



NOTICE AND CALL OF A MEETING OF THE
TRINIDAD PLANNING COMMISSION

The Trinidad Planning Commission will hold a specially scheduled meeting on
WEDNESDAY APRIL 1st, 2020, AT 6:00 P.M.
in Town Hall at 409 Trinity Street.

The following items will be discussed:

This meeting can be attended by teleconference in accordance with Executive Order N-29-20. Meeting Chamber will be closed. The public is encouraged to attend via phone. 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.

- I. ROLL CALL
- II. APPROVAL OF MINUTES – December 5, 2019
– December 18, 2019
– January 15, 2020
– February 4, 2020
- III. APPROVAL OF AGENDA
- IV. ITEMS FROM THE FLOOR
- 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, March 4, and March 18, 2020 meetings.*
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. *Continued from the March 18, 2020 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. *Continued from the March 18, 2020 meeting.*
4. Trinidad General Plan Update: Land Use Element, Sections B.3—Climate Change and C—Development Outside City Limits

VI. STAFF REPORT

VII. FUTURE AGENDA ITEMS

VIII. ADJOURNMENT

The meeting packets can be accessed at the following link:

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



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**MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD PLANNING
COMMISSION
THURSDAY, DECEMBER 05, 2019**

I. CALL TO ORDER/ROLL CALL (6:01 pm)

Commissioners Present: Graves, Kelly, Stockness, Johnson, Lake
City Consulting Staff: Parker, West
City Staff: Zetter, Naffah

II. APPROVAL OF AGENDA

Motion (Johnson/Graves) to approve the agenda. Passed (5-0). Passed unanimously.

III. ITEMS FROM THE FLOOR

Commissioner Johnson opined that the Planning Commission needs to have a discussion on how to deal with after-the-fact permitting for development. He suggested that it has been a significant issue, because it is too easy to get after-the-fact approvals. He questioned if there should be a violation penalty/fine.

IV. AGENDA ITEMS

Discussion/Decision/Public Hearing/Action

1. General Plan Update: Discussion of water related policies. *Continued from the October 16, 2019 and November 20, 2019 meetings.*

Staff report

City Planner Parker stated the final GHD water report (out of five) has been released. Parker summarized some of the key findings from the various reports. She noted that in some instances, improvements can be made that may increase water production and/or availability. Parker acknowledged the City has general water policies, but the Planning Commission needs to provide specific guidance to the City Council on how to evaluate and prioritize water service requests. Parker provided examples of prioritization, such as determining what are the City's preferred types of usage. She further stated there are other developmental issues that Trinidad will face, so it is pertinent to also look at water, slope stability, septic capacity, etc. She advised that after meeting with City Manager Naffah and Mayor Ladwig it was clear that the City Council wants recommendations by February 2020. City Manager Naffah added that the Planning Commission needs to take into account the City's current and potential future customers, in order to ensure the City can adequately provide water for everyone.

Commissioner Comments/Questions

Commissioner Graves stated the water policy should be a stand-alone element of the general plan and be placed after the introduction, as it is the most critical issue; it would put state agencies on notice that water is a limiting factor in Trinidad. He continued it is an exercise to fulfill state law, while also making various commitments as one of the City's largest constraints is water.

Commissioner Kelly questioned what the pros and cons are of making it a separate element, especially as water policy is integrated in many of the other elements. She, however, advised she does not have a preference. She also suggested having a water system master plan and used Fort Bragg as an example. Parker stated that regarding a separate element, it might prove to be difficult to pull out policies from various sections, so if done, organization is key. She continued by advising if Trinidad restricts development, then it needs to preface why there are limitations, and water is clearly one of them.

Graves questioned if Parker could reference back to a water element in other elements. Parker advised she could, or potentially repeat policies as appropriate. Commissioner Lake advised she is not opposed to the suggestion but questioned its impact on staff time. Parker could not confirm until she does a review. Commissioner Johnson stated he is neutral to creating a separate Water Element and advised the discussion feels premature. Additionally, he felt that the idea should be run by the California Coastal Commission, as we do not want to overcomplicate the review process. Parker advised she can compose a list of pros and cons to creating a stand alone Water Element. Lake questioned what the Water Element would look like, as only part of the Service Area is in the coastal zone. She further advised she wants information as to the status of the City's contingency plans, and how the water ordinance fits in. Lake also read from two laws that indicate a contingency plan or analysis is required.

Commissioner Stockness suggested that the Service Area section could be expanded upon to discuss water limitations. Graves wondered if the General Plan should discuss the merits of alternative water supplies that have been investigated. Lake opined that water recycling options should be further explored, and that water rights and illegal diversions need to be examined. Parker explained that the County has designated Luffenholtz as a critical water supply for the City of Trinidad. She also clarified that the County's General Plan Update does not allow more developmental potential. Stockness questioned whether the County can give the Rancheria water rights to Luffenholtz. Parker advised that is a decision made by the State Water Resource Control Board.

A discussion regarding Luffenholtz riparian rights, illegal diversions, and water storage occurred between Commissioners and the City Planner. A discussion regarding a water service application review process, the considerations, and policies occurred. Additional information regarding storage tanks was requested. Commissioner Lake requested a copy of the City's water ordinance.

Kelly requested information on the age of the water treatment plant, as we need to understand the state and longevity of the City's infrastructure. Parker provided a brief history of upgrades and limiting factors at the water plant, but then redirected the conversation to discussing how to manage the water. She stated the Planning Commission is not going to be able to have answers to all these questions by February, and that they need to keep in mind that the GHD reports indicate the City has a surplus of water at the plant. The goal is to determine what to do with the water. However, she stated, while the City does have a surplus of water, it is always a possibility that the creek could go dry during a drought.

Graves also advised that climate change, could increase the number of fires. Lake stated that the City does not have an abundant supply of water, as all of the reports are hypothetical. Stockness suggested looking into rain catchment. Johnson discussed how the Planning Commission needs to see the capital improvement plan for the water plant if it exists, and possibly have a meeting with the City Engineers. He advised their new reports don't indicate what the plan is for 20 years into the future. Furthermore, they don't explain what the impact would be during a dry scenario. Lake wants additional information on fire-fighting capacity. City Manager Naffah discussed that GHD will be speaking to the City Council in January. A discussion regarding pipe upgrades took place.

Graves stated he is in favor of more restrictive water policies due to all the uncertainties. Kelly questioned if the City has an existing process for approving or disapproving water requests. Parker confirmed that the City does not. Lake questioned LAFCo's role. Parker and West explained LAFCo's role and their procedures. West clarified that water extensions outside City limits requires LAFCo approval, but within the last few years their policies have changed to make it a little easier to extend services. She explained that LAFCo is scheduled to update the City's Municipal Service Review and Sphere of Influence this year. It was clarified that LAFCo determines the Sphere of Influence but does not require the City to provide water service within it.

A discussion regarding contingency plans took place between the Commissioners and the City Manager. Commissioner Kelly suggested that the first priority should be to increase production/decrease loss; the second priority would be increasing storage, and third would be exploring hook up to Humboldt Bay (HBMWD). Lake opined that HBMWD should not be considered an option; there was a discussion about the existing policy language. Johnson advised there is a real desire to look at contingency plans for near term, but we must also consider a long-term plan.

Naffah reminded the Commissioners that the City Council has asked the Planning Commission to come up with a water connection policy for requests from outside City limits, which is different from the General Plan discussion. The City Council is not looking for a contingency plan, but instead a synthesis of where we are right now. The City Council wants the priorities, such as determining who gets water and the criteria for evaluating those requests. There was a discussion of the timing of this request and how it fits within the general plan update.

Kelly advised she doesn't have a strong enough opinion regarding extending additional services, because if someone needs water and the City has the capacity to provide it why should we deny them. Graves favors more restrictive policies. Lake advised the City doesn't have the data to show there is extra water. Parker refuted her statement, advising that the reports show that the City does have excess production capacity except in extremely dry years.

Stockness suggested putting a cap on new water connections. Parker discussed various scenarios. Parker advised that since clarification was provided by the City Manager, the Commission will need to switch gears to discuss something different from the general

policies that are in the general plan. She stated the Commissioners will need to focus on how to address applications for water, which might then be incorporated into the general plan later.

The Commission discusses the questions provided in the staff memo for consideration. There was a discussion regarding the acceptable level of risk. A number of technical questions came up. Lake advocated for a moratorium on new hook-ups outside City limits. City Manager Naffah suggests having GHD staff at the next meeting. Commissioner Johnson would like more input from the City Council and public.

V. STAFF REPORT

City Planner Parker advised she is working on the subdivision ordinance, the General Plan update, and grant requirements and permits.

VI. ADJOURNMENT

Adjourned at 7:24 pm. Next regularly scheduled meeting is December 18, 2019.

Submitted by:

Approved by:

Angela Zetter
Administrative Assistant

John Graves
Planning Commission Chair

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD PLANNING COMMISSION
WEDNESDAY, DECEMBER 18, 2019

I. CALL TO ORDER/ROLL CALL (6:01 pm)

Commissioners Present: Graves, Kelly, Stockness, Johnson
Commissioner Absent: Lake
City Consulting Staff: Parker, West (Planners), Allen (Engineer)
City Staff: Zetter

II. APPROVAL OF MINUTES

October 02, 2019 (continued from November 20th meeting)

Motion (Johnson/Stockness) to approve the minutes as amended. Kelly abstained, since she was not at the meeting. Passed (3-0).

November 06, 2019

Page 1 of 6:

Changed - "He stressed this meeting with the City Manager and Mayor is not to discuss the content...developing them."

Added "The meeting is only administrative."

Page 2 of 6:

Changed - "Trinidad to General Plan" in sentence "She also advised not much is mentioned about police in the Trinidad."

Motion (Kelly/Johnson) to approve the minutes as amended. Passed (4-0).

III. APPROVAL OF AGENDA

Approval made by acclamation.

IV. ITEMS FROM THE FLOOR

Commissioner Graves discussed the process of electing the Chair of the Commission and read from the City's municipal code. He advised he will be stepping down as Chair at the first meeting in January. He requested this be the first item on the agenda after items from the floor.

V. AGENDA ITEMS

Discussion/Decision/Public Hearing/Action

1. Trinidad 2019-12: Grading Permit, Use Permit and Coastal Development Permit for Phase 2 of the Trinidad Area of Special Biological Significance (ASBS) Stormwater Improvement Project. The project includes decommissioning the existing stormwater outfall and replacing it with a system of localized stormwater treatment chambers and infiltration basins.

Staff report

Parker noted nothing has changed regarding the project itself since the last meeting. She provides a brief summary of the project. She notes additional information that was added to the staff report, including use permit findings for the portion located in open space and a discussion regarding sea level rise and wave run-up hazards.

Commissioner Graves disclosed he had received two written comments; one from the Tsurai Ancestral Society (Sarah Lindgren) and the Yurok tribe (Sheri Provolt – Tribal Council Member). Parker clarified that those comments are regarding the Van Wycke project, which is not an agenda item.

Commissioner Questions

In response to a request for additional information, Parker discussed the cultural monitoring plan, explaining that consultations were completed in accordance with both NEPA and CEQA. She advised the monitoring plan version provided in the packet has been circulated to interested parties, and no objections were raised.

Commissioner Johnson expressed concerns over erosion around manhole covers and inlets as well as within the gravel parking lot. S. Allen, GHD, explained that the manhole covers will have concrete collars, and the rest of the improvements will be underground, not subject to erosion. Johnson asked about maintenance requirements. Allen advised that there will be annual and periodic maintenance, but it should be similar to current maintenance. He advised the design was chosen for minimal maintenance.

Commissioner Stockness questioned if there would be vegetation in the infiltration basins. Allen confirmed there will not be grass swales. Johnson further questioned the emissions of decomposed organic material buildup. S. Allen and P. Sullivan (GHD) explained that there is minimal organic material in the City's stormwater, and any leftover material will decompose over the summer.

Johnson questioned what will happen if a large storm overloads the system and creates a scenario where there is the inability to collect and treat the water. Allen explained that the new system will collect more water than the current system, but it must be understood that you can't collect everything. Once the capacity is exceeded, the stormwater will just flow downhill like it does now; the project exceeds all the various requirements. Parker notes that the excess stormwater would become a non-point source discharge, which is not currently regulated for the ASBS.

Commissioner Graves questioned the timing of construction, and requested heavy equipment not be used before 8:00 am. He expressed his concern regarding the use of heavy equipment in such close proximity to residential areas. Allen confirmed construction will take place during June-October 2020, and advised they are coordinating with the Rancheria on their stormwater project. He also advised that putting additional time constraints on the use of equipment may make it more difficult to get competitive bids, because it may increase the number of construction days.

Kelly suggested adding a condition for a community communication plan to be implemented during construction. Allen explained what steps were taken regarding communication during the last major construction phase. Graves stated there must be an attempt to notify residents when work will take place on the weekends and when traffic and parking may be disrupted. He was in support of Kelly's suggestion. Allen further stated that the hours are standard, and some modifications may need to be made depending on weather conditions, but they must be requested and approved. Allen advised that GHD does not make all of the decisions, but instead it is a collaborative decision with the City. Parker advised the Planning Commission can add specifications to existing conditions of approval.

Public Comment

None

Commissioner Discussion

Stockness suggested adding communication with the City Manager and community to condition 6. Parker responded asking if they want a communication plan as condition 8. Kelly was in favor. Graves suggested adding a condition that heavy equipment will not be used before 8:00 am, unless there are extenuating circumstances. Kelly agreed.

Motion (Johnson/Stockness) based on the information submitted in the application included in the staff report and public testimony, move to adopt the information and findings in this staff report and approve the Coastal Development Permit, Use Permit and Grading Permit for Phase 2 of the City of Trinidad ASBS Stormwater improvement Project as conditioned in the staff report and modified at this meeting. Passed (4-0). Passed unanimously.

2. Water Policies: Discussion of water policies and standards for evaluating requests for new water service.

Commissioner Graves disclosed that the General Manager of the Trinidad Rancheria is a past client, and as he has received compensation from him, he recused himself based on the City's Code of Ethics.

Staff report

City Planner Parker provided an outline for evaluating water service requests outside City limits. She referenced the Conceptual Hydrologic Assessment of the Luffenholtz Creek Watershed, and other water reports which show that the City has an excess production capacity, but production can be impacted by low flows on the creek; she acknowledged the City doesn't have all of the information. She explains what she provided is only an outline, not a final recommendation, and she would like more input prior to developing the policies further.

Commissioner Comments/Questions

Commissioner Kelly provided a Trinidad Water Service Policy sample for illustration/discussion only. She clarified that she developed the table for herself in order to better understand the policies, and is providing it as a potential deliverable (once updated). She advised an option would be to charge more for those outside City limits, and opined that a scoring system could be a consideration, but not a final decision. She discussed the benefits of having a loose scoring system to prioritize water requests, but acknowledged that ultimately the City Manager, City Council, and City Attorney make the final decision. Parker discussed the information provided by Kelly, and the potential it has. Parker did, however, advise the Planning Commission to be cautious in creating a scoring system that ranks requests against each other. She explained the City does not get a lot of requests outside of City limits.

Commissioner Stockness opined a scoring system is too complicated but allowing people outside City limits to have the opportunity to hook up is important. She praised the City for doing a good job managing the water use. She clarified she would prioritize emergency/health and safety hook-up requests. She also wants to review the fees. West, SHN, provided an explanation on what may be included in the costs - the extension costs, hook up fee, etc. Parker added there are other costs that can be added, to be paid by the person getting water service.

Parker noted she did take existing general plan policies into consideration, also recognizing those policies may change as part of the current update. Policy 27a seems a little unclear and may be problematic. She added the CCC's intent is to protect visitor serving uses, but does the City need to reserve capacity for all uses, only those that don't have an adequate supply, only new uses, etc. And it is unclear how it would apply to the hotel. A discussion continued regarding services. Johnson advised it seems the CCC is trying to maintain contradictory positions in an attempt to please the most people, and in doing so hasn't been clear. Parker stated it's unclear how much 27A would influence the City's decision regarding hookups.

