



NOTICE AND CALL OF A MEETING OF THE
TRINIDAD PLANNING COMMISSION

The Trinidad Planning Commission will hold a regularly scheduled monthly meeting on
WEDNESDAY APRIL 15th, 2020, AT 6:00 P.M.
in Town Hall at 409 Trinity Street.

The meeting room will be closed to the public in accordance with Executive Order N-29-20. The public is encouraged to attend the meeting by teleconference. Email and written comments can also be submitted following normal protocols.

How to participate:

1. Dial USA Toll-Free: **(866)-434-5269**
2. Follow the prompt, and enter the Participant Code: **3820927**

At that point, you will be patched in live, and your voice (and any background noise at your location) will be heard by the group. Therefore, please ensure you either MUTE YOUR PHONE while listening, or situate yourself in a quite location.

The following items will be discussed:

- I. ROLL CALL
- II. APPROVAL OF MINUTES – March 4, 2020
– March 18, 2020
- III. APPROVAL OF AGENDA
- IV. ITEMS FROM THE FLOOR
- V. AGENDA ITEMS

Discussion / Decision / Public Hearing / Action

1. STR Committee Appointment: Discussion regarding the appointment of a Planning Commissioner to the STR Committee.

2. Trinidad General Plan Update: Land Use Element, Sections B.3 – Climate Change and C – Development Outside City Limits. *Continued from the April 1, 2020 meeting.*

VI. COMMISSIONER REPORTS

VII. STAFF REPORT

VIII. FUTURE AGENDA ITEMS

IX. ADJOURNMENT

The meeting packets can be accessed at the following link:

<http://trinidad.ca.gov/document-library/pc-meeting-packets-2019>

**MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD PLANNING
COMMISSION
WEDNESDAY, MARCH 04, 2020**

I. CALL TO ORDER/ROLL CALL (5:06 pm)

Commissioners Present: Graves, Stockness, Johnson
Commissioners Absent: Kelly
City Planner Staff: Parker, West
City Staff: Zetter

II. APPROVAL OF AGENDA

Motion (Graves/Stockness) to approve the agenda. Passed (3-0). Passed unanimously.

III. ITEMS FROM THE FLOOR

None

IV. AGENDA ITEMS

Discussion/Decision/Public Hearing/Action

1. Water Policies: Continued discussion of water policies and standards for evaluating requests for new water service.

Staff report

City Planner Parker stated that she has incorporated comments from the previous Planning Commission meeting, as well as a City Council where this item was discussed and, additional public input was received. She noted that the Council confirmed they want to take a conservative approach. She summarized the changes made to the policy since the last discussion, including giving the City Council more authority for decision making rather than the City Manager.

Parker also explained that hookups for health and safety reasons were moved to the "outside priority areas" section, just ahead of the exceptions, but the process and standards remain the same. She also clarified that Area C is listed as equal in priority to Areas A and B, but more steps are needed before that area can be served since it currently has no City water infrastructure.

A question of how much loss should be expected from the plant production capacity came up. So Parker spoke to the City Engineer regarding the water loss rate, and was advised that the existing leaks are static, and new lines shouldn't leak; but about 10% may be lost as part of the production process. Additionally, she noted it was suggested

that users with existing connections be treated differently, but she confirmed there isn't an advantage for the City to do so.

Parker examined water demand in Area C and in relation to Policy 27A, and described her estimates of peak build-out water use. She advised that she used the higher water use values, in order to over-estimate. She stated the results show that even with providing service for Areas A and B, the City can still serve some parts of Area C. Parker also examined growth rates, and found that water use would not be expected to increase significantly over the next few decades; that may be a more realistic way to look at the usage data, since build-out won't occur within the next general plan cycle.

Lastly, Parker noted that the City Council asked for a final recommendation by April 2020.

Commissioner Comments/Questions

Commissioner Graves asked about changes made to the section for non-priority areas. Graves and Parker discussed service charges for those outside City limits, and those not in priority service areas.

Commissioner Stockness requested clarification on the inability to protest annexation. Parker explained that the City may not require annexation at the time of connection, but a property owner would have to waive their right to protest a future annexation and it would have to be recorded on the deed to apply to future owners as well. West with SHN clarified that "waiving the right to protest annexation" is waiving the *property's* right to protest, not the *owner's* right. Parker also advised that should the City annex, all the developed properties that currently have their own water source would also be connected to City water at that time.

A discussion regarding fees occurred. Graves noted there should be a good reason to provide water outside of City limits.

Commissioner Johnson asked for clarification regarding the calculations for Area C and rationale behind them. Parker provided additional details. Johnson expressed concern regarding additional development at the RV parks, and noted it is very difficult to control if it is outside City limits. Parker advised that is a major reason for annexation, and if any new user connects, a contractual agreement would be put in place regarding the volume they are entitled to. West added that if a RV Park decided to expand, it would be considered an intensification of use. Thus, if a new use is added to the property it is required to be reviewed by LAFCo, and possible the Coastal Commission as well.

Johnson questioned what steps would be taken if an existing outside City limits customer increased their consumption today. Parker advised that the City can turn to the County to pursue determining what is causing the increased usage. A discussion regarding the removal of the prohibition commercial cannabis from section B.1a.I occurred.

Public Comment

B. Kenny (Trinidad Resident) encouraged the Planning Commission to include a few additional findings, which were found in the engineering studies, in the recommendations. (1) Upstream diversions in Luffenholtz Creek are likely to increase in the future, which will limit the availability of water in the system. (2) In the coming decade, climate change will create more runoff and less percolation. (3) The reference to cannabis should remain, as its impact to water, wildlife, etc. has been a huge problem in Humboldt County, despite the revenue it has produced. (4) The exception clause for outside City limits should be removed, but if it remains the verbiage needs to be clarified.

Commissioner Discussion

Commissioner Graves responded to B. Kenny, advising that yes, the illegal operations and history of cannabis is understood, but the understanding is that there should not be a limitation on one particular industry.

