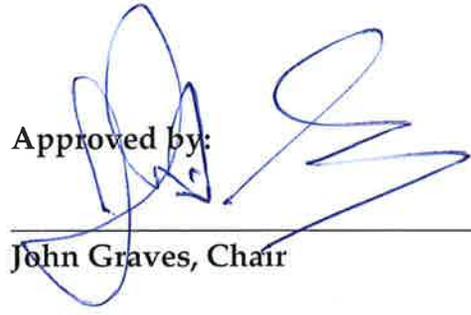
None, other than what was discussed in the staff report.

IX. ADJOURNMENT

The meeting was adjourned at 8:45 pm.

Submitted by:
Angela Zetter
Administrative Assistant

Approved by:



John Graves, Chair

Commissioner Lake clarifies a comment that she made as member of the public at that meeting. It was generally agreed that staff should listen to the recording and amend the minutes as needed. Commissioner Graves suggests that everyone speak clearly into the microphone.

Motion (Johnson/Stockness) to approve as amended, pending further staff investigation and edits.

Passed (3-0), with 2 abstentions; Kelly and Lake abstain.