Johnson questioned if the Planning Commission is making a recommendation or creating a policy. Parker stated "policy" has been being used for both "General Plan policies" and "criteria" for evaluating hookup requests." She advised that she thinks the criteria should result in updated policy, noting that some is specific enough to update the water code regulations. Johnson agreed with Parker, however, he expressed his concern that it's difficult to make modifications to the rules later on. Parker agreed and stated the Planning Commission can recommend the City Council waits to make a decision, but also provide criteria in case they want to move forward anyway. Johnson stated their recommendations to the City Council should include the key findings from the water studies, as they are important with moving forward with any policy.

Stockness suggested having another joint meeting with the Council. Johnson advised that the Planning Commission should rewrite the policies to reflect what they as a body feels is appropriate for Trinidad. Kelly questioned what is blocking the Planning Commission from making a decision. Parker explained they might not have all the answers in a reasonable time, or have the money to do so, so sometimes we have to move forward with what we have.

Johnson stated he is hung up on how to prioritize water requests and expressed his concern that these requests will come in random order and from different subareas. Coupled with that is he doesn't fully understand the annexation issues. Parker discussed annexation, and went on to advise that this process is difficult, because we are trying to write the policy in a way where we find a balance with objective criteria and minimum standards, while also creating enough flexibility for the City Council to be able to make decisions based on extenuating circumstances. She further discussed how potential hookups can benefit the City.

Kelly mentioned there can be negotiations, such as providing services in the event of an emergency (used the Rancheria as an example, as they have a well). Parker stated annexation should be considered, because it provides the City will opportunity for tax revenue, land use control, housing options, higher population for volunteering on Council's, Committees, etc., and it is sound planning. Johnson questioned who would be responsible for additional costs, such as the need for the water plant to hire a new staff member. Parker advised it is open to discussion.

Public Comment

T. Inglemen (Trinidad) questioned what are the City limits?

Commissioner Discussion

Johnson questioned the Planning Commission's deadline. Parker stated the Council requested it be completed by February. Johnson stated the Planning Commission is in a good place to start with the outline provided by staff. Johnson stated the recommendation is to work on a priority process to decide if applications would be meet the criteria. Kelly advised most of the criteria are here, and while maybe there is something missing, the Planning Commission is pretty close. She

advised the Planning Commission needs to figure out the deliverable. Parker provided an explanation and discussed how prioritizing subareas might be a good way to start. However, she clarified that some priorities are dependent on the CCC. Johnson requested highlighting health and safety as a priority. Johnson also requests to see policies from other communities.

3. General Plan Update: Discussion of hazards related policies. (*Was continued to the January 15, 2020*)
4. Implementation Plan Update: Introduction and discussion of revised Subdivision and Grading Ordinances.

Staff report

Parker suggested focusing on the General Plan, and to revisit the Ordinances at a later date. However, these ordinances are being presented as part of the LCP update grant.

Commissioner Comments/Questions

Commissioner Kelly advised she had a few comments, but will provide them when they reconvene the discussion. Commissioner Johnson stated the initiatives were unclear.

VI. COUNCIL REPORT

None

VII. STAFF REPORT

Commissioner Kelly advised that the Trails Committee hopes to have a final revision of the Trails Policy document by the January meeting, and confirmed she will be reviewing it in conjunction with the General Plan. She also stated the Committee discussed two different grant funding programs with the Grant Administrator.

Parker advised she is getting ready to submit an application for SB2 funds, which is a non-competitive grant which will hopefully help the City pay for updating the Housing Element, conduct a parking study, revise the ADU ordinance, and look at more objective design standards and preapproved designs for second units. Also the City Council has requested the Planning Commission to appoint a new STR representative. Lastly, water and hazards will be discussed at the next regularly scheduled meeting.

VIII. FUTURE AGENDA ITEMS

See above.

IX. ADJOURNMENT

Adjourned at 7:59 pm. Next regularly scheduled meeting is January 15, 2020.

Submitted by:

Approved by:

Angela Zetter
Administrative Assistant

John Graves
Planning Commission Chair

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD PLANNING COMMISSION
WEDNESDAY, JANUARY 15, 2020

I. CALL TO ORDER/ROLL CALL (6:01 pm)

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

II. APPROVAL OF MINUTES

November 20, 2019

The following correction was made on Page 7 "She advised the updates have not made a significant change as far as the CDP goes." to "She advised the updates have not made a significant change as far as the CDP goes."

Motion (Stockness/Johnson) to approve the minutes as amended. Passed (4-0). Passed unanimously.

III. APPROVAL OF AGENDA

Approval by acclamation to reorder discussion items 2 and 3.

IV. ITEMS FROM THE FLOOR

None

V. AGENDA ITEMS

Discussion/Decision/Public Hearing/Action

1. Election: New Chair and Vice Chair.

Graves discussed protocol for election of a new Chair.

Motion (Johnson/Stockness) to appoint Commissioner Kelly as Chair of the Commission. (Passed 4-0).

Motion (Graves/Stockness) to appoint Commissioner Johnson as Vice Chair of the Commission. (Passed 4-0).

2. General Plan Update: Discussion of hazards related policies. *Continued from the December 18, 2019 meeting.*

Staff report

Parker discussed the hazard assessment process and the work done to date. She advised that, based on the assessment, the southern bluff between the Ocean and Galindo Street is at the highest risk. Thus, the risk assessment focused on that area. She advised she is following Coastal Commission guidance and included the CCC's initial comments in the packet. She further stated they are requesting some more detail for the infrastructure and a more in-depth consideration of alternatives.

Parker then went on to discuss the current version of the Safety Element provided in the packet noting that she had focused her updates on the geologic and . She discussed recent guidance from the CCC regarding sea level rise and advised that managed retreat is one of the tools preferred

by the CCC. However, this is a new and evolving topic, so there aren't a lot of real-world examples yet. Furthermore, managed retreat has been controversial in developed areas. Parker did explain that Trinidad's shoreline has been more stable than she expected. She noted that the best available science regarding climate change and sea level rise is constantly being updated, and the CCC expects the City to do a evaluate the extreme risk, not just the most likely scenarios. Parker explained that at some point the City will have to examine where it may be practical to let the bluff retreat.

Commissioner Comments/Questions

Commissioner Graves discussed bluff retreat and responses in Half Moon Bay. Commissioner Stockness stated the bluff by the lighthouse is moving again, and suggested the area is unsafe. Parker opined it would be interesting to have the inclinometers read to see how much and how deep the movement is. Parker stated that she has heard there has been wave erosion recently. Johnson questioned potential conflicts between SAF-1.9 (page 17) and SAF-1.12 (page 18), regarding shoreline protection devices. Parker stated she reached out to the CCC to clarify.

Graves requested updates be made to page 13, as the City has obtained new data since 2008. Graves continued to discuss page 14, noting that there is a lot of discussion regarding evacuation routes. He advised this is something the City should update every few years, as conditions change. He also noted there is no mention of visitors in this section, opining that it is imperative they are included and informed. He further advised that the City needs mapping for emergency routes. He stated that several City representatives should have keys from Green Diamond for emergency access to timber roads.

Commissioners made updates starting on page 6 as noted below.

Comments were received on the following pages:

- Page 7: Kelly asked what the City should do about existing development on land that falls within the Alquist-Priolo fault zone. Parker clarified that the Act does not apply to single-family residences, and the commercial lots (shopping center and park) had the appropriate studies done as part of past development.
- Page 8: Stockness asked if the tsunami siren had been raised and suggested the City implement text message notifications for emergencies. In response, Trinidad Rancheria Tribal Council Representative, Robert Hemsted, stated the siren has not been raised yet, and further advised it still needs to be properly tested, which should occur on an annual basis. Graves and Johnson discussed the previous Planning Commission decision on the siren. Johnson added that the largest problem with the siren are the controls, further noting the radio connection doesn't work. Hemsted noted all the sirens in County have issues. Johnson requested the signal path be examined. Parker advised that all this should be coordinated with OCOS.
- Page 11: Graves questioned if the information from August 2006 on fire hazards is still accurate/current. Parker advised she has not updated the section yet.
- Page 13: Graves noted he has already commented on the water information. Parker advised she will be making updates when the City has all the information together.
- Page 14: Kelly discussed the comments made earlier by Graves regarding evacuations.
- Page 16: Graves requested Parker to spell out the acronyms.
- Page 17: Johnson requested the explanation of some terms, such as managed retreat. He suggested including them in a glossary. Stockness questioned where managed retreated would be included in the General Plan. Parker explained it would have to be approached

thoughtfully and carefully, because hazard designations have the potential to impact owner's ability to build and rebuild and therefore can affect property values.

- Pages 18-19: Johnson and Parker discussed the reasoning for highlighting certain verbiage, with Parker explaining that highlighted text is a placeholder, because the language was copied from another jurisdiction. They further discussed changing the way "programs" are listed. Parker advised she will make changes and bring it back for review. She stated some programs need to be recategorized.
- Page 19: Stockness questioned why requirements for reinforcing structures was crossed out. Parker explained it is unnecessary in the General Plan, as it is dependent on building codes, and the City has to continue to comply with State law.
- Pages 22-23: Graves requested maintaining an emergency master plan. Parker advised she'll review it.

Public Comment

Councilmember Grover advised he attended the Humboldt Hazardous Material Response Authority's meeting, which discussed coordination of training for emergency responses. He stated this will also lead to recruitment for volunteer firepersons. He expressed his support for obtaining keys from Green Diamond for emergency routes. He noted however, that people also need to know where they go. He'd like to have the Trinidad Rancheria involved in emergency planning.

S. Madrone (5th District Supervisor) discussed the locations of entrances/exits to Green Diamond's roads and clarified that they are usually closed off during the winter. Thus, the City would need to work with Green Diamond to determine best routes and timing. He advised, however, that the closest evacuation route is Adam's Fox Farm Road, which is paved. He also mentioned that the City should incentivize the installation of water storage tanks.

3. Water Policies: Discussion of water policies and standards for evaluating requests for new water service.

Graves recused himself to avoid the appearance of a conflict in accordance with the City's ethics standards and left the meeting.

Staff report

City Planner Parker referred to concerns brought up at the December meeting, specifically how to prioritize service areas, and examining the water demand in those areas. She continued to explain how the policies have prioritized areas with good potential for annexation, and briefly described the benefits of it. Parker advised the amount of water available has been examined, and currently staff is taking a conservative approach as was expressed by the City Council. She noted however, that there are different levels of conservative based on what level of risk is acceptable.

Parker went on to explain how build out was determined based on zoning, also taking a conservative approach. She clarified that full build-out would not be expected to occur for decades. However, the City needs to think about capital improvement plans, and drought contingency plans. Thus, the City needs to determine how to respond to hook up requests. The most conservative approach would be to put a moratorium on new hook-ups outside City limits. However, she advised that the City Council has asked the Planning Commission for a policy. Parker discussed the priority service areas in more detailed but noted that the policies left options open for the City Council and City Manager to make exceptions.

Commissioner Discussion/Comments

Johnson questioned the impact of the new general plan policy 27a. Parker clarified that 27a does not indicate that the City has to serve area C first, and CCC staff are now aware the City likely cannot serve the entire area. Parker reiterated that this process is to come up with a policy that is the best for the City, but to also keep in mind that policies are amendable if conditions change. She also suggested the City investigate water sharing options for Area C, which would reduce the demand on the City's water supply. She noted forbearance is becoming common. Parker acknowledged that there are loose ends, but staff is trying to meet the City Council's deadline of February.

Johnson revisited the question of who would be paying for the cost of hookups and extensions. Parker and West explained that the user ultimately the user(s) would, but the process and timing would depend on whether it is just a new connection or a larger extension of service/main line. A discussion ensued regarding the process of annexation, the history of annexation and LAFCO regulations. Stockness stated she is in favor of annexation for multiple reasons, and once the City's water situation is figured out, hookups should occur. She also expressed her desire for rain catchment systems to be installed. Kelly questioned where the Trinidad Rancheria's hotel would fit into the policy. Parker and West advised it would fall under the exceptions, since it cannot be annexed, so isn't a priority.

Public Comments

S. Madrone (5th District Supervisor and Trinidad area resident), questioned the designated services areas provided by staff. He opined the City currently does not have enough water to serve current customers in a drought. Thus, this discussion of granting more water is premature. Madrone also mentioned revenue neutrality in regards to annexation. Parker explained revenue sharing agreements and further commented that she does not necessarily agree with his suggestion of no hookups, as the City recently experienced a moderate drought with no issues. Parker explained how much water the City has right to, what it can treat, and also discussed GHD's findings.

V. Sackville (Trinidad resident) stated the Rancheria has found a way to proceed with the hotel project, as they found water on the property. She questioned if people are concerned.

Commissioner Discussion

Kelly expressed the need to have a prioritization plan, and discussed her take on each service area presented by staff. She advised she is fairly comfortable with A and B, but also recognizes the benefits to serving C. She asked about the potential incentives for storage tanks, and if the City could require the individual requesting water have a storage tank before receiving a hookup. Johnson stated extensions verses hookups need to be clarified in the policy and opined there needs to be statements about methodization of how the City prioritizes. He suggested examining statistical analysis of what the buildout would be over time to determine how much water demand there would be within a reasonable planning horizon. He suggested creating a model that fits the complexity of Trinidad, and take a conservative approach when doing so. Parker suggested using another City as a model, as Trinidad's growth rate has been slow. West noted that there are other entities that play roles in the future decision-making process, such as LAFCo, CCC, etc.

VI. COUNCIL REPORT

Council member Grover stated the retaining wall on the Van Wycke Connectivity Project has been abandoned, and Council member Miller and himself are going to be a part of the Climate committee.

VII. STAFF REPORT

Parker discussed the completion of the LCP Grant, and provided the timeline for the Land Use and Circulation Elements.

VIII. FUTURE AGENDA ITEMS

Johnson would like clarification on AB52 CEQA and SB18 Tribal Consultation.

IX. ADJOURNMENT

The meeting was adjourned at 8:30 pm. The next regularly scheduled meeting is February 19, 2020. *A special meeting will take place February 4th to continue the discussion of the water policy.*

Submitted by:

**Angela Zetter
Administrative Assistant**

Approved by:

**Cheryl Kelly
Planning Commission Chair**

DRAFT

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD PLANNING COMMISSION
TUESDAY, FEBRUARY 04, 2020

I. CALL TO ORDER/ROLL CALL (4:05 pm)

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

II. APPROVAL OF AGENDA

Motion (Graves/Johnson) to approve the agenda. Passed (4-0). Passed unanimously.

III. ITEMS FROM THE FLOOR

None

IV. AGENDA ITEMS

Discussion/Decision/Public Hearing/Action

1. Water Policies: Discussion of water policies and standards for evaluating requests for new service. *Continued from the January 15, 2020 meeting.*

It was noted that Commissioners Graves and Johnson both discussed potential conflicts of interest with the City's legal counsel in regards to this topic due to their connections or interests in the Rancheria's hotel project. The City Attorney determined they do not need to recuse themselves for this general water policy discussion.

Staff report

City Planner Parker provided a brief overview of what both the City Council and Planning Commission have discussed at recent meetings and what staff has provided up to the present date. She stated the City Council requested the Planning Commission look at specific criteria in order to address water service connections outside City limits, but also requested a conservative approach. The Planning Commission expressed a desire for a way to prioritize water service requests, with a current focus on outside City limits. In response, staff examined parts of the Service Area in terms of build out determining to prioritize areas that can both be served within the existing capacity and that have the potential to benefit the City through eventual annexation.

Parker continued to explain that the policy is set up with several tiers, starting with application requirements, which will eventually include inside City limits requests as well. Parker advised that the City has the capacity to serve areas A & B, but noted service area C currently does not presently have water infrastructure and the usage is potentially very high. She advised she spoke to P. Sullivan at GHD to ask about running the water model to look at serving priority areas at build out to see if it will affect the water system. She reminded the Planning Commission that they should allow for some flexibility, as it will help the City Council with their decision making.