Graves questioned if all Council members have reviewed the technical documents. Parker advised she is under the impression that most have. Stockness asked how the City Council felt about annexation. Parker explained there were mixed feelings from the Council. Stockness requested the CCC's comments on annexation of Area C. Parker advised they have not been received, but these materials have been sent to them. The Commissioners agreed to include B. Kenny's findings that were noted during Public Comment.

Parker listed the recommendations provided by the Planning Commission: No preference for existing users, a contract for all users, cannabis language as optional, application requirements need to apply to all sections of the policy, include findings noted by B. Kenny, add policy 27a language to the exception request. West added that including some of LAFCo's regulatory language was discussed, but those regulations can change, so should just be general reference.

Z. Brown (Rancheria) requested clarification on what area the Trinidad Rancheria is in? Parker explained that the Rancheria water request falls under the exceptions, as it is not a priority area, because it cannot be annexed.

2. General Plan Update: (1) Discussion of revised Land Use Element (*continued from the February 19, 2020 workshop; please see packet materials from that meeting*); (2) update on Housing Element status and SB2 grant process.

Staff report

(1) City Planner Parker advised that this version incorporates all the Planning Commission and Coastal Commission comments thus far. There has been some past discussion about reorganizing document but she has not received clear guidance on that.

She explained that she added a section for climate change policies, because it is such an important topic but noted that section still needs more work. Parker also stated that she has not had a change to work on the section for areas outside City limits. She added that the Planning Commission discussed having a separate element for water and possibly other development limitation, but she suggests pulling out those policies after the entire General Plan has been drafted, because it will be easier to pull all the policies related to one topic after that.

Commissioner Discussion

Commissioner Graves withdrew his recommendation to create a separate water element for now. He added that his original purpose was to emphasize that water is a very important issue in this community. Graves also questioned how the City is going to meet housing needs. Parker explained that the affordability in Trinidad is difficult, so it is a discussion that will need to be continued.

Public Comment

None

Parker advised that a recommendation can be made to send the Land Use Element, excluding B.3 (climate change) and C (development/planning areas outside City limits), to the City Council for their review. Commissioners were unanimously in favor.

Staff Report

(2) Parker discussed the Housing Element, noting that much of it is dictated by State law and that the State is cracking down on jurisdictions that are out of compliance. She explained that most people do not want high-density or low-income housing in their neighborhood, so they fight any proposed projects. And since local jurisdictions have not been able to approve such projects due to public opposition, housing is not getting built. Therefore, the State is taking away more and more local control.

Parker also explained that the Housing Element is necessary to obtain \$160,000 in SB2 grant funds that the City applied for. A consulting firm, called PlaceWorks, has been retained by the CA Dept. of Housing and Community Development to provide technical assistance to jurisdictions applying for the funding, so they will be preparing the Housing Element.

This meeting is intended as an introduction to the process for developing a Housing Element. Parker explained that the timeline is extremely tight, but staff, PlaceWorks and HCD will do what they can to get it done in time to get the grant funding. Regardless of the outcome of the grant, the City will still get free, professional help on it's Housing Element, and there are additional upcoming grant opportunities.

There was no discussion or public input.

V. STAFF REPORT

Staff is focused on the Housing Element, Land Use Element, and Water Policies.

VI. ADJOURNMENT

Adjourned at 6:25 pm. Next regularly scheduled meeting is March 18, 2020.

Submitted by:

Approved by:

Angela Zetter

Administrative Assistant

Cheryl Kelly
Planning Commission Chair

DRAFT

**MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD PLANNING
COMMISSION
WEDNESDAY, MARCH 18, 2020**

Meeting was held via teleconference, due to COVID-19.

I. CALL TO ORDER/ROLL CALL (5:06 pm)

Commissioners Present: Kelly, Johnson, Stockness
City Planner Staff: Parker
City Staff: Zetter

Commissioner Kelly announced that Commissioner John Graves resigned as of 3/18/2020 and expresses appreciation for his service.

II. APPROVAL OF MINUTES

In the interest of keeping the length of the meeting to a minimum it was suggested to continue the minutes to the next meeting.

Motion (Kelly/Stockness) to continue the discussion of the minutes (December 05, 2019, December 18, 2019, January 15, 2020, and February 04, 2020) to the April 1, 2020 meeting. Passed (3-0). Passed unanimously.

Commissioner Johnson advised that he will be compiling a list of actions items that were discussed by the Planning Commission as part of this set of minutes. He wants to ensure that they are being followed up on. He will provide a list to the Commission and staff.

III. APPROVAL OF AGENDA

Commissioner Kelly explained that one of the Commissioners only had limited time this evening, and since there are only three Commissioners currently, everyone is needed for the more time sensitive issues on the agenda tonight.

Motion (Kelly/Johnson) to move agenda item 1. Water Policies to the April 1, 2020 meeting. Passed (3-0). Passed unanimously.

IV. ITEMS FROM THE FLOOR

None

V. AGENDA ITEMS

Discussion/Decision/Public Hearing/Action

1. Water Policies: Discussion of water policies and standards for evaluating requests for new water service. *Continued from December 18, 2019, January 15, February 4, February 19, and March 4, 2020 meetings. Will be continued at the April 01, 2020 meeting.*

2. Trinidad Emergency Shelter Zoning Amendment: Amendment to the Zoning Ordinance (Implementation Plan portion of the City's Local Coastal Program) to allow emergency shelters as a principally permitted use in the Commercial Zone as required by State law.

Staff report

City Planner Parker advised that over the last several years the State of California has passed laws to limit local jurisdictions' control over housing and or to require they take actions to allow certain housing types. Parker stated one of these laws is regarding emergency (short-term homeless) shelters. She explained that an emergency shelter is considered a temporary homeless shelter with a maximum stay of six months. And each local jurisdiction is legally required to allow them as a principally permitted use in at least one zone.