As concerns regarding annexation had been brought up at and since the previous meetings, Parker clarified her position on the issue. She advised she is not advocating that the City start the annexation process, but instead she feels the City needs to consider it as part of the discussion of extending water service outside of City limits; in general, providing services outside of jurisdictional boundaries is discouraged, because it can lead to poorly planned development.

Parker also discussed the current growth rates she used to calculate potential water demand over time; at current growth rates, build-out would not occur for more than 100 years. She advised that over time the policy will need to be reevaluated. Also, she made a few potential changes to the language, clarifying some are administrative policies consistent with General Plan policies, and she included language that provides flexibility for the City Council. The City is aware that currently there isn't the capacity to serve all of Area C, so she included language that there will be no hookups in area C until the City determines the capacity exists.

Commissioner Comments/Questions

Commissioner Graves suggested wordsmithing on page 5 of 8 to relax the requirement for annexation. Commissioner Stockness asked about the deed restriction requirement. Parker advised they are intended to bind current as well as future owners to any conditions considered necessary by the City in providing the hook-up.

Commissioner Johnson advised he is assuming that on page 3 of 8 of the policy, Item F, legal nonconforming structures will be included. Parker confirmed they would, because they were legally built. Johnson asked whether hook-ups for commercial cannabis would be allowed. Parker advised most of the zoning in the Service Area would not allow commercial cultivation, and it isn't a listed priority use, but the Planning Commission has the ability to include language to not serve cannabis cultivation. Graves suggested including that only commercial cannabis operations are prohibited.

Johnson and Parker discussed service charges and rates for those outside City limits. Parker added that all fees and rates will be set by the City Council and will clarify that language. Johnson expressed his concern that there is a problem with the prioritization of Areas A and B before C due to policy 27a. He went on to add if there is potential for growth through annexation, the City needs to consider where it will get the most out of its effort. He questioned the outcome if a request was made in area C before a request is submitted from an area that has a higher priority.

Parker explained that area C has significant revenue potential due to sales and property taxes. She also discussed a revenue sharing agreement with the County, which is generally around a 70/30 split on existing property taxes but noted there can be more to it. However, the City should receive all sales and TOT tax upon annexation. So, if the City provides water service to Area C water, without annexation, it will lose out on a large revenue source as well as land use control. West and Parker advised that Areas A and B are currently within the City's existing Spheres of Influence, and if annexed would provide additional population to participate in City politics and could help satisfy housing requirements.

There was a discussion about the process for granting exceptions. Parker stated that the policy dictates that it should only be done if there are additional benefits to the City. She added the policy being composed will provide an overview and context, so if the City Council asked the question "what will happen if we provide water to applicant X?" they will have an idea of what it will mean for areas A, B, and C. She suggested it's not perfect, but it provides enough flexibility to make decisions. Parker advised that depending on whether the City Council approves a large exception, such as for the hotel, a whole new set of policies may be needed.

Johnson questioned if staff has an update on the Municipal Service Review with LAFCo. Parker stated she has a meeting with LAFCo staff on Friday.

Commissioner Kelly stated that she thinks the Planning Commission is very close to completing the priority policy, but considering annexation makes the issues more complex with cost/benefit considerations. She opines that Areas A and B are the obvious low-hanging fruit and don't use much water. Area C has a lot of economic potential. However, she feels that health and safety is a large issue, and suggested it be moved up in priority.

Graves questioned what the current procedure is if someone's well goes dry. Parker advised that any health and safety requests still go through LAFCo, but the standards are somewhat relaxed. Johnson mentioned the City sold 40 truck loads of water last month, which is proof there is a health and safety issue currently. Parker noted that stricter State drinking water standards City recently led the City to upgrade the water treatment plant, and some other properties are following suit to update their water infrastructure. Johnson also questioned if health and safety should be moved up in priority. However, he cautioned that the downside to moving it up in priority is that if one property claims there is a health and safety issue the City could possibly extend a line farther than anticipated when composing the policy and use up all the excess capacity.

All Commissioners agreed that if the City starts extending water service, more people will request it. Graves stated that ultimately, the decision lies with the City Council, but careful wordsmithing will provide clarity. Parker advised that she wants input from the Planning Commission on how to handle exceptions outside of the priority service areas. She also stated she has not decided how to approach the appeal process yet.

Johnson questioned the process for evaluating wastewater treatment in relation to water service, specifically how much is used and how is it being disposed of. Graves noted this is primarily a concern for large water users and exceptions. Parker advised the policies can be written in a way to require that the wastewater cannot overwhelm other infrastructure. Johnson stated the policies should indicate that no additional effects on coastal resources can occur. Parker added there can be language about sending a referral to the County Division of Environmental Health. She explained that the County has recently updated their regulations and standards have become more restrictive with more oversight, particularly in the Trinidad area due to existing bacterial contamination in the creeks and beaches.

Commissioner Stockness asked about the City's OWTS permit renewal timeframe. Parker advised the average is 3 years, but the longest is 5 years. She stated that potentially the City could make adhering to the OWTS ordinance a condition of water service. A discussion regarding the OWTS rates were discussed.

The Commissioners agreed to review the the policy again at the regularly scheduled February meeting. However, they expressed concern regarding the lack of public input thus far. Therefore, they requested to have the draft policy on the agenda for the City Council at their February 11, 2020 meeting in order to get public input and have the Council weigh in. Upon receiving input, the Planning Commission will review again before passing their final draft to the City Council.

V. STAFF REPORT

Planning staff is primarily working on the Land Use Element, General Plan update, Rancheria Stormwater Project (parking area), and Water Policies.

VI. ADJOURNMENT

Adjourned at 5:14 pm. Next regularly scheduled meeting is February 19, 2020.

Submitted by:

**Angela Zetter
Administrative Assistant**

Approved by:

**Cheryl Kelly
Planning Commission Chair**

DRAFT



MEMORANDUM

TO: Trinidad Planning Commission
FROM: Trever Parker, City Planner
DATE: March 26, 2020
RE: April 1, 2010 Agenda Items

I don't have a lot of new or supporting material for this month's agenda items, so I am combining the information for all the items into this one memo. Please bring the four sets of minutes from the last meeting.

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, March 4, and March 18, 2020 meetings.*

Please bring the policy documents from the last meeting; no changes have been made. I have made the revisions requested at the March 4 meeting, which were fairly minor. The changes are shown in "track changes" in the document. Based on the discussion at that meeting, this should be ready for Planning Commission recommendation to the City Council.

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. *Continued from the March 18, 2020 meeting.*

Government Code Section 65583(a)(4) requires every jurisdiction to identify a zone or zones where emergency (as in short-term, less than 6 months) homeless shelters are allowed as a permitted use without a conditional use permit or other discretionary permit. Certain limitations, such as the number of beds, can be put on the allowed shelters. There are number of recent State laws like this related to housing opportunities that the City is not in compliance with, but this one is key to getting the City's Housing Element certified, and in turn being able to obtain \$160,000 in SB2 funding. I made the amendment as simple as possible by adding the definition from the State Code and then adding the use, with 10 beds or less, to the principally permitted uses in the C (Commercial) zone. I don't think the

City can't get around the necessity for a Coastal Development Permit though, which is discretionary.

At the last meeting, the Planning Commission wanted to consider allowing Emergency Shelters in the PD zone as well as the C zone, because the area of C zoning is so limited. All uses in the PD zone currently require a use permit, and I added Emergency Shelters as another allowable use (with a use permit) to section 17.44.020. The Planning Commission was also concerned about parking requirements, so I added specific parking requirements for Emergency Shelters to section 17.56.180 of the Zoning Ordinance.

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. *Continued from the March 18, 2020 meeting.*

Please bring the material provided in the packet addendum for the last meeting. As reported at the last two meetings, we are working on getting a Housing Element (of the General Plan) certified by the California Department of Housing and Community Development (HCD) by April in order to be eligible to enter into a contract for \$160,000 in SB2 funding that the City applied for last fall. HCD hired the consulting firm PlaceWorks to provide technical assistance for communities that applied for funding, and they have drafted a Housing Element for the City, with assistance from City staff, that is compliant with State housing laws. The draft Housing Element has been posted on the City's website with a notice of availability sent to interested parties. It has also been submitted to HCD for compliance review; I expect to hear back from them next week (the week of the meeting).

We still hope to have the Housing Element on the City Council's April 14 agenda for adoption. Therefore, I am requesting the Planning Commission to make a recommendation to the City Council at this meeting if possible. In my initial review of the draft, there are no big surprises or onerous requirements. The City doesn't necessarily have to provide its allocated housing but must show that the land availability and regulations would allow it to be built. As with the previous draft Housing Element, it is heavy on data, and the data won't change through the review process. Once HCD is satisfied, they will work with the Coastal Commission to help the City achieve certification.

4. Trinidad General Plan Update: Land Use Element, Sections B.3 – Climate Change and C – Development Outside City Limits

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 am providing them for review and possible recommendation to the City Council.

City of Trinidad

Draft Administrative Water Connection Policies and Criteria for Evaluating Connection Requests Outside City Limits

Intent

The City of Trinidad has a limited water supply and must carefully allocate this important limited resource. In addition, the provision of water can encourage development. The City desires to limit and regulate water service connections outside City limits in order to ensure continued sufficient capacity to serve City needs and to encourage orderly development and growth of the Trinidad community. These policies are to be used within the context of existing regulations and adopted general plan policies. If anything herein conflicts with those adopted policies and regulations, the adopted policies and regulations shall take precedence.

Limitations

If the City determines that a water extension is warranted, such service will be permitted only on an individual contractual basis for a specific property, which contract or agreement will specify the terms and conditions of such service in detail, including any exceptions allowed and any conditions imposed which may be different from the statement of policy of this chapter. The City shall not have an express or implied obligation to provide water service to any property outside the City limits, regardless of that property's location within a preferred service area, the health and safety concerns of the property's current water supply, the property's proximity to services, or the location in an area that is otherwise served by the City.

Findings and Statements of Facts

- The City's water plant currently has a reliable excess capacity of 48,000 gpd during peak usage (July and August) in normal to dry years.
- There is very limited data available for creek flow at the treatment plant and very limited data for extractions of water from the creek up- and downstream from the City's diversion.
- Climate change over the coming decades is expected to change precipitation patterns resulting in more runoff and less percolation as well as higher average temperatures and less fog, which could further reduce dry period flows and may also change demand characteristics.
- Extracting water becomes increasingly more difficult with lower creek flows.
- Droughts and climate change may impact the City's water supply and available capacity in the future.

- ~~Limited data exists regarding flows on Luffenholtz Creek as well as other water rights and diversions within the watershed. A conservative approach to allocating this limited but critical resource is warranted.~~
- The City does not currently have the production capacity to serve the entire Service Area at estimated build-out; therefore, certain areas and uses should be prioritized.
- Build out is not expected to occur for several decades, even if growth rates increase.
- Sound planning principles and practice dictate that provision of services outside a jurisdiction does not promote orderly growth and is generally undesirable.
- Annexation should be a consideration in any decision to provide additional water service connections outside City limits.
- The City has prioritized service to (1) build-out within City limits, (2) an allowance for ADUs, (3) areas outside the City that the City has the capacity to serve and that would be appropriate for future annexation, ~~(4) health and safety.~~

Requests for City Water

Definitions

City: *City* shall mean the City of Trinidad

Connection: Water service *connection* shall mean an individual service connection (lateral) to an existing main water line.

Extension: Water service *extension* includes a water *connection*, but also entails construction of additional main water line(s) in order to accommodate a connection.

Intensification of an Existing Use: The *intensification of an existing use* means an expansion or other change to the existing use(s) that will increase projected water demand (based on DEH expected daily wastewater flows or other methodology deemed appropriate by the City) by more than 50 gpd.

New Use: A *new use* shall mean an additional or modified use(s) that alters the project water demand of an existing connection.

Priority Service Area. *Priority Service Area* means a portion of the Service Area, as mapped on Figure # of the Trinidad General Plan, that the City has determined to be a good candidate for possible annexation into the City, and where the City has determined that it has adequate water capacity to serve that area.

Application Requirements

All requests for new water service or a new use or an intensification of an existing use on an existing connection outside eCity limits shall be subject to the following conditions and processes:

A. *Application from persons of interest in property.* The applicant and any other persons with an interest in the property to be connected to the water distribution system shall execute an application for conditional water use and connection permit formulated by the City; and

B. *Conditions on use.* The City shall place conditions on the water use and connection permit, including on the allowable volume of water use, as needed to ensure compliance with applicable policies and regulations and equitable distribution of the limited water supply.

C. *Responsibility for costs.* The proponent of the connection is responsible for all costs of the connection, including physical infrastructure, application review costs, connection fees, capacity expansion, and annexation (as applicable); and

D. *Fees paid.* The applicant has paid all fees required to be paid; and

E. *Comply with Trinidad Municipal Code.* The applicant agrees in a form suitable for recordation to comply with all water service-related provisions of the Trinidad Municipal Code and requirements and/or conditions of the Public Works Department and the water use and connection permit; and

F. *Adequacy of wastewater treatment system.* The City shall ensure that the provision of water service will not negatively impact any onsite wastewater treatment systems (OWTS). The applicant shall demonstrate that their OWTS is adequate for the type and level of use that will be served.

G. *Prohibition to transfer water.* No applicant or person with an interest in the premises connected to the water distribution system shall sell, transfer, assign or otherwise separate the water use and connection permit from the premises for which it was originally granted, for the use of any other premises, without the express written consent of the City Council or its designee.

H. *Valid building permit.* The applicant shall provide evidence of one of the following:

1. A valid building permit that authorizes the erection or construction of a residential or nonresidential structure upon the property, or
2. An existing legal structure and use on the property, or
3. A valid permit for a change of use; and

I. *Waive right to protest annexation.* If not already within City limits, the owner of the property applying for water service shall execute the “waiver of the right to protest annexation” formulated by the City in a form suitable for recordation. To facilitate the waiver’s preparation, the applicant shall provide the City with all documents the public works department requires to ascertain the identity of all persons having an interest in the property and to ascertain the identity of the authorized representatives of any business entity having an interest in the property; and

J. *Environmental Review.* The City shall determine the appropriate level of environmental review, subject to the requirements of CEQA, for each proposed connection. If needed,

the applicant shall be required to complete such review prior to the appropriate decision-making body considering the application.

J.K. *City Discretion.* Nothing in this section shall be construed to require the provision of water service outside of the City limits and the City's decision to provide such service shall remain a discretionary authority of the City.

Outside City Limits, within Priority Service Area.

All persons or entities requesting a water service connection outside City limits may be granted a new water connection permit or a permit for a new use or the intensification of an existing use, pursuant to the *Application Requirements*, under the following standards:

- A. *Service Charge for Connections Outside the City within the Priority Service Area.* Service charges for connection and monthly service shall be as provided under the current rate ordinances of the City, plus a 50 percent surcharge or as otherwise set by resolution of the City Council.
- B. *Priority Service Areas.* To ensure orderly outward extension of public services, the City has prioritized water service to those properties that may be appropriate for future incorporation or may otherwise benefit the city and its residents. Trinidad may grant water connections outside City limits under the following circumstances:
 1. *Priority Service Areas A & B.* The approving body, with recommendations from the Public Works Director, City Engineer, and City Clerk, shall have the discretion to execute a contract for, and issue a water connection to those premises located within Priority Service Areas A or B under the following circumstances:
 - a. *Minor water user.* If the location of service is within Priority Service Area A or B, and the requested connection is for use(s) requiring an annual average of less than 500 gpd with a peak usage of no more than 1,000 gpd as averaged over any one month, the City Manager may approve the connection if he/she issues a written determination that:
 - I. The connection's primary use will [*optional language: not be for the production of commercial cannabis and will*] support one or more of the following uses:
 - i. Visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation, or
 - ii. Coastal-dependent industry per [California Coastal Act Section 30101](#), or
 - iii. Private residential development, or
 - iv. Essential public services (i.e. Fire Dept., Schools, etc.), and;
 - II. Water service provision is consistent with the water service policies of the City and other applicable jurisdictional agencies.