Parker added that, once the amendment is approved, it will need to be certified by the California Coastal Commission before going into effect. She explained the amendment will allow emergency shelters with no more than 10 beds and onsite management in the Commercial Zone. The emergency shelter will still require a Coastal Development Permit, but not a use permit or other discretionary approvals. Parker emphasized that this amendment is related to the Housing Element and is necessary in order for the City to get the Housing Element approved and obtain the SB2 grant funding.

Commissioner Discussion

Commissioner Stockness questioned land availability. Parker reiterated the amendment would only apply in the Commercial Zone.

Commissioner Johnson stated he understands why the State is mandating an emergency shelter, but questioned property owner rights. Parker explained that passing the amendment doesn't force the City or a property owner to have a shelter, but instead the State only mandates that the City allow it. Parker stated that it is unlikely a shelter would actually be located in Trinidad, because it is so far from other services.

Johnson further questioned why the Commercial zone was chosen, and the timeframe each individual can be at the shelter. Parker explained she was trying to keep the amendment as simple as possible due to the time constraint the City is under to get this and the Housing Element approved for the grant. She clarified this issue can be revisited and another zone can be added at a later time. Additionally, Parker advised this is considered emergency housing, so there is a limit of 6 months per individual. Stockness added there are groups that work with emergency shelters in order to find permanent places for individuals to live.

Johnson requested clarification on the onsite management plan. Parker stated State law includes a limited list of things that jurisdictions can regulate about these shelters; one of those is to require onsite management, and she thought that was a good idea. She

explained that she also limited the number of beds to 10, which is allowed. Johnson and Parker discussed adding additional limitations, but things like lighting are not regulated for other uses, and it would make the amendment more complicated.

Commissioner Kelly opined that the max numbers of beds, the onsite management plan, and length of stay is appropriate for Trinidad. However, she stated that the City needs to examine the parking issue. She suggested adding a provision regarding parking.

Public Comment

E. Weinreb (Trinidad Area resident) requested commissioners note who is speaking during the teleconference.

S. Laos (Trinidad Rancheria) questioned if Mixed Use areas have been considered for the emergency shelters, in addition to the Commercial zone.

City Planner Parker explained she chose the Commercial Zone due to the compatibility with other allowable uses and due to the permit requirements of that zone. She noted that the (proposed) Mixed Use Zone (currently Planned Development) requires a use permit for all allowable uses, so it wouldn't work for meeting the State requirements by itself, but could be included along with the C Zone.

Commissioner Discussion

Commissioner Stockness noted she doesn't think a shelter would be appropriate near the shopping center but thinks the PD Zone may provide a good opportunity.

Kelly and Johnson were both in favor of continuing this agenda item to the April 1st first meeting for further discussion if that can still meet the grant timeline. Parker stated that April 1 should be fine.

Parker questioned if the Commission would like to add emergency shelters in PD zones with a use permit. Stockness and Johnson expressed tentative agreement but need more time to consider it. Kelly noted that by restricting it to Commercial, the City is limiting its options. Johnson agreed, stating the City needs to have some flexibility in terms of locations. Johnson requested that Parker provide the Commission with a current zoning map so they can get a better idea of potential locations.

This item was continued to the specially scheduled April 1st meeting.

3. Trinidad Housing Element 2020: Amendment to the General Plan (Land Use Plan portion of the City's Local Coastal Program) to adopt a Housing Element that complies with new State housing laws.

Staff report

City Planner Parker explained that the City is working on getting the Housing Element certified by the Department of Housing and Community Development (HCD) by April, in order to be eligible for the SB2 funding. She noted that HCD has partnered with PlaceWorks in order to provide assistance for communities in drafting their Housing Element. She explained that PlaceWorks has been updating Trinidad's Housing Element, while also trying to recognize the limitations Trinidad has, while then also meeting State requirements; the laws are pretty complex, but PlaceWorks has a lot of experience. Parker noted that the CCC will have a role in the process eventually, because the Housing Element will have to be certified as part of the City's LCP.

Commissioner Questions/Comments

Commissioner Stockness stated the City needs to do its best to ensure we are making a good faith effort towards compliance with State laws. Parker noted that the City will always be limited by septic, bluff stability, property values and other issues.

Johnson questioned the differences between the old Housing Element and draft composed by PlaceWorks; he confirmed that both versions are available on the City's website. Parker advised that there are multiple differences between the documents, but the outline is the same and many of the policies are similar, but some have been added to meet the new State laws; in addition, the data has been updated. She suggested examining the table of contents to help compare various sections of both documents.

Kelly advised that she has not had much time to review the document, but she didn't see any red flags upon initial review; she will send her comments to Parker prior to the next meeting.

Public Comment

S. Laos (Trinidad Rancheria) advised the Housing Element notice should have been sent to the Tribal Chair rather than staff, because it is a general plan amendment requiring Tribal Consultation. Laos questioned the timeline for review. She added that the Tribe wasn't given much time to review and comment and was hoping to wait for the entire General Plan to be reviewed by the Council before formal consultation. She also noted that government to government meetings are mandated by law, but it appears the City is bypassing it to fulfill another State law. Additionally, Laos cautioned the City on including the Tsurai Ancestral Society as they are not a federally recognized tribe.

In response, Parker agreed that adoption of the Housing Element is subject to SB18 Tribal Consultation procedures. She explains that she sent letters for formal consultation directly to the Chair and THPO early in the month. The emails were a separate notice of availability. She acknowledged the short timeframe for everyone. Additionally, she noted the Housing Element will have to be vetted by the CCC, so it will likely come before the City again. She added that the abbreviated timeline is not ideal, but requested the Trinidad Rancheria try to respond quickly.

Commissioner Discussion

Kelly agreed with Parker that it is not an ideal timeline for everyone. Stockness added she wants the housing packets provided to anyone interested before the meeting on April 1, 2020.

VI. COMMISSIONER REPORTS

No commissioner reports.

VII. STAFF REPORT

No staff report.