- b. *Major water user.* If the location of service is within Priority Service Area A or B, and the requested connection is for use(s) requiring an annual average of more than 500 gpd or 1,000 gpd as averaged over any one month , the City Council may approve the connection if the following findings can be made:
- I. The connection’s primary use will [*optional language: not be for the production of commercial cannabis and will*] support one or more of the following uses:
 - i. Visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation, or
 - ii. Coastal-dependent industry per [California Coastal Act Section 30101](#), or
 - iii. Private residential development, or
 - iv. Essential public services (i.e. Fire Dept., Schools, etc.), and;
 - II. Water service provision is consistent with the water service policies of the City and other applicable jurisdictional agencies, and;
 - III. The City has the excess capacity, beyond what is needed to serve existing customers and all anticipated development within the City, sufficient to serve to applicant connection.
 - IV. The new water service connection will not negatively impact other users or components of the City’s water system as determined by the City Engineer, or that improvements will be required as part of the connection, at the expense of the applicant, that will eliminate or minimize those negative impacts to the satisfaction of the City Engineer.
- c. *Annexation.* Annexation to the City may be required for any water service connections in Priority Service Areas A & B.
- I. Timing of annexation proposals will be determined based on what is most beneficial to the citizens of the community. The annexation may be required prior to, concurrent with, or subsequent to the service connection.
 - II. The applicant shall be responsible for all costs associated with the annexation application, or a share of those costs. The applicant’s share of annexation costs, as determined by the City Manager, shall be due at the time of the water service connection, regardless of timing of the annexation application.
 - III. If the City Council determines that the timing for annexation is not ripe, the applicant shall record a Waiver of Right to Protest Annexation, in a form approved by the City attorney, on the property deed. Such waiver shall apply to all heirs, successors and others having an interest in the property.
 - IV. The City Council may waive the annexation requirement and issue a written finding that annexation of the affected property is infeasible.

2. *Priority Service Area C.* New connections in Priority Service Area C shall not be allowed until and unless the City Council makes a determination that the City has the capacity to serve all, or a designated portion of it. If and when that determination is made, the following policies shall apply.
 - a. *Annexation.* Annexation to the City may be required for any water service extensions in Priority Service Area C.
 - I. Timing of annexation proposals will be determined based on what is most beneficial to the citizens of Trinidad. The annexation may be required prior to, concurrent with, or subsequent to the service extension.
 - II. The applicant shall be responsible for all costs associated with the annexation application, or a share of those costs. The applicant's share of annexation costs, as determined by the City Council, shall be due at the time of the water service extension, regardless of timing of the annexation application.
 - III. If the City Council determines that the timing for annexation is not ripe, the applicant shall record a Waiver of Right to Protest Annexation, in a form approved by the City Attorney, on the property deed. Such waiver shall apply to all heirs, successors and others having an interest in the property.
 - IV. The City Council may waive the annexation requirement and issue a written finding that annexation of the affected property is infeasible.
 - b. In order to extend a water service connection prior to, or concurrent with an annexation application, the City Council shall issue a written determination that:
 - I. The connection's primary use will *[optional language: not be for the production of commercial cannabis and will]* support one or more of the following uses:
 - i. Visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation, or
 - ii. Coastal-dependent industry per [California Coastal Act Section 30101](#), or
 - iii. Private residential development, or
 - iv. Essential public services (i.e. Fire Dept., Schools, etc.), and;
 - II. Water service provision is consistent with the water service policies of the City and other applicable jurisdictional agencies, and;
 - III. The City has the excess capacity beyond what is needed to serve existing customers and all anticipated development within the city sufficient to serve to applicant connection.
 - IV. The new water service connection will not negatively impact other users or components of the City's water system as determined by the City Engineer, or that improvements will be required as part of the connection, at the

expense of the applicant, that will eliminate or minimize those negative impacts to the satisfaction of the City Engineer.

Outside City Limits, not in Priority Service Areas.

- A. *Service Charge for Connections Outside the City and Priority Service Area.* Service charges for connection and monthly service shall be as provided under the current rate ordinances of the City, plus a 75 percent surcharge or as otherwise set by resolution of the City Council.
- B. Limitations. When City water service is sought for a connection that is not within a Priority Service Area, or that does not meet the criteria set forth above, then the request shall be denied, unless authorized by an exception from the City Council, for a "Health and Safety Concern" or per "City Council Exception" as outlined below.
- C. *Health and Safety Concern.* The City Council may authorize a water service connection to any legally developed premises located outside the City jurisdictional boundary to respond to an existing or impending threat to health or safety, if the following requirements are met:
1. The premises are presently being served by a well that has been verified as being rendered unsafe from contamination. The applicant shall be responsible for providing documentation of a health and safety threat to the satisfaction of the City Manager;
 - OR
 2. The premises was intended to be served by a water well that had adequate capacity at the time of entitlement, but now has an insufficient water flow to serve its needs
 3. The connection meets the following criteria:
 - a. The provision of municipal water to the premises shall not promote the creation of a subdivision of the parcel proposed to receive water service, and
 - b. There is no other feasible alternative water source to the premises, and
 - c. The need for municipal water service is the result of unintentional and exceptional circumstances that are not the product of a non-permitted use of the property, or improper well design and maintenance or any failure to undertake diligent efforts to pursue the development of a well consistent with the state of the then-present technology. The applicant shall provide such evidence to the satisfaction of the City Engineer, and
 4. If the connection requires an annual average of more than 500 gpd or 1,000 gpd as averaged over any one month, the City Council shall make a written determination of excess capacity, beyond what is needed to serve existing customers and all anticipated development within the City, sufficient to serve to applicant connection.

Format

5. The provision of municipal water service must not conflict with any California or Humboldt County adopted laws, regulations, policies or standards for the provision of municipal water services, and
 6. The new water service connection shall not negatively impact other users or components of the City's water system as determined by the City Engineer, or improvements shall be required as part of the connection, at the expense of the applicant, that will eliminate or minimize those negative impacts to the satisfaction of the City Engineer.
 7. The service lateral shall not exceed the length of five hundred feet.
- D. *City Council Exception.* Upon approval by motion of the City Council, the City may, but is in no way obligated to, approve the connection to City water services outside of the City limits. The City Council may only approve such connections upon making the following findings:
1. When it is demonstrated that the connection would benefit the City, including
 - a. There is a demonstrated equal or near equal return to the City based on the cost of such service, and
 - b. That the provision of such service outside the City benefits directly the health and safety of residents or the condition of municipal services of the City; and
 2. The City has capacity to serve the proposed connection ~~w~~as well as all existing connections and future build-out within the City; and
 - 2.3.The new connection will not remove water system capacity needed to serve Coastal Act priority uses within Area C.
 - 3.4.The new water service connection will not negatively impact other users or components of the City's water system as determined by the City Engineer, or improvements will be required as part of the connection, at the expense of the applicant, that will eliminate or minimize those negative impacts to the satisfaction of the City Engineer.
 - 4.5.That the provision of such service will not induce additional growth and urban development outside the City that will negatively impact the City, coastal resources consistent with §30250(a) of the Coastal Act, or the rural character of the Trinidad area.

Appeals

- A. Any person affected by an approval or denial of a water service connection outside city limits as authorized under this section by the City Manager may appeal to the City Council by filing a notice of appeal with the Clerk of the City within 30 working days of the action of the City Manager. The notice of appeal shall be accompanied by a filing fee set by resolution of the City Council of the City in an amount sufficient to cover costs. The appeal shall stay the effect of the action of the City Manager.

- B. The appeal shall be in writing and addressed to the City Council. The applicant shall file the appeal with the City Clerk. The City Clerk shall forward copies of the appeal to the City Council, City Manager, and Public Works Director. In the notice of appeal, the appellant shall state in full the facts and circumstances which make the action of the service connection authorization unreasonable. It shall also state the date of the claimed unreasonable action of the City Manager.
- C. The City Council shall cause the matter to be set for hearing not earlier than 20 days after the appeal has been filed with the Clerk of the City. The Clerk of the City shall cause notice to be mailed to all affected persons (within 100 feet of the property boundaries) at least 10 days prior to the hearing.
- D. At the time and place set for the hearing, the City Council shall proceed to hear the testimony of the City Manager, the testimony of the owner or their representatives, and the testimony of other competent persons concerning conditions upon which the action of the City Manager is based and other matters which the City Council may deem pertinent. Any person affected may be present at such hearing, may be represented by counsel, may present testimony, and other witnesses. The hearing may be continued from time to time. The City Manager may be represented by counsel. At the request of the City Manager, the City Attorney shall represent the City Manager.
- E. The City Council may upon the appeal either affirm the action of City Manager or modify the City Manager's action in whole or in part. The decision of the City Council upon an appeal shall be based upon the facts presented to it.

AN ORDINANCE OF THE CITY OF TRINIDAD
ADDING SECTION 17.08.265 AND AMENDING SECTION 17.44.020 OF TITLE 17 OF THE
TRINIDAD MUNICIPAL CODE TO DEFINE 'EMERGENCY SHELTER' AND TO ALLOW
EMERGENCY SHELTERS AS A PRINCIPALLY PERMITTED USE IN THE COMMERCIAL
ZONE (AMENDING SECTIONS 2.03 AND 4.09.A OF THE COASTAL COMMISSION
CERTIFIED ZONING ORDINANCE)

Chapter 17.08
DEFINITIONS

Sections:

17.08.010	Construction.
17.08.020	Advertising area.
17.08.030	Aggrieved person.
17.08.040	Agriculture.
17.08.050	Bluff.
17.08.060	Building.
17.08.070	Building, accessory.
17.08.080	Building inspector.
17.08.090	Campground.
17.08.100	City, city council.
17.08.110	City clerk.
17.08.120	Coastal commission.
17.08.130	Coastal development permit.
17.08.140	Coastal zone.
17.08.150	Condominium.
17.08.160	Day care center.
17.08.170	DBH.
17.08.180	Density.
17.08.190	Design assistance committee.
17.08.200	Development.
17.08.210	Duplex.
17.08.220	Dwelling, multi-family.
17.08.230	Dwelling, single-family.
17.08.240	Dwelling, townhouse.
17.08.250	Dwelling unit.
17.08.260	Emergency.
<u>17.08.265</u>	<u>Emergency Shelter</u>
17.08.270	Family.
17.08.280	Feasible.
17.08.290	Fence.
17.08.300	Fill.
17.08.310	Floor area, gross.
17.08.320	General plan.
17.08.330	Grade.
17.08.340	Guest house.

17.08.350	Height.
17.08.360	Home occupation.
17.08.370	Kennel.
17.08.380	Lot.
17.08.390	Lot area.
17.08.400	Lot, corner.
17.08.410	Lot frontage.
17.08.420	Lot, interior.
17.08.430	Lot lines.
17.08.440	Lot line, rear.
17.08.450	Lot, nonconforming.
17.08.460	Mobile home.
17.08.470	Mobile home park.
17.08.480	Motel, <i>inn</i> .
17.08.490	New.
17.08.500	Nonconforming.
17.08.510	Off-street parking.
17.08.520	Off-street loading.
17.08.530	Ownership.
17.08.540	Person.
17.08.550	Public works project.
17.08.560	Recreation, commercial.
17.08.570	Recreational vehicle or RV.
17.08.580	Rest home.
17.08.590	Servant's quarters.
17.08.600	Services, personal and professional.
17.08.610	Sign.
17.08.620	Sign, freestanding.
17.08.630	Sign, off-premise.
17.08.640	Parking lot, public.
17.08.650	Sign, on-premise.
17.08.660	Story.
17.08.670	Street.
17.08.680	Structure.
17.08.690	Structure, accessory.
17.08.700	Use.
17.08.710	Use, accessory.
17.08.720	Use, principal permitted.
17.08.730	Yard.
17.08.740	Yard, front.
17.08.750	Yard, rear.
17.08.760	Yard, side.
17.08.770	Zone.

...

17.08.260 Emergency. "Emergency" means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. (Ord. 84-180 §6(part), 1984)

17.08.265 Emergency Shelter. "Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months of less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

17.08.270 Family. "Family" means one person; or two or more persons; or a group not in excess of five persons living together as a single housekeeping unit. (Ord. 90-204 §2(T), 1990; Ord. 166 Appx. A(part), 1979)

...

Chapter 17.36

PD ZONE

Sections:

17.36.010	Established--Purpose.
17.36.020	Uses permitted with a use permit.
17.36.030	Minimum lot area.
17.36.040	Maximum density.
17.36.050	Minimum yards.
17.36.060	Maximum building height.
17.36.070	Open space.
17.36.080	Application procedure.

17.36.010 Established--Purpose. The planned development (PD) zone is intended to be used in areas designated as planned development in the general plan. These areas are either residential areas where limited commercial activity may be appropriate, subject to special *integrating design*, or they are areas where design flexibility is needed to adapt appropriate uses to the site and to *surrounding uses*. Limited commercial uses, *including visitor accommodations*, visitor services, recreational uses, offices, gift shops and personal services may be appropriate. The PD zone is not intended for campgrounds and recreational vehicle parks.

The following regulations in this chapter shall apply in all planned development zones. (Ord. 166 §4.07(part), 1979)

17.36.020 Uses permitted with a use permit. Uses permitted with a use permit in the PD zone are:

- A. Single-family dwelling, duplex, condominiums and townhouses with not more than four dwellings in a building; groups of permitted types;
- B. Motels, *inns*, *gift shops*, restaurants (not drive-in), personal services, professional offices, retail sales and visitor services;
- C. Home occupations as provided in Section 17.56.060;
- D. Rest homes, day care centers, emergency shelters with onsite management and not more than 10 beds;

E. A combined residence with a business use allowed by this section, other than a motel, where the business is not a home occupation as described by this title. (Ord. 87-190 §1(Exh. A(part)), 1987; Ord. 168 §3, 1980: Ord. 167 §7, 1980: Ord. 166 §4.07(A), 1979)

17.36.030 Minimum lot area. For planned developments with five or more dwelling or commercial units, two thousand five hundred square feet per dwelling lot; none for commercial units; provided that the ground floor area of the unit shall not exceed one hundred percent of the lot area, except ground floor area shall not exceed seventy-five percent of the area of a corner lot. Lots shall be not less than thirty feet in width, except that corner lots shall not be less than forty-two feet in width. For planned development with less than five dwelling or commercial units, eight thousand square feet. (Ord. 166 §4.07(B)(1), 1979)

17.36.040 Maximum density. The number of dwelling units permitted shall be determined by dividing the net development area by eight thousand square feet. Net development area shall be determined by subtracting the area devoted to commercial uses including yards, open space, parking and access roads serving commercial uses, and areas over thirty percent slope. If septic tanks are the intended means of wastewater disposal, density shall be based on soil suitability and the requirements of the city's wastewater disposal regulations. (Ord. 166 §4.07(B)(2), 1979)

17.36.050 Minimum yards. Minimum yard requirements in the PD zone are as follows: where eight thousand square feet minimum lot area applies, same as UR zone; where two thousand five hundred square feet minimum lot area applies, none, except when adjacent to any other zone the yard shall be the same as that required in the adjacent zone. The minimum yard between buildings shall be equal to the height of the higher building. (Ord. 166 §4.07(8)(3), 1979)

17.36.060 Maximum building height. Maximum building height is twenty-five feet, except that the design assistance committee may require a lesser height as provided in Section 17.56.190. (Ord. 166 §4.07(B)(4), 1979)

17.36.070 Open space. Twenty-five percent of the project site shall be common open space when dwellings are included. In addition, eight hundred square feet of common usable open space shall be provided per dwelling unit. The developer shall landscape and provide suitable recreational facilities within the usable open space areas and establish a homeowners' association or other means of providing for the perpetual maintenance of both usable and unusable common open space. Private open space, consisting of balconies or fenced area, shall be provided adjacent to each dwelling unit, and the area of such private open space shall be at least ten percent of the gross floor area of the dwelling unit. (Ord. 166 §4.07(B)(5), 1979)

17.36.080 Application procedure. The applicant shall submit three copies of the following information to the city clerk:

- A. A map to scale showing:
 1. Division of the land for the sale of individual lots, if any,
 2. Existing contours at intervals of not less than five feet and location of trees and other significant natural features,
 3. Proposed automobile and pedestrian accessways,
 4. Areas proposed to be reserved for common open space,
 5. Location of commercial uses, dwellings, related off-street parking and any other proposed uses with dimensions showing building size, setbacks and yard areas,
 6. Proposed landscaping, fencing and screening,
 7. Provision for drainage of surface waters:

- B. A tabulation of total number of acres and percent thereof designated for various uses, the number of dwelling units proposed by type, and the estimated population by type of dwelling;
- C. A statement setting forth a program for installation and maintenance of parking areas, lighting, courts, public and private grounds, landscaping, streets, utilities, community buildings and common open space including copies of legal documents;
- D. Building elevations to scale, and a statement of design principles for structures and streetscapes;
- E. Such additional information as may be required by the planning commission;
- F. An initial environmental study which satisfies the requirement of the California Environmental Quality Act and city regulations adopted pursuant thereto.