VIII. FUTURE AGENDA ITEMS

Water Policies, Emergency Shelters, Housing Element, and General Plan Update.

IX. ADJOURNMENT

Adjourned at 6:25 pm. Next regularly scheduled meeting is April 01, 2020.

Submitted by:

Approved by:

Angela Zetter
Administrative Assistant

Cheryl Kelly
Planning Commission Chair



MEMORANDUM

TO: Trinidad Planning Commission
FROM: Trever Parker, City Planner
DATE: April 9, 2020
RE: April 15, 2010 Agenda Items

Once again, I don't have a lot of new or supporting material for this month's agenda items, and the agenda is short, so I am combining the information for both the items into this one memo.

1. STR Committee Appointment: Discussion regarding the appointment of the Planning Commissioner position to the STR Committee.

There is an STR Committee meeting scheduled for this month, and since Commissioner Lake resigned, there is no longer a Planning Commissioner on the STR Committee. Recall that the City Council set up the STR Committee by way of Resolution No. 2019-07 (attached), which sets forth the purpose and objectives of the committee as well as the procedures and membership. The Committee includes be a member of the Planning Commission, chosen by the Planning Commission (and appointed by the City Council).

However, there are a couple of issues. One is that there are currently only three Planning Commissioners. Commissioner Kelly is already appointed to the Trails Committee, Commissioner Stockness has stated that she currently does not have time for another committee, and Commissioner Johnson lives outside City limits. Section 3 of the resolution includes the language regarding membership.

As you can see, the language is somewhat unclear in regards to whether or not the Planning Commissioner appointment can be a second STR Committee member from outside City limits. If I had to interpret that section, it appears that the limitation on only one member being allowed to reside outside City limits applies only to the four "applicants" that apply directly to the City Council. But I'm unsure if that was the Council's intent. The Planning Commission may want to seek clarification from the Council on this issue before electing someone from outside City limits. Other options include just letting the Council decide when appointing the Commission's elected member, or wait until there are more members.

2. Trinidad General Plan Update: Land Use Element, Sections B.3 – Climate Change and C – Development Outside City Limits. *Continued from the April 1, 2020 meeting.*

At the March 4 meeting, the Planning Commission recommended most of the draft Land Use Element to the City Council. However, there were a couple of sections that had not been fully updated at that time, so those sections were reserved for a future meeting. I have now updated them and have provided them for review and possible recommendation to the City Council. I am also having the figures for the Land Use Element updated, and a new figure for the water service area added. Most of the figures just included minor updates, including new figure numbers. That is because I will be adding a new Figure 1 for the Introduction chapter showing Coastal Commission jurisdictional areas (retained and appeal jurisdiction). The Land Use figures should be done by the end of the day today, and I will add them to the packet and put them in the mail to the City and individual Commissioners on Saturday so you have them before the meeting.

Trinidad City Hall
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
707-677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



RESOLUTION 2019 - 07

A RESOLUTION AUTHORIZING THE SHORT-TERM RENTAL (STR) ADVISORY COMMITTEE

WHEREAS, the City has an obligation to protect the village atmosphere for the citizens of Trinidad, to provide opportunity for STR residences, and enhance the positive experience of tourists; and

WHEREAS, STR owners and managers have an obligation to manage their property in a manner consistent with the residential neighborhood character, and therefore over the years the City developed a STR Ordinance to define the policies and procedures that regulate the STR residences in Trinidad; and

WHEREAS, the Council established the Short-Term Rental Advisory Committee in January 2019 to bring members with various viewpoints together to engage in dialog, facilitate public involvement in the STR process, and to make recommendations to the Council on various topics identified below; and

NOW, THEREFORE BE IT RESOLVED, the Trinidad City Council hereby adopts a Short-Term Rental Advisory Committee to hold public meetings in accordance with the Brown Act, and to operate within the framework as follows:

- 1. PURPOSE:** The purpose of the Committee is 1) to evaluate the Ordinance for its effectiveness relating to permitting and implementation, 2) analyze benefits to visitors, 2) analyze impacts to residents such as parking, noise, over-occupancy, gatherings, etc. that have been identified in the Ordinance, and 3) assist the Council in resolving or making recommendations on such matters. Guidance and oversight will be provided by the City Manager.
- 2. OBJECTIVES:** Committee objectives include; 1) provide a public forum at the end of the busy tourist season to solicit input from the community on issues or successes related to the implementation of the short-term rental regulations, 2) assist the City Manager in evaluating formal complaints received throughout the calendar year, 3) make balanced and informed recommendations to the City Council on ways to improve the Ordinance, or share ways in which the policies and procedures are being successfully implemented, and 4) report to the Council annually on the Committee meetings, activity, and recommendations.
- 3. COMMITTEE MEMBERSHIP:** The STR Committee will consist of two members of the Trinidad community who are not STR owners or STR business representatives, two members of the Trinidad community who are STR owners or business representatives. These 4 members will be appointed by the City Council in open session based on letters of interest and public interviews. Preference will be given to applicants that live inside the City limits, but when necessary the Council may choose to have up to 1 member that resides outside the City limits. One member of the Planning Commission will be recommended by the Commission and appointed by the City Council. The committee members shall vote and select one of their own to serve as the committee Chairperson.
- 4. TERMS OF OFFICE:** All members will hold two-year terms. Committee members serve at the pleasure of the City Council and may be removed from office by a majority vote of the Council.
- 5. MEETING DATES:** The STR Committee will meet regularly on a quarterly basis, with one meeting being held in the fall in conjunction with the end of the busy tourist season. Additional special meetings may be added to the quarterly schedule, subject to the availability of all Committee members. Special meetings must be reviewed and approved by the City Manager or City Council.

6. **STAFF ASSISTANCE:** City Staff will provide agenda preparation, notification, and outreach assistance to the Committee. The STR Committee may choose a member of the Committee to record the meeting minutes, or request to have a City Staff member to provide the service.
7. **ETHICS CODE:** All members shall review, accept, and conduct themselves in a manner consistent with the values promoted in the City of Trinidad's Code of Ethics.

PASSED, APPROVED AND ADOPTED this 10th day of April, 2019 by the following vote:

AYES: West, Miller, Ladwig
NOES: Davies
ABSTAIN: None
ABSENT: None

ATTEST:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

Other Initiatives for Sustainable Development

- Provide education and / or incentives to property owners to incorporate LID alternatives into new and existing development where it will not negatively impact any OWTS. (CONS-1c.1, CD-##)
- Continue to investigate and adopt appropriate policies encouraging green building technologies and uses that reduce negative impacts on the environment from both existing and new development (CD-##).
- Encourage principles of 'smart' growth and mixed-use development concepts where feasible, both inside and around the City, to improve circulation and reduce the need for auto use.
- Encourage sustainability and alternative technologies. This includes, but is not limited to, community agriculture, solar, wind and micro-hydro power, rainwater collection and LID.

3. Climate Change

According to the United States Environmental Protection Agency (EPA), the earth's average temperature has risen by 1.4 degrees Fahrenheit over the past century and is projected to rise another two to 11.5 degrees Fahrenheit over the next hundred years (EPA 2014). Even relatively small increases in global temperature can translate to large and potentially dangerous changes in climate and weather (climate change). The specific changes are difficult to predict, but there is an emerging consensus that the northern California coast will receive similar amounts of rainfall, but it is likely to come in fewer, more intense storms. In addition, summers are likely to be warmer with less fog. Sea level rise in the Trinidad area is expected to be less than many other areas but ~~can~~ may still range from 0.1 ft. to 9.3 in the most extreme scenario. Each of these changes can have profound ramifications to natural and social systems.

The Coastal Commission has identified several areas of concern for climate change specific to the Coastal Zone including: storms and flooding; coastal erosion and loss of sandy beaches; coastal habitats; marine ecosystems; land use planning decisions; and shoreline access (California Coastal Commission 2014). The City of Trinidad prepared a Climate Change Vulnerability Report and Adaptation Response (GHD 2016), which was updated in 2020. The issue of climate change encompasses much more than just coastal hazards; one of the biggest concerns for Trinidad will be changes in water supply and use. In addition, wildfire may become more of an issue. Most of the policies related to the effects of climate change are found in the Safety and the Conservation Elements.

Policies relating to climate change aren't limited to those addressing the repercussions, but also those addressing the causes, including energy use, transportation and waste generation. Local governments can play a critical role in reducing greenhouse gas

~~(GHG) emissions through regulating activities that contribute to GHG emissions and air pollutants, including industrial permitting, land use and transportation planning, zoning and urban growth decisions, implementation of building codes and other standards, and control of municipal operations. The State of California has enacted several bills and executive orders regulating and setting targets for GHG emission reductions. Therefore, policies addressing the causes and effects of climate change are primarily concentrated in the Circulation Element. However, policies relating to both causes and effects of climate change can be found throughout this general plan, but are primarily concentrated including the following sections. The policies in this section are general and overarching, providing guidance and context for the policies found elsewhere; therefore, they are not generally intended to be used in reviewing development applications.~~

Goal LU-3: Assess, plan for, adapt to, and minimize, to the extent possible, the impacts from climate change through appropriate land use controls to maintain community character and resources.

Climate Change Planning Policies

~~LU-3.1~~ Utilize the best available science when developing policies and regulations, ~~as well as and~~ when reviewing development applications.

~~LU-3.2~~ ~~Update and c~~Continue to update and reevaluate land use patterns and zoning requirements to minimize energy use and risks from climate change effects, including sea level rise, global warming, precipitation patterns, and wildfire risks.

LU-3.3 Protect and restore degraded ecosystems to enhance the natural adaptive capacity of biological communities.

LU-3.4 In appropriate locations, adopt zoning regulations to enable mixed use, walkable, compact development that includes a range of housing types and affordability levels.

LU-3.5 Adopt community design and neighborhood development standards that encourage green building.

LU-3.6 Support and participate in regional collaborative climate change planning efforts.

LU-3.7 Educate community members about the risks of climate change and actions that individuals can take to reduce their greenhouse gas contributions.

~~LU-3.3~~ ~~Restrict or limit construction of new development in zones or overlay areas identified as hazardous.~~

~~LU-3.4~~ ~~Require new development authorized through a CDP that is subject to~~

~~wave action, erosion, or other hazards to be removed or relocated if it becomes threatened in the future.~~

~~LU-3.5 — Plan ahead to replace loss of access and recreation areas by protecting existing open space adjacent to the coast and removing structures and other barriers that limit inland migration of beaches.~~

~~LU-3.6 — Transition to climate-smart sources of energy.~~

Other Climate Change Initiatives

- Foster efforts to better understand impacts of sea level rise. Support research on impacts to recreation and public beach access.
- Revise emergency management plans, programs and activities to account for changing hazard profiles and their consequences and integrate findings of climate vulnerability into all phases of emergency planning.
- Continue to coordinate with Humboldt County and participate in their Regional Climate Action Plan.

4. Priority Uses

The Coastal Act prioritizes certain land uses over others. In enacting the Coastal Act, the State Legislature defined the basic goals of the state for the Coastal Zone in § 30001.5 of the Coastal Act. This section is intended to carry out those goals and prioritized uses enumerated in the Coastal Act.

Goal LU-4:

- (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.**
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.**
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.**
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.**
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.**

State properties are exempt from paying property taxes so additional property acquisition by State agencies would also mean a gradual erosion of the City tax base, and it would affect the residential character of the town. Further, Section 30519(b) of the Coastal Act reserves CDP authority over State University lands in the Coastal Zone to the Coastal Commission rather than the local LCP. The Marine Laboratory is an important asset to the community for teaching, research and exhibits and is a partner with the City to achieve marine resource goals, but should not be allowed to reduce the importance of, or adversely affect, the fishing industry or the residential community.