Within thirty days of submittal, the applicant, interested staff and the planning commission shall meet to discuss the proposed development. A letter shall be transmitted by the city clerk within five working days after the meeting to the applicant indicating whether or not the proposal conforms with the general plan, zoning and subdivision titles and other applicable city regulations. If the applicant wishes to proceed, a use permit application shall be submitted to the city clerk. The application shall include seven copies of the information required above and a legal description of the property. If, after following the procedures in Chapters 17.60 through 17.68 regarding consideration of use permit applications, the planning commission approves, or approves subject to conditions, the plan and any conditions shall be forwarded to the city council for consideration and the use permit shall not become effective until ten days following approval by the city council. Unless changes are approved by the city council after receiving a recommendation from the planning commission, all aspects of the planned development shall conform to the approved development plan, which shall be made a part of the use permit. Use permits may specify a development completion period of not more than three years at which time the use permit shall expire unless the applicant obtains the one-year extension. (Ord. 166 §4.07(B)(6), 1979)

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Chapter 17.44

C ZONE

Sections:

17.44.010	Established--Intent.
17.44.020	Principal permitted uses.
17.44.030	Uses permitted with a use permit.
17.44.040	Minimum lot area.
17.44.050	Maximum density.
17.44.060	Minimum yards.
17.44.070	Maximum building height.

17.44.010 Established--Intent. The commercial zone is intended to be applied to areas designated commercial in the general plan. It provides for the commercial services that meet the convenience and retail needs of the residents and visitors. Uses serving the commercial

fishing industry are also appropriate. The following regulations shall apply in all commercial zones. (Ord. 166 §4.09(part), 1979)

17.44.020 Principal permitted uses. Principal permitted uses in the C zone are:

- A. Professional and business offices;
- B. Social halls, fraternal and social organizations and clubs;
- C. Emergency shelters with onsite management and not more than 10 beds;
- ~~D.~~ Retail stores, agencies and services of a light commercial nature conducted entirely within an enclosed building such as antique shops, art galleries, retail bakeries, banks, barbershops, beauty salons, book stores, clothing and apparel stores, coin operated dry cleaning and laundry establishments, drugstores, florist shops, food markets, furniture stores, hardware and appliance stores, radio and television sales and service, restaurants and appurtenant licensed premises, service stations, studios, tailor shops, enclosed theaters, variety stores, plant nurseries, smokehouses and related sales, secondhand sales *appurtenant* to another permitted use. (Ord. 166 §4.09(A), 1979)

17.44.030 Uses permitted with a use permit. Uses permitted in the C zone are:

- A. Motels; single-family dwellings associated with a commercial use;
- B. Major auto repair, new and used auto, RV and boat sales, licensed premises not appurtenant to any restaurant, secondhand sales, storage warehouses, small animal hospital within a building, cabinet shops, contractor yards, handicraft manufacture, lumber yards, metal working shops, printing, wholesaling, commercial recreational facilities, piers, manufacture, repair and storage of fishing equipment, storage and processing of ocean produce. (Ord. 166 §4.09(B), 1979)

17.44.040 Minimum lot area. Minimum lot area in the C zone is eight thousand square feet. (Ord. 166 §4.09(C)(1), 1979)

17.44.050 Maximum density. Maximum density in the C zone is one motel unit per two thousand five hundred square feet of lot area; eight thousand square feet of lot area per dwelling unit. (Ord. 166 §4.09(C)(2), 1979)

17.44.060 Minimum yards. Minimum yards in the C zone are front, twenty feet; rear and side, none except five feet when adjacent to any other zone. (Ord. 166 §4.09(C)(3), 1979)

17.44.070 Maximum building height. Maximum building height in the C zone is twenty-five feet, provided that greater height may be permitted subject to obtaining a use permit. (Ord. 166 §4.09(C)(4), 1979)

...

17.56.180 Parking. Off-street parking and loading space shall be provided in all zones in conformity with the following:

- A. Each required parking space shall not be less than eight feet six inches wide, eighteen feet long and seven feet high, provided that where three to four spaces are required, one space may be sixteen feet long to accommodate compact cars; where five spaces are

required, two may be sixteen feet long; and where six or more spaces are required, up to fifty percent of the spaces may be sixteen feet long.

B. Parking spaces shall be as follows:

1. Campground, RV park, motel: two spaces plus one space per unit;
2. Single-family dwelling and mobilehome on a lot: two spaces in addition to any garage spaces;
3. Attached dwellings (duplex, townhouse): 1.5 spaces per unit;
4. Offices and retail business: one space per three hundred square feet of gross floor area, with a minimum of three spaces. One additional space per employee in a medical or dental office;
5. Restaurant, lounge: one space for each four seats or two hundred square feet of gross floor area, whichever is the largest;
6. Drive-in restaurant: one space per one hundred square feet of gross floor area;
7. Wholesale, service station, vehicle and equipment repair, day care center, retail sale of bulky items: two spaces plus one space per employee on largest shift;
8. Emergency shelters: two spaces plus one space for every five beds;
98. Within the PD planned development zone: gift shops, personal services, professional offices, retail sales, visitor services and combined residence and businesses other than a home occupation: a minimum of three spaces for up to five hundred square feet of gross floor area of the business; an additional one space per each additional three hundred square feet of gross floor area of the business. This provision applies only in PD or planned development zones.

C. Required parking spaces shall be located on the same lot with the use to be served. Required parking shall not be located closer than twenty feet to the intersection of street right-of-ways. Where four or more dwellings are located on the same lot, outdoor parking shall not be closer than five feet to any on-site building and not closer than three feet to any side or rear lot line. Where more than four parking spaces are required, they shall not be located so as to require backing into the public street right-of-way. Where parking spaces or an aisle serving a parking facility is adjacent to the UR or SR zones, a sight-obscuring fence at least four feet high shall be provided.

D. Any parking facility of four or more vehicles, including access driveways and aisles, shall be graded and drained to dispose of surface water to the satisfaction of the city engineer, and shall be surfaced with concrete, asphaltic concrete, bituminous surface treatment or an equivalent satisfactory to the city engineer, and shall be maintained in good condition free of weeds, trash and debris. Individual parking spaces shall be designated by contrasting paint or markers.

E. Driveways providing access to a parking facility shall be at least twelve feet wide for each lane of travel, and aisles providing access to parking spaces shall be as follows:

1. One-way aisle serving angle parking less than fifty degrees, twelve feet wide;
2. One-way aisle serving angle parking fifty to seventy-five degrees, or two-way aisle serving angle parking less than fifty degrees, eighteen feet wide;
3. Two-way aisle serving angle parking fifty degrees or more, or aisle serving more than seventy-five degree angle parking, twenty-four feet wide.

F. Parking facilities for nonresidential uses which will be used after dark shall be lighted, provided that the light source shall be directed away from adjoining residential premises.

G. Required parking for residences and for uses requiring less than four parking spaces shall be graded and surfaced to provide an all-weather surface.

H. In the PD, planned development zone, in lieu of providing parking facilities required by the provisions of this section, the requirements may be satisfied by payment to the city, prior to the issuance of the building permit, of an amount per parking space, prescribed by the council, for each parking space required by this section but not provided. The payment

shall be deposited with the city in a special fund and shall be used, whenever possible, for the purpose of acquiring, developing, maintaining or enhancing parking facilities located, insofar as practical, in the vicinity of the use for which the payment is made. The council may decline to accept payment in lieu of providing parking facilities. (Ord. 87-190 §1(Exh. A(part)), 1987; Ord. 167 §10, 1980; Ord. 166 §6.18, 1979)

March 2020

PUBLIC REVIEW DRAFT



CITY OF TRINIDAD

HOUSING ELEMENT 2019 – 2027



Prepared by



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Introduction

Purpose

The purpose of the Housing Element is to identify housing solutions that solve local housing problems and to meet or exceed the Regional Housing Needs Allocation. The City recognizes that the provision of adequate housing is best met through various resources and interest groups. This element establishes the local goals, policies, and programs the City will implement and/or facilitate to address the identified housing issues.

State law requires the Housing Element to be consistent and compatible with other General Plan elements. The Housing Element should provide clear policy direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. State law (Government Code Sections 65580 through 65589) mandates the content of the Housing Element and requires an analysis of:

- Population and employment trends;
- The City’s fair share of the regional housing needs;
- Housing stock and household characteristics;
- An inventory of land suitable for residential development;
- Governmental and non-governmental constraints on the improvement, maintenance, and development of housing;
- Special housing needs;
- Opportunities for energy conservation; and
- Publicly assisted housing projects that may convert to market rate housing projects.

The purpose of these requirements is to develop an understanding of the existing and projected housing needs within the community and to set forth policies and schedules promoting the preservation, improvement, and development of diverse housing types available at a range of costs.

General Plan Consistency

The City of Trinidad General Plan provides goals relating to protection and utilization of resources, development consistent with service levels, and constraints to development. Any proposed land use must be compared with the entire General Plan to determine if the project is consistent with the basic land use designation and does not adversely affect an overlaying constraint. The Introduction to the General Plan lists the locations of all components of the General Plan. The General Plan establishes both opportunities for development and constraints against development.

The Housing Element update has been analyzed for consistency with the City’s General Plan and does not propose any goals, policies, or programs that are considered contrary to General Plan goals, policies, and programs. No changes are proposed to the existing General Plan land use designations. The City will review and revise the Housing Element as necessary for consistency when amendments are made to the General Plan.

Regional Housing Needs Allocation

The Humboldt County Association of Governments (HCAOG) is a Joint Powers Authority (JPA). Membership includes Humboldt County and the cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad. As directed in State Government Code Section 65584, the Department of Housing and Community Development (HCD) determines the existing and projected housing need for distinct regions in the state. In consultation with HCD, HCAOG is required to adopt a Regional Housing Needs Plan (RHNP) that allocates a share of the regional housing need to each city and county. The 8.7-year projection period begins December 31, 2018 and ends August 31, 2027.

Listed below is the breakdown of the RHNA for the City of Trinidad, by income group, for the 2018–2027 period.

Table 1: Future Housing Needs, 2018–2027

Income Category	2018–2024 RHNA
Very Low	4
Low	4
Moderate	3
Above Moderate	7
Total	18

Source: California Department of Housing and Community Development

Data Sources

In preparing the Housing Element, various sources of information were used. The City relied on the US Census, American Community Survey (ACS), California Department of Finance, and other local sources as available.

The US Census, which is completed every 10 years, is an important source of information for the community profile. It provides the most reliable and in-depth data for demographic characteristics of a locality. The ACS is conducted by the US Census Bureau and provides estimates of numerous housing-related indicators based on samples averaged over a five-year period. The Housing Needs Assessment reflects the data provided from HCD and the 2012–2016 ACS data. It should be noted that the ACS data can have a large margin of error for a community as small as Trinidad, so the data may not always be accurate.

The California Department of Finance is another source of valuable data and is more current than the census. However, the Department of Finance does not provide the depth of information that can be found in the US Census Bureau reports. Whenever possible, Department of Finance data and other local sources were used in the Housing Needs Assessment in order to provide the most current profile of the community.

Public Participation

The California Department of Housing and Community Development requires that local governments make a diligent effort to achieve the public participation of all economic segments of the community.

During the Housing Element update process, the City of Trinidad made diligent efforts to reach all segments of the community. Public input on housing needs and strategies is critical to developing appropriate and effective City housing programs. The City elicited public participation by posting notices in public locations around town and by contacting service providers (specifically representing lower-income households), local real estate agents, developers, housing needs advocacy groups, and other stakeholders.

All segments of the community were encouraged by the City to participate in the preparation of the Housing Element through a combination of general public notices and direct contacts with organizations serving low-income and special needs groups. The City also informed each group that the draft Housing Element has been submitted to HCD and to ask for input and feedback.

- Trinidad Chamber of Commerce
- Trinidad Lion's Club
- Trinidad Elementary School
- Forbes and Associates
- Humboldt Association of Realtors
- McKinleyville Family Resource Center
- Housing Humboldt
- Adult Day Health Care of Mad River

The draft Housing Element was available for review on the City's website and hard copies were available at City Hall and the Trinidad Library during the entire update process.

Planning Commission Hearings

On March 4, 2020 City staff presented the Housing Element update and Zoning Ordinance Amendments scope or work and schedule to the Planning Commission and requested feedback. No comments were received.

The City also held a Planning Commission hearing on March 18, 2020 where the draft was presented for review and comment.

Comments Received

No Public comments have been received to date.

City Council Hearings

To be completed once hearings occur.

Housing Goals, Objectives, and Programs

The City's goals, policies and objectives are intended to accomplish the broad State housing goals and requirements as appropriate for Trinidad's particular needs and circumstances. The format and organization of the goals and policies of the City's Housing Element are slightly different than the other chapters of the General Plan. Rather than there being a set of policies for each goal, all the goals and policies are grouped together because most of the policies are applicable to multiple goals.

Goal HG-1: Assure adequate, safe, cost-effective and energy efficient housing opportunities for all segments of the community, while maintaining the quality living environment and rural character of Trinidad by planning for and enabling the development of balanced residential neighborhoods with access to affordable housing, community facilities and public services.

Community Housing Policies

- HP-1.1 Review all new residential development to be consistent with the existing small-town character of the community and to ensure sustainability as well as scenic and environmental protection. Review and revise Trinidad's View Protection Criteria as necessary to provide clearer guidance and reduce community conflicts while still protecting important public and private coastal views.
- HP-1.2 Due to existing physical constraints, retain the existing emphasis on single-family dwelling units in residential designated areas. ADUs, which are a valuable source of affordable housing, shall be carefully regulated to ensure that coastal resources are protected and may not be appropriate on all residential lots. Encourage limited multi-family developments on large Planned Development lots, provided that the density does not exceed the physical limitations of the land.
- HP-1.3 Continue to allow manufactured housing to be permitted on sites where single-family dwellings would otherwise be allowed.
- HP-1.4 Promote conservation and improvement of the existing housing stock, with emphasis on older structures. Specific areas of concern include energy efficiency, electrical wiring, foundation stability, potential for water damage, and septic tank failure.
- HP-1.5 Encourage the use of private-initiated and / or publicly-funded programs to provide housing for low- and moderate-income families, and pursue as feasible, appropriate, applicable local, State, and Federal housing and economic development programs. As pertinent information becomes available, develop a program for notifying residents of the availability of housing programs and funding.
- HP-1.6 Preserve the City's more affordable housing stock along with historical and cultural heritage through preservation and innovative reuse of older structures

Goal HG-2: Provide for adequate housing for persons with special housing needs such as target income groups of low-income, the elderly, handicapped, and female-headed households.

Special Needs Housing Policies

- HP-2.1 Discrimination in housing based on race, color, religion, sex, family size, marital status, national origin, ancestry, or other arbitrary factors is not permitted. Support appropriate safeguards to ensure fair housing opportunities.

- HP-2.2 Encourage provisions for access for the handicapped in new or rehabilitated residential and commercial developments by considering exceptions or revisions to City ordinances allowing more flexibility relating to zoning, density, reduced setbacks or other incentives to provide reasonable accommodation or improve living conditions of residents as long as coastal resources are still adequately protected.

- HP-2.3 Encourage the County to allow a variety of housing types in the residential areas surrounding the City. Consider entering into a multi-jurisdictional agreement to provide housing and / or shelter for homeless persons.