Goal LU-87: Ensure that State owned lands are managed such that they are compatible with, and do not detract from Trinidad’s coastal village character.

State and Federally Owned Lands Policies

LU-87.1 Development on lands of Trinidad State Beach and Trinidad School playing field, and any other State properties within City Limits, except the Telonicher Marine Lab, are subject to coastal development permit / design review approval from the City as required by the CA Coastal Act and the City’s certified Local Coastal Program. In lieu of individual development proposals, the City may approve an appropriate Management Plan addressing specific future development activity on those lands.

Program LU-87.1.1 Work with federal agencies owning and managing property within the City to ensure appropriate consultation and coordination with the City.

D. DEVELOPMENT OUTSIDE OF CITY LIMITS

Land use decisions outside City limits affect the City in a variety of ways. Traffic and pollution are good examples of impacts that cross jurisdictional boundaries. ~~Land use designations on the lands under County jurisdiction surrounding the City differ from City designations. Since the City’s Planning Area is under Humboldt County jurisdiction, the land use categories shown in Figure 6 correspond to the existing Humboldt County General Plan (Humboldt 21st Century, October, 2017).~~ There are three different areas outside the City that have been designated based on their relationship to City Planning, each of which is shown on Figure 4. The first and the smallest of these designations is the Sphere of Influence, which ~~represents the area where it has been determined that the City has the capacity to provide services and that is anticipated to possibly be annexed in the future~~ defines the probable physical boundary and service area of the City. The next largest designation is the City’s Water Service Area, which is defined as the area that the City currently does and may potentially provide water service to in the future. The third, and largest, area is the Planning Area. The Planning Area encompasses those areas that bear a relationship to City land use and planning in terms of resource use, land use, traffic, community, etc.



The policies in the following three sections (LU-97 through LU-119) and

associated goals and programs are not part of the certified LCP and shall not govern the review and approval of Coastal Development Permits.

1. Sphere of Influence

As defined in Government Code § 56076, the Sphere of Influence (SOI) “means a plan for the probable physical boundaries and service area of a local agency.” Spheres of Influence are ~~determined-designated~~ by the Local Agency Formation Commission (LAFCo) based on various studies, including a Municipal Service Review (MSR). LAFCo also has responsibility for approving boundary changes and service connections outside City limits with a mandate of fostering orderly growth and development that promotes the efficient delivery of services, and encourages the preservation of open space and agricultural lands. The SOI, after adoption, ~~shall be~~ used by LAFCo as a factor in making decisions on proposals over which it has jurisdiction. LAFCo adopted an SOI for Trinidad in 1984, but only a very small portion has actually been annexed into City Limits since that time. At this time, Trinidad’s SOI is relatively small, only including a small portion of the Water Service Area. An MSR for the City of Trinidad was prepared by LAFCo in 2008 without City review or input. Both the MSR and SOI Report need updating in order to be used to formulate SOI boundaries and dictate how and when land is developed around the City. An update to the 2008 MSR is currently being prepared by LAFCo, which in turn will be used to update the SOI as needed.

~~LAFCo adopted an SOI for Trinidad in 1984, but only a very small portion has actually been annexed into City Limits since that time.~~ In the past, there have been reservations regarding annexation from both inside and outside City limits. However, no recent public survey has been conducted. ~~has been a strong indicated desire on the part of Trinidad residents to maintain the compact urban form of Trinidad. Some residents outside City limits have also expressed an aversion to being annexed into City limits.~~ Benefits to the City from annexation include additional land use control, and potential increase in tax revenues, including property, sales and transient occupancy. In particular, annexation would allow the City to expand its OWTS management program and increase protection of the Trinidad Head ASBS. It has also been suggested that annexation would benefit the City by increasing the population base for running a City government. In addition, annexation could help the City meet State requirements such as provision of housing and accommodation of visitor services. One of the main advantages to residents of being annexed would be the provision of receiving City services, particularly water, at less cost. Other advantages would include more local representation and more convenient access to government services. ~~At this time, Trinidad’s SOI is relatively small, only including a small portion of the water Service Area.~~ The policies contained herein are based on the most current data and are intended to preserve the community’s character.

Goal LU-97: To provide and maintain clear boundaries and policies for considering the future expansion of Trinidad

Sphere of Influence Policies

~~LU-97.1 Define the City's SOI based on the City's capacity to serve the area, particularly water. The City has prioritized Service Area subareas A, B and C (Figure 5) as priorities for future service and annexation. Depending on service capacity, define the City's Sphere of Influence to include the City's water service connections, as well as all properties adjacent to the City's trunk line and those properties that are not zoned for timber production within the Luffenholtz and Mill Creek watersheds. The watersheds are to be included to provide direction and oversight on land use decisions that affect the City's Water Supply, including OWTS management. (CIRC-12.6)~~

LU-97.2 The City supports annexation as a positive means of City expansion~~s~~, but shall carefully evaluate annexation proposals on a case-by-case basis. The City shall support/pursue only those annexations that:

- Promote orderly development and redevelopment of land ~~within the Sphere of Influence~~;
- Promote efficiency in delivery of services ~~delivery~~;
- Are supported by a majority of the affected residents and property owners;
- Are beneficial to the City.

LU-97.3 Avoid annexations of individual parcels or groups of parcels that are not contiguous with the City.

Other Initiatives

- Establish a Memorandum of Understanding between the City and Humboldt County regarding procedures for project review within the Trinidad SOI in order for the City to be able to efficiently review and comment on development projects in the County's jurisdiction within the City's SOI.

2. City Water Service Area

The "Water Service Area" (WSA) refers to those areas that do, or may in the future, receive water service from the City. Water supply and distribution, and the absence of sewage collection and disposal facilities, are the major determinants of the urban form and density of development in the ~~Service Area~~WSA. The City has a substantial water right on Luffenholtz Creek, but the creek is small, and has only limited capacity to provide additional domestic water, particularly during droughts; climate change adds to the future uncertainty. The City's water plant also has limited storage and treatment capacity but is periodically upgraded as funding allows.

The City completed a number of water system related studies in 2019 to determine the City's capacity to serve additional users. It was found that the water plant does have some excess production capacity in normal to dry years. However, there is limited data regarding creek flows and other diversions and water rights on Luffenholtz Creek. And due to limitations in the wet well/infiltration gallery at the water plant, extracting water becomes increasingly more difficult at lower creek flows. That means that droughts and

climate change may impact the ability of the City to provide water in the future. While there is currently enough excess production capacity at the water plant to serve future build-out of the City (plus an allowance for ADUs), there is not enough capacity to serve the City's entire WSA.

The Service Area WSA boundary is based on the areas currently connected to City water (Figure 5). In addition, a commercial area to the north has been included based on potential future need-provision of City water in order to support commercial uses needed to serve residents of and visitors to Trinidad. The Service Area WSA could potentially become a Service District in the future, with greater powers, and a separate governing board that could include all or some of the Trinidad City Council. Please see the Public Services section of the Circulation Element for additional information regarding the City's water system.

Goal LU-108: Manage City services to the maximum efficiency and benefit for residents as well as those outside City limits where appropriate.

City Water Service Area Policies

LU-108.1 The City is responsible for periodically assessing the capacity of Luffenholtz Creek to provide domestic water, including flow analyses that take into account existing and potential riparian and appropriative rights, and groundwater wells, droughts, and climate change.

LU-108.2 Upgrades to the City's water plant-system to improve efficiency, water quality and storage capacity will be completed as needed and as funding and capacity allows.

LU-10.3 Users within City limits are given preference for service connections.

LU-108.43 Consider expanding City services to areas outside City limits only if it can be done without reducing capacity needed to serve build-out within the City, nor significantly increasing the costs to residents within City limits, or if it is a public health emergency; annexation is a prerequisite for any service expansions.

LU-10.5 Prioritize connections outside of City limits based on the following factors:

- Areas where the City has the capacity to serve, while not removing capacity needed for users within City limits
- Areas where annexation is likely to be beneficial to the City
- Proposed use(s)

LU-10.6 In the event of a proposal to expand the City water system, prospective customers shall enter into an agreement with the City to provide the necessary funds in whole or in part to defer the cost of system improvements.

~~LU-8.4 — The existing commercial area on the west side of Patrick's Point Drive south of Anderson Lane and the area on the east side of Patrick's Point Drive north to the CalFire (CDF) station property should be included in the City service area / water district to allow for future consideration of water service. Annexation, or an annexation agreement, is a requirement for water service expansion, unless it is already part of a services district. (CIRC-12.6)~~

~~LU-8.5 — If capacity and / or storage is adequate, study the feasibility of forming a Water District that includes the area to the east and southeast of the City on either side of the freeway, where some properties are already connected to the system, to allow for additional connections outside the City, as the system allows. Eventual annexation should be considered. Areas to the north of the City should be part of such a district if services are to be provided there in the future. (CIRC-12.4)~~

3. Planning Area

Government Code § 65300 provides that a City consider areas outside the City limits that have a bearing on planning for the City. The Planning Area might affect the City in ways such as increased circulation, impacts on water quality, or economic provisions. The City of Trinidad has determined that activity affecting twelve coastal watersheds, plus a small portion of the Little River watershed to incorporate the Moonstone Heights neighborhood of Westhaven, is the area of critical importance; ~~therefore, it~~ is in the interest of Trinidad to play a more active role in the decision-making processes involving land located within these watersheds, and to include them in the Planning Area. Trinidad has adopted this watershed-based approach to planning due to particular concerns about water supply, pollution, and impacts on coastal resources; activities that occur in the upper watershed can affect downstream resources.

~~The designated Planning Area delineated in the previous General Plan defines an area in which the City has interests outside of its City limits and its Sphere of Influence boundary. The Planning Area might affect the City in ways such as increased circulation, impacts on water quality, or economic provisions.~~ The designation of a Planning Area may also be in the interest of promote the establishing of cooperative efforts with other surrounding jurisdictions, landowners or interest groups, including Humboldt County, State Parks, Trinidad Rancheria, Green Diamond Resource Co. Westhaven Community Services District, Trinidad Coastal Land Trust, etc. This area also includes the area of interest of the Trinidad Bay Watershed Council. By adopting this specific Planning Area, the City defines the area where land use decisions affect Trinidad. Figure 4 shows the existing and proposed Planning Area.

The proposed Planning Area is ~~more~~ centered on the greater Trinidad-Westhaven community. The Luffenholtz Creek drainage basin was included because it is the watershed for the City water supply and serves parcels adjacent to it and along the main line extension. Residential areas west of the freeway up to the Seawood interchange are included because they rely on the Trinidad area for commercial

services and include visitor accommodations and facilities that support the local tourist and fishing activity. The forest area east of the freeway is included to ensure consideration of the potential impacts of activities to these coastal watersheds.

~~The entire Planning Area, outside of City limits, is within Humboldt County jurisdiction. Land use designations on the lands under County jurisdiction surrounding the City differ from City designations. Since the City's Planning Area is under Humboldt County jurisdiction, the land use categories shown in Figure 6 correspond to the existing Humboldt County General Plan (Humboldt 21st Century, October, 2017). The County has recently revised its General Plan and a revision of the County Zoning Ordinance Map will follow. The Trinidad Area LCP will also need to be updated for the coastal zone. The area within the Coastal Zone is under the jurisdiction of the Trinidad Area Plan (TAP). The current County General Plan and TAP provides for specific designations throughout the planning area. Most of the Trinidad General Plan land use recommendations are consistent with present county designations (1984 Framework Plan).~~ The reader is also referred to the County's current General Plan and LCP for discussion of the Urban / Rural areas and policies or findings that apply for development in the areas outside the City but within the City's Planning Area.