- CD-9.8 Encourage new residential development in Trinidad to specifically address the needs of seniors, including projects that have smaller yards, low-maintenance landscaping, limited mobility fixtures, and appropriately sized parking spaces.

Implementation Programs

HI-1 Amend the Zoning Ordinance to address the following:

- **Accessory Dwelling Units (ADUs).** Allow Accessory Dwelling Units (ADU) in accordance with ensure Assembly Bill 2299 and Senate Bill 1069. Coordinate with the California Coastal Commission for review and ultimate inclusion into the City’s Local Coastal Program (LCP).
- **Manufactured housing/Mobile homes.** Allow manufactured housing and mobile homes in the same manner and in the same zone as a conventional or stick-built structures are permitted (Government Code Section 65852.3).
- **Single Room Occupancy Units (SROs).** Define and allow with a use permit in the Planned Development (PD) Zoning District.
- **Transitional and Supportive Housing.** Define supportive housing. Permit transitional and supportive housing as permitted uses subject to only the same restrictions on residential uses contained in the same type of structure. In addition, supportive housing will be allowed as a permitted use, without discretionary review, in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses.
- **Emergency Shelters.** Allow by-right, without discretionary review, in the Public Facilities (PF) zoning district.
- **Employee Housing.** Comply with the State Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6).
- **Density Bonus.** Comply with state density bonus law (Government Code Section 65915, as revised). Promote the density bonus through informational brochures which will be displayed at City Hall
- **Reasonable Accommodation.** Develop and formalize a process that a person with disabilities will need to go through to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process. The City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from HCD. This information will be available through postings and pamphlets at the City and on the City’s website.
- **Residential Care Facilities.** Allow for residential care homes with six or fewer persons by right in all residential zones subject only to the same restrictions in that zone; and allow larger group homes of seven or more persons in the UR and SR zoning districts with a conditional use permit. Additionally, the City will amend the Zoning Ordinance to update its definition of “family” to be “One or more persons living together in a dwelling unit.”

Responsibility: City Council, Planning Commission, Planning Staff, and the CCC.

Time Frame: Amend the Zoning Ordinance by January 2022, with the exception of allowing emergency shelter by-right, which will be completed concurrently with adoption of this Housing Element. Amendments are dependent on the California Coastal Commission review process.

Funding Source: General Fund and or grants

HI-2 AB 101 (2019), review the City’s Zoning Ordinance and make revisions if necessary, to allow low barrier navigation centers for the homeless per Government Code 65660-65668.

Responsibility: City Council, Planning Commission, and Planning Staff

Time Frame: Review zoning by 2022. Make revisions by June 30, 2023.

Funding Source: General Fund

HI-3 As resources are available, publicize available programs regarding the following topics through a local community newsletter or water billing:

- Subsidized Housing Programs
- Shared Housing Opportunities
- Available day care/nursery school programs
- Permit process to become a licensed day care provider
- Available adult day care program
- Fair Housing Practices
- Nearby Social Services
- Housing Rehabilitation Programs, Weatherization Programs
- Local Employment Opportunities

Responsibility: City Council and City Clerk

Time Frame: Ongoing, as programs are available

Funding Source: General Fund

HI-4 As Notice of Funding Available (NOFAs) are released, apply for available grant funding through the CalHome program to assist individual first-time homebuyers through deferred-payment loans for down payment assistance, home rehabilitation, including manufactured homes not on permanent foundations, acquisition and rehabilitation, homebuyer counseling, self-help mortgage assistance, or technical assistance for self-help homeownership.

Responsibility: City Council, Planning Commission, and Planning Staff.

Time Frame: Annually apply as NOFAs are released.

Funding Source: CalHome

HI-5 To encourage development of housing for extremely low income households, work with local non-profits on a variety of activities, such as conducting outreach to housing developers on an annual basis; providing financial assistance (when feasible), or in-kind technical assistance; providing expedited processing; identifying grant and funding opportunities; applying for or supporting applications for funding on an ongoing basis; reviewing and prioritizing local funding at least twice in the planning period; and/or offering additional incentives beyond the density bonus.

In addition, support the rehabilitation of suitable structures to single room occupancy units by providing available grant funding or other financial assistance opportunities when projects are brought to the City.

Responsible Agencies: City Council, Planning Commission, and Planning Staff.

Timeframe: Annual outreach to developers, prioritize local funding at least twice in the planning period, and support expediting applications on an ongoing basis.

Funding Source: General Fund, CDBG funds

HI-6 Encourage new and rehabilitated units to include weatherization improvements such as ceiling and floor insulation, caulking, and weather-stripping and disseminate energy conservation information for existing housing by publicizing and / or providing information regarding energy audit and weatherization programs, such as those through the Redwood Coast Energy Authority, PG&E, and Energy Upgrade California™, as they become available .

Responsibility: City Council, Planning Commission, and Building Inspector

Time Frame: Ongoing, as projects are processed.

Funding Source: General Fund

HI-7 The City will establish a written policy or procedure and other guidance as appropriate to specify the SB 35 streamlining approval process and standards for eligible projects, as set forth under GC Section 65913.4.

Responsibility: City Council, Planning Commission, and Planning Staff

Time Frame: Annually review, develop a SB 35 streamlining approval process by January 2021.

Funding Source: General Fund

HI-8 Continue to require all projects to comply with the current version of Title 24 of the California Building Standards Code.

Responsibility: City Building Inspector

Time Frame: Ongoing, as projects are processed.

Funding Source: General Fund

HI-9 Consider requesting a local organization involved in housing rehabilitation (e.g. Redwood Community Action Agency (RCAA)) to survey the City of Trinidad’s housing stock as an initial step for establishing a housing rehabilitation program for targeted income groups.

Responsibility: City Council

Time Frame: Reach out to RCAA by January 2022, if funding is available, complete survey by January 2022.

Funding Source: General Fund

HI-10 Develop a plan to Affirmatively Further Fair Housing (AFFH). The AFFH Plan shall take actions to address significant disparities in housing needs and in access to opportunity for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing

with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.

Specific actions could include but are not limited to:

- Provide dedicated staff that investigates fair housing complaints and enforces fair housing laws.
- Facilitate public education and outreach by creating informational flyers on fair housing that will be made available at public counters, libraries, and on the City’s website. City Council meetings will include a fair housing presentation at least once per year
- Actively recruit residents from neighborhoods of concentrated poverty to serve or participate on boards, committees, and other local government bodies.
- Develop a proactive code enforcement program that holds property owners accountable.
- Provide education to the community on the importance of completing Census questionnaires.

Responsibility: City Council, Planning Commission, and Planning Staff

Time Frame: Create Plan by January 2023 and implement on an ongoing basis

Funding Source: General Fund

HI-11 The City will continue to encourage appropriately licensed / permitted cottage or home-base industries, including those related to commercial fishing / tourism to the area, to a reasonable extent, in efforts to bolster the City’s economy, promote affordable housing, and increase employment opportunities by implementing the following actions:

- Permit at least 1 licensed day care or nursery school operation where appropriate
- Increase tourism revenues by promoting community events
- Increase opportunities for development of cottage industries / home occupations that are compatible with neighborhood character and environmental constraints
- Permit appropriate and necessary ancillary services to the commercial fishing industry

Responsibility: City Council, City Clerk, and Planning Staff

Time Frame: As feasible, hold annual meetings between the City Council and Business Community.

Funding Source: General Fund

HI-12 Work with the Redwood Coast Regional Center to implement an outreach program that informs families in the city about housing and services available for persons with developmental disabilities. The program could include developing an informational brochure and directing people to service information on the City’s website.

Responsibility: City Council, City Clerk, and Planning Staff

Time Frame: Develop an outreach program within two years of adopting the Housing Element to assist persons with development disabilities.

Funding Source: General Fund

HI-13 To ensure that assisted affordable housing remains affordable, the City will monitor the status of all affordable housing projects and, as their funding sources near expiration, will work with owners and other agencies to consider options to preserve such units. The City will also provide technical support to property owners and tenants regarding proper procedures relating to noticing and options for preservation.

Responsibility: City Council, City Clerk, and Planning Staff

Time Frame: Ongoing, as projects approach expiration.

Funding Source: General Fund

H-14 To ensure that the use permit process for multi-family projects does not impact the timing, cost, or supply of multi-family development, the City shall monitor the use permit process on multi-family applications to determine whether or not the process impacts the development of multi-family units. During the annual report to the Planning Commission, an assessment shall be made of multi-family projects considered during the year. If it is determined that the use permit process impacts the timing, cost, or supply of multi-family housing, the City shall reconsider its position on this matter and adopt mitigations, which could include eliminating the use permit process.

In addition, to comply with new housing laws, the City will rezone all sites zoned PD to allow residential use by-right. This by-right (without discretionary review) requirement is only for housing developments in which at least 20 percent of the units are affordable to lower-income households.

Responsibility: City Council, City Clerk, and Planning Staff

Time Frame: Ongoing, as projects are processed. Rezone all sites zoned PD to allow residential use by-right within 3 years from adoption of this Housing Element.

Funding Source: General Fund

HI-15 The City will review the City's Safety Element and ensure compliance with new State Law.

Responsibility: City Council, City Clerk, and Planning Staff

Time Frame: Review by August 2020, revise as necessary by January 2022.

Funding Source: General Fund

Quantified Objectives

Based on the policies and actions outlined above, the following objectives represent a reasonable expectation of the maximum number of new housing units that will be developed, rehabilitated, or conserved and the number of households that will be assisted over the next five years. Table 2 illustrates the City’s realistic expectations for development during the planning period.

Table 2: Quantified Objectives, 2019–2027

	Income Category					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
New Construction (1)	2	2	4	3	7	18
Rehabilitation (2)						
Preservation (3)						
Total	2	2	4	3	7	18

Source: City of Trinidad, March 2020

(1) New construction objectives are based on the Regional Housing Needs Allocation

(2) There is not currently a funded rehabilitation program in place with the County.

(3) County staff has indicated that there are zero units at risk at this time based upon available information.

Evaluation of the Previous Housing Element

The following table provides the implementation progress of the City’s housing programs. As a part of this review and evaluation, the housing programs from the previous Housing Element have been completely reworked to be more straightforward and streamlined.

Program		Implementation status	Continue/Modify/Delete
<p>HI-1 Continue to pursue certification of an Accessory Dwelling Unit (ADU) Ordinance to allow second units where feasible, subject to certain restrictions allowed by State Law. The ADU Ordinance has been approved by the City Council and was forwarded to the California Coastal Commission (CCC) in May 2013 for review and ultimate inclusion into the City’s Local Coastal Program (LCP).</p>	<p><u>Responsibility:</u> City Council, Planning Commission, & Planning Staff</p> <p><u>Time Frame:</u> Within the next year. Dependent on CCC review process.</p>	<p>The City's ADU Ordinance has not been approved by the Coastal Commission. The Coastal Commission is requesting additional data including wastewater, geology, water, and parking.</p>	<p>Modify</p>
<p>HI-2 Continue to maintain zoning regulations that allow for manufactured housing on remaining developable residential lots within the City.</p>	<p><u>Responsibility:</u> City Council, Planning Commission</p> <p><u>Time Frame:</u> Ongoing.</p>	<p>Manufactured housing is treated as a single-family use.</p>	<p>Combine with HI-1.</p>
<p>HI-3 As relevant information becomes available, publicize available programs or resources regarding the following topics through a local community newsletter or water billing:</p> <ul style="list-style-type: none"> a. Subsidized Housing Programs b. Shared Housing Opportunities c. Available day care/nursery school programs d. Permit process to become a licensed day care provider 	<p><u>Responsibility:</u> City Council & City Clerk</p> <p><u>Time Frame:</u> Ongoing</p>	<p>The City plans to publicize available programs and resources on the City’s website or in the water bill.</p>	<p>Continue</p>

Program		Implementation status	Continue/Modify/Delete
<ul style="list-style-type: none"> e. Available adult day care program f. Fair Housing Practices g. Nearby Social Services h. Housing Rehabilitation Programs, Weatherization Programs i. Local Employment Opportunities 			
<p>HI-4 If a need or interest is identified, research and implement opportunities for group quarters for targeted groups (single persons, female-headed households, disabled, seniors, etc.). If applicable and available, assist interested applicants to apply for HCD’s Family Housing Demonstration Program (FHDP).</p>	<p><u>Responsibility:</u> City Council, City Clerk, & Planning Staff</p> <p><u>Time Frame:</u> If an applicable program is identified and program funds are available, assist at least one interested applicant to submit an application during the next five year period.</p>	<p>Due to the lack of resources, the City has not implemented this program.</p>	<p>Modify. Combine with HI-5.</p>
<p>HI-5 Pursue Senior Group Housing opportunities. If the City is eligible, consider submitting an application / proposal to HCD for the CalHome Program.</p>	<p><u>Responsibility:</u> City Council, City Clerk, & Planning Staff</p> <p><u>Time Frame:</u> If an applicable program is identified and program funds are available, assist at least one interested applicant to submit an application during the next five year period.</p>	<p>Due to lack of resources, the City did not apply for the CalHome Program.</p>	<p>Modify. Combine with HI-4.</p>
<p>HI-6 Continue implementing the requirements of the American Disabilities Act (ADA) by ensuring the use of the most recent Uniform Building Code. Support requests for reasonable accommodation as long as long as long as it is not detrimental to the public welfare or environment.</p>	<p><u>Responsibility:</u> City Council & City Building Inspector</p> <p><u>Time Frame:</u> Ongoing</p>	<p>The City has not yet adopted a reasonable accommodation ordinance.</p>	<p>Combine with HI-1.</p>

Program		Implementation status	Continue/Modify/Delete
<p>HI-7 Provide assistance to individuals requesting the development of limited care facilities for seniors and / or the disabled.</p>	<p><u>Responsibility:</u> City Council, City Clerk, & Planning Staff working with Service Providers</p> <p><u>Time Frame:</u> If an applicable program is identified and program funds are available, the, assist at least one interested applicant to submit an application during the next five year period.</p>	<p>The City has not received any requests to develop senior housing.</p>	<p>Delete.</p>
<p>HI-8 Encourage rehabilitated units to include retrofit weatherization improvements such as ceiling and floor insulation, caulking, and weather-stripping.</p>	<p><u>Responsibility:</u> City Council, City Clerk, & City Building Inspector</p> <p><u>Time Frame:</u> Ongoing</p>	<p>As part of the building permit process the City encourages retrofit weatherization improvements such as ceiling and floor insulation, caulking, and weather-stripping, etc.</p>	<p>Modify. Combine with HI-9.</p>
<p>HI-9 Disseminate energy conservation information for existing housing by publicizing and / or providing information regarding energy audit and weatherization programs, such as those through the Redwood Coast Energy Authority, PG&E, and Energy Upgrade California™, as they become available.</p>	<p><u>Responsibility:</u> City Council & City Clerk</p> <p><u>Time Frame:</u> Ongoing</p>	<p>The City continues to disseminate energy conservation information for existing housing by publicizing and / or providing information regarding energy audit and weatherization programs.</p>	<p>Modify. Combine with HI-8.</p>
<p>HI-10 New Construction and major remodels will continue to be required to comply with the current version of Title 24 of the California Building Standards Code. These requirements are approved by the City Building Department at the time of plan review or permit application.</p>	<p><u>Responsibility:</u> City Building Inspector</p> <p><u>Time Frame:</u> Ongoing</p>	<p>The City continues to comply with Title 24.</p>	<p>Continue.</p>
<p>HI-11 Consider requesting a local organization involved in housing rehabilitation (e.g.</p>	<p><u>Responsibility:</u> City Council</p>	<p>The City participates in local meetings and programs and provides</p>	<p>Continue.</p>

Program		Implementation status	Continue/Modify/Delete
Redwood Community Action Agency (RCAA) to survey the City of Trinidad's housing stock as an initial step for establishing a housing rehabilitation program for targeted income groups. City Staff or Community Members could complete this task as well.	<u>Time Frame:</u> Within two years after adoption of the Housing Element.	reports to the City Council. Brochures are also available at city hall.	
HI-12 If eligible, apply for, or support appropriate applications to HCD and other applicable agencies for funds to provide grants and / or low interest and deferred loan programs for the rehabilitation of housing occupied by targeted income households.	<u>Responsibility:</u> City Council, City Clerk, & Planning Staff <u>Time Frame:</u> If an applicable program is identified and program funds are available, assist as many <u>interested</u> applicants as feasible to submit an application during the next five year period.	Due to lack of resources, the City has not applied for grant funds to assist with housing rehabilitation.	Modify. Combine with HI-4.
HI-13 The City will continue participation in the Humboldt County Fair Housing Committee sponsored by the Board of Realtors.	<u>Responsibility:</u> City Council <u>Time Frame:</u> Ongoing	Due to lack or resources the City has not participated in the Humboldt County Fair Housing Committee.	Modify. New AFFH language.
HI-14 The City Clerk is designated as the contact for referral of fair housing complaints to the State Department of Fair Housing and Employment.	<u>Responsibility:</u> City Council & City Clerk <u>Time Frame:</u> Ongoing. Post a minimum of two notices informing residents regarding fair housing complaints each year at Town Hall and / or other appropriate public places.	The City continues to refer fair housing complaints as they are received.	Modify. Combine with HI-13
HI-15 The City will continue to encourage appropriately licensed / permitted cottage or home-base industries, including those related to commercial fishing / tourism to the area, to a reasonable extent, in efforts	<u>Responsibility:</u> City Council, City Clerk, & Planning Staff <u>Time Frame:</u> As feasible, hold annual meetings between the City Council and Business Community.	The City permitted one daycare facility and continues to promote several community events including the Fish Festival, Art Nights/Markets, etc.	Continue.