Goal LU-119: Ensure the protection of the coastal watersheds, natural and community resources and the quality of life in and around Trinidad.

Planning Area Policies

~~LU-9.1 Assess impacts of development within the entire planning area when considering large projects and regional issues~~

~~Program LU-9.1.1: Adopt a watershed based approach to land use planning that accounts for the impacts of development on an entire watershed, not only the individual parcel or activity. Respond to County application referrals based on watershed impacts and encourage the County to do the same for City projects. (CONS Principle A)~~

LU-119.12 Request referrals from the County for projects within the Trinidad Planning Area and comment on relevant projects that could impact the City based primarily on goals and policies found throughout this General Plan, any other relevant plans, and considering any specific or unusual circumstances.

~~Program LU-119.1.1 Assess impacts of development within on the entire planning area when considering large projects and regional issues~~

Program LU-119.1.2.4: Provide comments and input during any revisions of the County's General Plan, Trinidad Area Plan or implementing ordinances that may affect the Planning Area ~~any future adoption of implementing ordinances, and any other agency's or organization's long range plan for that includes land within the City's Planning Area.~~ Seek to have such plans recognize impacts that could

occur to the City as a result of inappropriate changes that occur in the City's Planning Area.

Program LU-119.2.2: Review development projects ~~in the County~~, including timber harvest plans, that may affect Luffenholtz Creek, Mill Creek and other Planning Area watersheds and provide comments to regulatory agencies emphasizing the need to protect water quality and quantity. ~~Consider consistency with all relevant policies in the City's General Plan, particularly those found under Planning Area, Conservation and Water Quality, and the objectives of the Trinidad-Westhaven Integrated Coastal Watershed Plan.~~

~~*Program LU-9.2.3:* Monitor land use activities and development projects within the Luffenholtz Creek watershed and oppose those activities and projects that may have adverse impacts on creek water quality and quantity. (CIRC-12.10)~~

LU-119.24 The City ~~designates both~~supports the County's designation of Luffenholtz Creek as a Critical Municipal Water Supply Area and encourages the County to also designate Mill Creek ~~watersheds as~~ "Critical Water Supply Areas," as such, recognizing that these watersheds ~~areas~~ are primary or emergency water sources for the City and limited in area so that current development makes the streams susceptible to a potential risk of contamination to the water supply from development activities. (see CONS-1e.3)

Program LU-119.24.1: Work with the County to ensure that ~~the County~~Luffenholtz Creek remains designated ~~s~~ Luffenholtz Creek and Mill Creek watersheds as a "Critical Municipal Water Supply Areas" and that it is included in any related implementation ordinance(s), thereby providing increased scrutiny of and special protections from land use activities that could affect the quality or quantity of water in the creek as defined in the Humboldt County Framework Plan and the Trinidad General Plan.

~~*Program LU-9.4.2:* Designate properties within a "Critical Water Supply Area" "Special Environment" to minimize further subdivision and reduce potential adverse land use densities until such time that improvements are made to the water supply system so that it is not so sensitive to land use impacts. Existing lots within the watershed may be considered suitable for single-family residence provided the septic tank system is carefully designed and installed to preclude pollution of the stream, and requires periodic inspection by and fees paid to the County Environmental Health Department.~~

LU-119.3 Encourage coordination efforts between Trinidad officials and surrounding agencies with jurisdictions in the City's Planning Area and landowners in order to review and address concerns about development projects that affect the ~~Trinidad~~ Planning Area and the Trinidad Head Area of Special Biological Significance / State Water Quality Protection Area.

Program LU-119.3.1: Request notification from responsible agencies (CDF for THPs, ACOE for fill or discharge permits, CALFIRE, PG&E, etc.) whenever possible regarding activities that will occur within the City's Planning Area. Inform responsible agencies of the types of projects that could have impacts on the water quality of the water resources of the Planning Area.

Program LU-119.3.2: Maintain open communication with the Trinidad Rancheria, and encourage the Rancheria to keep the City informed of upcoming projects by providing pertinent background information and studies related to such projects and allowing the City to provide early input on development proposals that could impact the City.

LU-119.45 Develop and maintain an open relationship with landowners within the Planning Area, particularly those in Luffenholtz Creek, in order to facilitate landowner awareness of the need for water quality protection.

Program LU-119.45.1: Pursue adoption of a public education program regarding pesticides and other hazardous chemicals, and when feasible, enter into a non-binding Memorandum of Understanding, or other agreement with property owners within the "Critical Municipal Water Supply Area" to minimize the use of these chemicals and reduce contamination of water supplies.

Program LU-119.45.2: Support the efforts of the Trinidad Bay Watershed Council to improve water quality in the Planning Area. Designate a City representative to participate in the Watershed Council meetings and other activities to the extent practicable.

LU-119.56 Encourage responsible septic system design, use and installation, use maintenance and monitoring within the Planning Area.

Program LU-119.56.1: Pursue grant funding to monitor water quality and implement projects within the City's entire Planning Area to reduce pollution from onsite wastewater treatment systems. Encourage Humboldt County to participate to the maximum extent possible. ~~Project goals include determining what areas and which onsite wastewater treatment systems are contributing the most pollution and offering financial incentives or other assistance to help landowners fix problems.~~

Program LU-11.5.2: Encourage and support the County to implement and enforce regulations regarding OWTS within the Trinidad Planning Area.

Program LU-11.5.3: Consider the feasibility and desirability of forming a Septic Maintenance District with the County that encompasses the area from Trinidad to Moonstone. (PUBL-18, CIRC-11.2)

~~LU-9.7 — Preserve economically viable timber stands for use as commercial timber while protecting water quality, special status species and sensitive habitats (Goal CONS-8).~~

~~LU-9.8 — Provide a geographically distributed inventory of mining sites protected from incompatible land uses, permitted and operated to prevent significant environmental impacts and to satisfy long-term demand for mineral resources and construction materials (Goal CONS-11).~~ [TP3]