Program		Implementation status	Continue/Modify/Delete
<p>to bolster the City’s economy, promote affordable housing, and increase employment opportunities by implementing the following actions:</p> <ol style="list-style-type: none"> 1. Permit at least 1 licensed day care or nursery school operation where appropriate 2. Increase tourism revenues by promoting community events 3. Increase opportunities for development of cottage industries / home occupations that are compatible with neighborhood character and environmental constraints 4. Permit appropriate and necessary ancillary services to the commercial fishing industry 		<p>The City also continues to permit appropriate and necessary ancillary services to the commercial fishing industry.</p>	

Community Profile

Population Characteristics

Housing needs are largely determined by population and employment growth, coupled with various demographic variables. Characteristics such as age, household size, occupation, and income combine to influence the type of housing needed and its affordability.

Population Growth

Between 2010 and 2018, Humboldt County’s population grew slightly by 1,379 people, or +1.0 percent. In contrast, Trinidad’s population declined by 27 people, or -7.4 percent between 2010 and 2018 (**Table 3**).

Table 3: Population Growth 2010-2018

City/County	Total Population		2010–2018 Change	
	2010	2018	Number	Percentage
Trinidad	367	340	-27	-7.4%
Humboldt County	134,623	136,002	1,379	1.0%

Source: California Department of Finance, E-4 Population Estimates for Cities, Counties, and the State.

Note: Population counts vary slightly based on the source of data and type of survey.

Age Characteristics

Current and future housing needs are usually determined in part by the age characteristics of a community’s residents. Each age group has distinct lifestyles, family type and size, incomes, and housing preferences. Consequently, evaluating the age characteristics of a community is important in determining its housing needs.

The median age of residents in Trinidad is approximately 61 years old. The median age has been increasing slowly, from 50.2 in 2000, 45.9 in 2010 to 60.7 in 2016. The city’s population is getting older, with 66.9 percent of residents over 45 years of age, and 21.4 percent of residents in the family-forming age group (25–44). **Table 4** shows the age distribution of the population of Trinidad.

Table 4: Population by Age (2016)

Age Group	Number	Percentage
0-9 years	10	4.8%
10-19 years	6	2.9%
20-24 years	8	3.8%
25-34 years	24	11.4%
35-44 years	21	10.0%
45-54 years	8	3.8%
55-59 years	26	12.4%
60-64 years	31	14.8%
65-74 years	49	23.4%

Age Group	Number	Percentage
75-84 years	25	12.0%
85+ years	1	0.5%
Median Age	60.8	100.0%

Source: 2012-2016 ACS 5-Year Estimates, Table S0101.

Employment Trends

According to the 2012-2016 American Community Survey, 114 people 16 years and over were employed in the City. Educational services, and health care and social assistance make up the majority of the job market at 51 people, or 44.7 percent. **Table 5** shows employment by industry in Trinidad.

Table 5: Employment by Industry (2016)

Industry	Number	Percentage
Civilian employed population 16 years and over	114	114
Agriculture, forestry, fishing and hunting, and mining	6	5.3%
Construction	1	0.9%
Manufacturing	0	0.0%
Wholesale trade	0	0.0%
Retail trade	5	4.4%
Transportation and warehousing, and utilities	1	0.9%
Information	0	0.0%
Finance and insurance, and real estate and rental and leasing	2	1.8%
Professional, scientific, and management, and administrative and waste management services	13	11.4%
Educational services, and health care and social assistance	51	44.7%
Arts, entertainment, and recreation, and accommodation and food services	14	12.3%
Other services, except public administration	6	5.3%
Public administration	15	13.2%

Source: 2012-2016 ACS 5-Year Estimates, Table DP03.

Household Characteristics

Households Type and Size

A household refers to the people occupying a home, such as a family, a single person, or unrelated persons living together. Family households often prefer single-family homes or condominiums to accommodate children, while nonfamily households generally occupy smaller apartments or condominiums.

In Trinidad, families comprised 44.3 percent of all households, and 7.0 percent of all households were family households with children under 18 years of age. **Table 6** displays household composition as reported by the 2012-2016 American Community Survey.

Table 6: Household Characteristics (2016)

Jurisdiction	Households	Average Household Size	Percentage of Households	
			Families	Families with Children Under 18
City of Trinidad	115	1.96	51 (44.3%)	8 (7.0%)

Source: 2012-2016 ACS 5-Year Estimates, Department of Finance, 2019.

Overcrowding

Overcrowding occurs when there is more than one person per room (excluding bathrooms and kitchens) and severely overcrowding occurs when there are more than 1.51 persons per room. Overcrowding is often a result of an inadequate supply of affordable and decent housing. According to the 2012-2016 American Community Survey, three households were living in overcrowded conditions (2.6 percent of all households) and no households were severely overcrowded. Refer to **Table 7**.

Table 7: Overcrowded Households (2016)

Persons per Room	Number	Percentage of Total Units
Owner-Occupied	76	66.1%
1.00 or less	73	63.5%
1.01 to 1.50	3	2.6%
1.51 or more	0	0.0%
Renter-Occupied	39	33.9%
1.00 or less	39	33.9%
1.01 to 1.50	0	0.0%
1.51 or more	0	0.0%
Total Occupied Housing Units	115	100.0%
<i>Total Owner Overcrowded</i>	3	2.6%
<i>Total Renter Overcrowded</i>	0	0.0%
Total Overcrowded	3	2.6%
<i>Total Owner Severely Overcrowded</i>	0	0.0%
<i>Total Renter Severely Overcrowded</i>	0	0.0%
Total Severely Overcrowded	0	0.0%

Source: 2012-2016 ACS 5-Year Estimates, Table B25014.

Household Income

The California Department of Housing and Community Development annually publishes income limits per county for use in determining eligibility for assisted housing programs in that county. The 2019 income limits are listed in **Table 8** for each income category according to household size. These income limits are based on a median income of \$64,800 (for a family of four) in Humboldt County:

- Extremely Low Income Up to 30 percent of area median income (AMI) (\$0–\$25,750)
- Very Low Income 31–50 percent of AMI (\$25,751–\$32,400)
- Low Income 51–80 percent of AMI (\$32,401–\$51,850)
- Moderate Income 81–120 percent of AMI (\$51,851–\$77,750)
- Above Moderate Income Above 120 percent of AMI (\$77,750 or more)

Table 8: Maximum Household Income by Household Size (2019), Humboldt County

Income Category	Persons per Household							
	1	2	3	4	5	6	7	8
Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
Very Low	22700	25950	29200	32400	35000	37600	40200	42800
Low	36300	41500	46700	51850	56000	60150	64300	68450
Moderate	54450	62200	70000	77750	83950	90200	96400	102650

Source: California Department of Housing and Community Development Memorandum, "State Income Limits for 2019," May 6, 2019.

Lower Income Households and Overpayment

Overpayment is narrowly defined as the number of lower-income households that spend more than 30 percent of their income for housing (either mortgage or rent), including cost of utilities, property insurance, and real estate taxes, as defined by the federal government. **Table 10** shows the extent of overpayment. Approximately 43.0 percent of households in Trinidad were overpaying for housing—22.2 percent were renter-occupied households and 20.7 percent were owner-occupied households.

When looking at lower-income households overpaying (households earning less than \$51,850 for a household of four), approximately 10 were owner-occupied households and approximately 16 were renter-occupied households.

Table 10: Housing Cost as a Percentage of Household Income by Tenure (2015)

Total Households Characteristics	Number	Percent of Total Households
Total occupied units (households)	135	1
Total renter households	55	40.7%
Total owner households	80	59.3%
Total lower income (0-80% of HAMFI) households	42	31.1%
Lower income renters (0-80%)	18	13.3%
Lower income owners (0-80%)	24	17.8%
Extremely low-income renters (0-30%)	4	3.0%
Extremely low-income owners (0-30%)	0	0.0%
Lower income households paying more than 50%	8	5.9%
Lower income renter HH severely overpaying	8	5.9%
Lower income owner HH severely overpaying	0	0.0%
Extremely Low-Income (0-30%)	4	3.0%
ELI Renter HH severely overpaying	4	3.0%

Total Households Characteristics	Number	Percent of Total Households
ELI Owner HH severely overpaying	0	0.0%
Income between 30%-50%	4	3.0%
Income between 50% -80%	0	0.0%
Lower income households paying more than 30%	26	19.3%
Lower income renter HH overpaying	16	11.9%
Lower income owner HH overpaying	10	7.4%
Extremely Low-Income (0-30%)	4	3.0%
Income between 30%-50%	18	13.3%
Income between 50% -80%	4	3.0%
Total Households Overpaying	58	43.0%
Total Renter Households Overpaying	30	22.2%
Total Owner Households Overpaying	28	20.7%
Total households paying between 30%-50% Income	42	31.1%
Total households paying > 50% Income	16	11.9%

Source: 2006-2015 CHAS Data Sets, https://www.huduser.gov/portal/datasets/cp.html#2011-2015_data.

Housing Stock Characteristics

Vacancy and Housing Availability

Vacancy trends in housing are analyzed using the vacancy rate as an indicator of housing supply and demand. If housing demand is greater than the supply, the vacancy rate is likely to be low, and the price of housing increases. A vacancy rate of 5 percent is generally considered optimal because it is high enough to provide some flexibility in the housing market without significant increases in housing prices.

As shown in **Table 11**, the vacancy rate in Trinidad is very high, estimated to be 43.6 percent as of 2019, or which 29.4 percent are categorized as seasonal/ recreational or occasional use.

Table 11: Residential Vacancy Rate 2016

Type	Number	Percentage
Occupied	115	56.4%
Vacant	89	43.6%
For rent	8	3.9%
For sale	5	2.5%
Rented/sold, not occupied	0	0.0%
For seasonal/recreational or occasional use	60	29.4%
All other including migrant workers	16	7.9%
Total Housing Units	204	100.0%

Source: Department of Finance, E-5 Report, 2016

Housing Tenure

As shown in **Table 12**, Trinidad has a higher percentage of householders who own their home (66.1 percent of occupied units) than of householders who rent their home from a property owner (33.9 percent of occupied units).

Table 12: Household Tenure (2016)

	Number	Percentage
Owner-Occupied Units	76	66.1%
Renter-Occupied Units	39	33.9%
Total	115	100.0%

Source: 2012-2016 ACS 5-Year Estimates, Table B25009.

Unit Type

As shown in **Table 13**, the majority (83 percent) of occupied housing units in Trinidad are single-family, detached homes, followed by mobile homes units which make up 11.2 percent.

Table 13: Housing Units by Type (2019)

Housing Unit Type	Number	Percentage
Single-Family, Detached	186	83.0%
Single-Family, Attached	2	0.9%
Multifamily, 2–4 Units	11	4.9%
Multifamily, 5+ Units	0	0.0%
Mobile Homes or Other Type	25	11.2%
Total	224	100.0%

Source: California Department of Finance, E-5, 2019, City of Trinidad, March 2020.

Housing Age and Conditions

Housing conditions are an important indicator of quality of life in Trinidad. Like any asset, housing ages and deteriorates over time. If not regularly maintained, structures can deteriorate and discourage reinvestment, depress neighborhood property values, and even become health hazards. Thus, maintaining and improving housing quality is an important goal for communities.

An indication of the quality of the housing stock is its general age. Typically housing over 30 years old is likely to have rehabilitation needs that may include plumbing, roof repairs, foundation work, and other repairs. **Table 14** displays the age of the City of Trinidad’s housing stock as of 2019, of which 51.9 percent were built since 1990. This means 48.1 percent of the housing stock is over 30 years old, and the rehabilitation needs are likely great in Trinidad. The building department confirms a significantly lower percentage, estimating that less than 10 percent of homes within the City are in need of some sort of rehabilitation.

Table 14: Age of Housing Stock (2016)

Year Built	Number	Percentage
2014 or later	18	8.8%
2010–2013	18	8.8%
2000–2009	46	22.5%
1990–1999	24	11.8%
1980–1989	38	18.6%
1970–1979	30	14.7%
1960–1969	19	9.3%
1950–1959	11	5.4%
1940–1949	0	0.0%
1939 or earlier	0	0.0%
Total	204	100.0%

Source: 2012–2016 ACS 5-Year Estimates, Table B25034

Housing Costs and Affordability

Rental Housing Costs

Based on market trends, in Trinidad for all rentals the median rent per month was \$1,425, and the average rent per month was \$1,828.¹

Sales Prices

According to Trulia, the median sales price for homes in Trinidad between June and December 2019 was \$572,000 based on 18 home sales.

According to the US Census and the ACS, the median value of housing in Trinidad has approximately doubled every decade since 1980. The most recent data is tempered somewhat by the recent housing market crash.

Data Source	Median Sales Price
1980 Census	\$73,500
1990 Census	\$150,000
2000 Census	\$321,000
2019 Trulia Sold Homes	\$572,000

¹ These prices are based on a point-in-time analysis of rental listings found on Craigslist within a 10-mile radius of ZIP code 95570 on 3/11/2020.

Housing Affordability

Housing affordability is dependent upon income and housing costs. According to the California Department of Housing and Community Development (HCD) income guidelines for 2019, the AMI in Humboldt County is \$64,800 for a family of four. Assuming that the potential homebuyer in each income group has sufficient credit and down payment (10 percent) and maintains affordable housing expenses (i.e., spends no more than 30 percent of their income on the mortgage, taxes, and insurance), the maximum affordable home prices can be determined. **Table 15** demonstrates the purchasing power of the income groups defined above.

When looking at rental and sales prices and comparing those to what households can afford, the City has rental housing affordable to moderate-income households and for sale prices affordable to above moderate-income households.

Table 15: Affordable Housing Costs by Income Category (2019)

(Based on a Four-person Household in Humboldt County)	Income Level		
	Very Low	Low	Moderate
Annual Income	\$32,400	\$51,850	\$77,750
Monthly Income	\$2,700	\$4,321	\$6,479
Maximum Monthly Gross Rent ¹	\$810	\$1,296	\$1,944
Maximum Purchase Price ²	\$70,400	\$138,100	\$185,600

Sources: HCD State Income Limits, 2019; <https://www.chase.com/personal/mortgage/calculators-resources/affordability-calculator>; <https://www.realtor.com/mortgage/tools/affordability-calculator/#summary>, accessed 3/11/2020.

¹ Affordable housing cost for renter-occupied households assumes 30% of gross household income, not including utility cost.

² Affordable housing sales prices are based on the following assumed variables: approximately 10% down payment, 30-year fixed rate mortgage at 3.66% annual interest rate, taxes, insurance and private mortgage insurance (since borrowers will likely put less than 20% down).

Assisted Units at Risk of Conversion

State law requires that the housing element include an analysis of the existing assisted housing developments that are eligible to change from low- to moderate-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. There are no subsidized projects in the City of Trinidad at this time.

Special Needs Groups

This section assesses the special needs households in Trinidad. Special needs households can be constrained by lower incomes and a lack of housing that is suitable to their special needs.

Senior Households

The limited incomes of many elderly people make it difficult for them to find affordable housing. Many elderly people have physical disabilities and dependence needs that limit their selection of housing. As of 2016, it was estimated that there were 51 senior citizens living in Trinidad. **Table 16** shows the senior population as of 2016.

Table 16: Senior Householder (2016)

Age Group	2016
Ages 65–74	37
Ages 75–84	13
Ages 85+	1
Total	51

Sources: 2012–2016 ACS 5-Year Estimates, Table DP05.

Persons with Disabilities

As defined by the California Government Code, disabilities include physical and mental disabilities. A “mental disability” involves any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities that limit a major life activity. A “physical disability” includes any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss of body functions. Physical disabilities include those that are neurological, immunological, or musculoskeletal in nature as well as those that involve the respiratory, cardiovascular, reproductive, genitourinary, hemic and lymphatic, or digestive systems and those involving the special sense organs, speech organs, skin, or endocrine system.

Table 17 show the number of persons with disabilities in Trinidad. Approximately 11.1 percent of the total population (5 years old or older) has some type of disability, and half of those are below the age of 65.

Table 17: Persons with Disability (2016)

	Number	Percentage
Persons Age 5–64 with a Disability	18	5.5%
Persons Age 65 + with a Disability	18	5.5%
Total Persons with a Disability (Age 5+)	36	11.1%
Total Population	325	100.0%

Source: 2012–2016 ACS 5-Year Estimates, Table S1810.

Table 18 shows the total number of persons in Trinidad by disability type for the 5 to 64 and 65 and over age groups. Many of these persons have more than one disability, which is why more disabilities are listed than there are disabled persons. Ambulatory living difficulties and Independent Living Difficulty are the most common forms of disability among residents ages 5 to 64 in Trinidad. Seniors age 65 and above in Trinidad are more likely to have to either ambulatory difficulties or hearing difficulties.

Table 18: Persons with Disability by Disability Type (2016)

	Number	Percentage
Total Disabilities Tallied	36	100.0%
Total Disabilities Tallied for People 5 to 64 years	18	50.0%
Hearing difficulty	3	8.3%
Vision difficulty	0	0.0%
Cognitive difficulty	7	19.4%

	Number	Percentage
Ambulatory difficulty	17	47.2%
Self-care difficulty	2	5.6%
Independent living difficulty	16	44.4%
Total Disabilities Tallied for People 65 Years and Over	18	50.0%
Hearing difficulty	11	30.6%
Vision difficulty	1	2.8%
Cognitive difficulty	3	8.3%
Ambulatory difficulty	12	33.3%
Self-care difficulty	3	8.3%
Independent living difficulty	7	19.4%

Source: 2012–2016 ACS 5-Year Estimates, Table S1810.

Development Disabilities (Senate Bill 812)

Senate Bill (SB) 812 requires the City to include in the special housing needs analysis, needs of individuals with a developmental disability in the community. A developmental disability is a disability that occurs before an individual reaches 18 years of age, is expected to continue indefinitely, and constitutes a substantial handicap. Developmental disabilities include mental retardation, cerebral palsy, epilepsy, autism, and disabling conditions closely related to mental retardation or requiring similar treatment. Housing Element Program HI-12 specifically addresses the needs of the developmentally disabled.

Table 19 includes information about Trinidad’s population of developmentally disabled persons by age and zip code.

Table 19: Persons with Developmental Disabilities (2018)

Zip Code	0–17 years	18+ years
95570	<11	<11

Source: California Department of Developmental Services 2018.

Redwood Coast Regional Center

Redwood Coast Regional Center (RCRC) serves individuals and their family who have a developmental disability, or who are at risk for developing a disability, and individuals who are at risk of having a child with a disability in Del Norte, Humboldt, Lake, or Mendocino County. RCRC also serves families whose Infants and toddlers (birth to 36 months) who are at “high risk” for a developmental disability.

In order to fulfill the diverse needs of persons from infancy to end of life, some of the services and supports provided by RCRC include:

- Information and Referral
- Assessment and Diagnosis
- Prenatal Diagnostic Services
- Early Intervention Supports and Services

- Lifelong Individualized Planning and Service Coordination
- Behavioral Supports
- Employment and Day Services
- Health and Medical Services
- Family Support
- Residential Care
- Transportation

Large Families

Large families are defined as households containing five or more persons. They are considered a special needs group because there is a limited supply of adequately sized housing to accommodate their needs. A five-person household requires a three- or four-bedroom home; a six-person household requires four bedrooms; and a seven-person household requires four to six bedrooms.

According to the 2012–2016 American Community Survey, there were no households in in Trinidad that included five or more persons.

As of 2016, there was no shortage of housing for large families in Trinidad due to the availability of housing by bedroom size. There are 32 two to four-bedroom housing units, , and seven units with five or more bedrooms, respectively comprising 15.7percent, and 3.4 percent of all housing units in the city. Since the population of Trinidad grows gradually and the average household size is 1.96 persons per household, it can be presumed that the current supply of housing is sufficient to accommodate large families.

Female-Headed Households

Female-headed households are households headed by a single female parent with children under the age of 18 living at home. Single-parent households generally have lower incomes than two-parent households and often require special attention due to their need for affordable child care, health care, and housing assistance. Additionally, female-headed households tend to have lower incomes, limiting the availability of housing.

As of the 2012–2016 American Community Survey, approximately 1.96 percent of households in Trinidad were female-headed households with children, and no households were female-headed households under the poverty level.

Farmworkers

Agricultural workers earn their primary income through permanent or seasonal agricultural labor. As of the 2012–2016 American Community Survey, 6 persons, or approximately 5.3 percent of Trinidad’s population were employed in agriculture, forestry, fishing and hunting.

Most farmworkers earn relatively low wages, and thus they fall into the extremely low– and very-low-income categories. According to the occupational profile for Humboldt County (accessed March 11, 2020, at www.labormarketinfo.edd.ca.gov), the current weekly mean income is \$674. This income falls within the low-income category or below, since many farmworkers are unlikely to work every week of the year. According to the USDA Census of Farmworkers (2017), 859 farm workers, or 56 percent of all farm workers in Humboldt County worked fewer than 150 days per year.

Homeless Persons

Homeless individuals and families have the most immediate housing need of any special needs group. Their needs are difficult to meet because of the diversity and complexity of the factors that lead to homelessness. California state law requires that housing elements estimate the need for emergency shelter for homeless people.

According to the 2019 Point-In-Time count released by the Humboldt County Department of Health and Human Services, there were approximately 1,473 people without shelter in Humboldt County. Of this count, only 6 persons were identified in Trinidad.

Students

College students are typically income limited individuals in need of inexpensive rental housing. Students from nearby Humboldt State University (HSU) and College of the Redwoods make up a small portion of Trinidad's population. In 2016, two residents (0.6% of the total population) were enrolled in college or graduate school. Of these, none were between the ages of 18-24, indicating that the two residents enrolled in college were age 25 or older at that time. According to the 2012-2016 ACS 5-Year Estimates, both residents in the City were female.

Traditionally, college students between the ages of 18-24 reside in the less expensive section of the City's housing stock (e.g. second units, mobile homes, trailers, studios, etc.) or share single-family dwelling units. Considering that the City's student population is over the age of 25, they may not necessarily be as income limited and in need of smaller inexpensive housing units. These individuals may live in family households in larger single-family dwelling units. Due to the high cost of housing and distance from local colleges, the City of Trinidad has not traditionally been a highly desirable location for college students to live.

Housing Resources and Opportunities

This section includes an evaluation of the availability of land resources, financial resources for future housing development, the City’s ability to satisfy its share of the region’s future housing needs, and the financial resources available to assist in implementing the City’s housing programs. Additionally, this section examines opportunities for energy conservation.

Regional Housing Need

The Regional Housing Needs Allocation (RHNA) is a minimum projection of housing units needed to accommodate projected household growth at all income levels by the end of the housing element’s statutory planning period.

Table 20 shows the City’s regional housing need by income for the projection period beginning December 31, 2018, and ending August 31, 2024.

Table 20: Regional Housing Need, 2018–2027

Income Group	Total RHNA
Very Low*	4
Low	4
Moderate	3
Above Moderate	7
Total	18

Source: City of Trinidad, March 2020

*Note – it is assumed that 50% of the very low income RHNA is allocated towards extremely low income.

Unaccommodated Need

The City of Trinidad did not adopt a Housing Element for the 5th cycle and therefore has an unaccommodated need of 5 units. The sites included in this Housing Element were available and appropriately zoned during the 5th cycle and had the capacity to accommodate all 5 units. Therefore, the City does not have a carry over.

Table 21: Unaccommodated Regional Housing Need, 2014–2019

Income Group	Total RHNA
Very Low	2
Low	0
Moderate	1
Above Moderate	2
Total	5

Source: City of Trinidad, March 2020

Adequate Sites Inventory and Analysis

This section addresses the requirements of Government Code Sections 65583 and 65583.2 for a parcel-specific inventory of appropriately zoned, available, and suitable sites that can provide realistic opportunities for the provision of housing to all income segments within the community.

Available Sites

As shown in Table 18 - Inventory of Land Available for Residential Development below, as of March 2020 there remained approximately 43 vacant, residentially zoned lots (UR, SR or PD) within City boundaries. However, sites with less than 4,000 sq. ft. of developable area, are likely too small or constrained to accommodate an onsite wastewater treatment system (OWTS) and a residence. Vacant parcels are shown in **Figure 1**. The sites on the map are categorized into three categories, developable, questionably developable, and not likely to develop. Site capacity has been adjusted based on these site constraints.

Yellow sites are as follows:

- 042-071-002
- 042-091-010
- 042-151-012
- 515-331-050
- 515-331-028

Red Sites are as follows:

- 042-081-006
- 042-091-002
- 042-061-024
- 042-063-033
- 042-063-034

All of the sites included are subject to Trinidad’s program of pre-development review (including sewage disposal capacity and design review). The four Planned Development (PD) parcels are large enough to allow clustering of multi-family units and improvements.

Trinidad’s inherent land-use constraints severely limit the development potential of all vacant land. The developable lots listed in **Table 18** are considered to be the build out for the City. These lots are zoned for single-family dwellings and carry a minimum lot size of 8,000 to 20,000 square feet and are dependent on lot constraints.

Aside from the existence of three large, currently undeveloped Planned Development (PD) parcels, no non-residential property in the City is available for conversion to residential use. The City has no industrial or agricultural zones. Most surrounding undeveloped property is within State Park boundaries or is Open Space and unsuitable for development due to geological instability or the existence of sensitive habitat and / or cultural resources.

Largely as a result of septic-system capability, slope stability constraints and the subdivision of most of the City into urban sized lots prior to zoning and other land use regulations, few previously developed parcels are available for subdivision for the purpose of creating more developable parcels. There are eight SR zoned lots and nine UR zoned that could potentially be subdivided (at least double the minimum lot size / maximum density). However, for most of these lots, subdivision is unlikely due to the configuration of the existing development and other constrains. New housing development is generally restricted to the sites identified in **Table 18**.

Table 18 – Inventory of Vacant Land Available for Residential Development

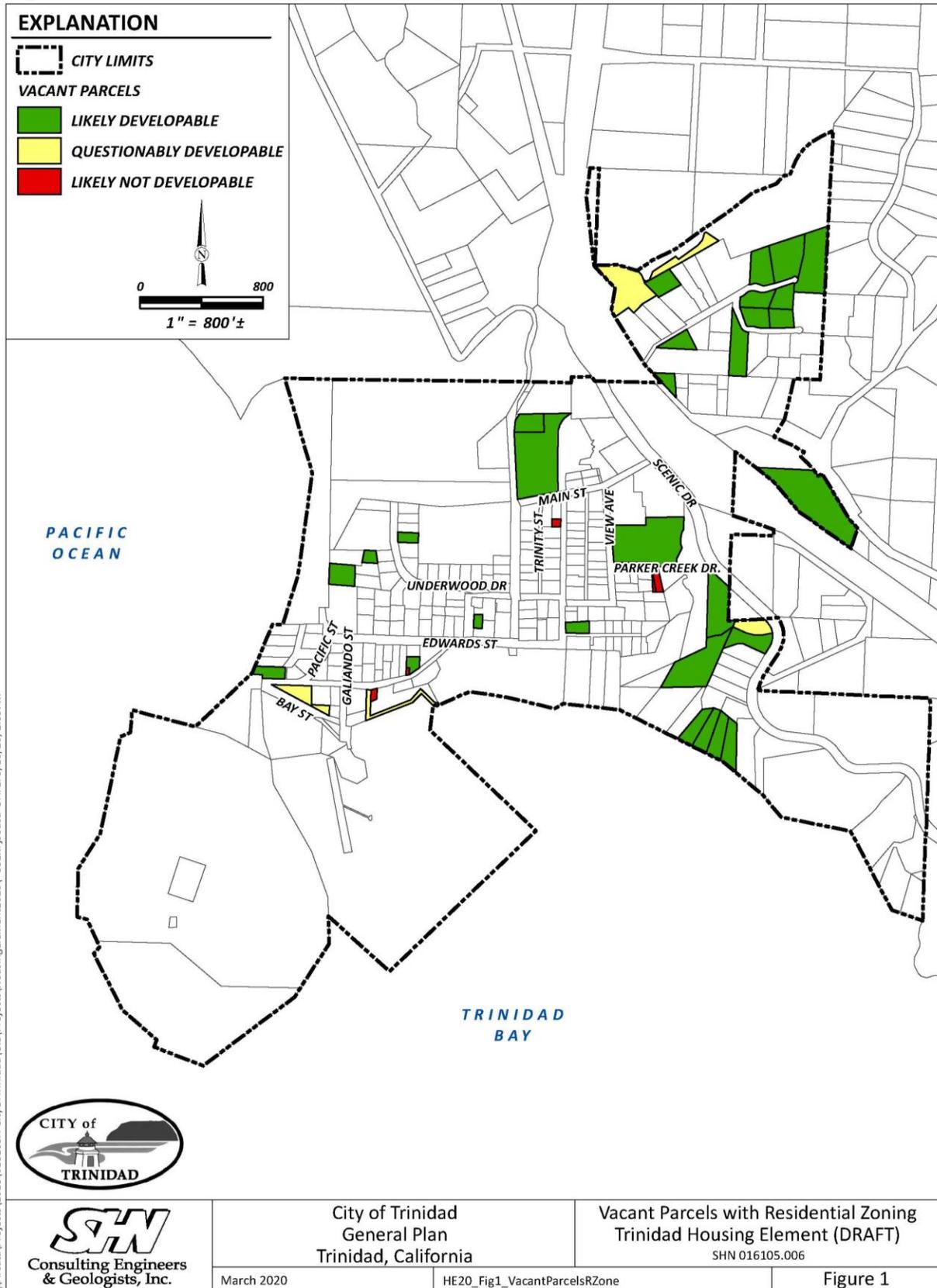
APN	Acreeage	GP Des.	Zoning	Max. Allowable Density	Unit Potential	Site Constraints	RHNA Category Met
042-051-032	2.92	PD	PD	Multi-family 1 unit/ 8,000 sf	10	Soil limitations (wetland and fill); Alquist-priolo fault zone	Lower
042-051-037	0.49	PD	PD	Multi-family 1 unit/ 8,000 sf	2	Alquist-priolo fault zone	Lower
042-063-037	2.84	PD	PD	Multi-family 1 unit/ 8,000 sf	10	Creek setback, easements	Lower
515-151-066	3.11	PD/SE	PD/SE	Single-multifamily 1 unit/8,000 sf	12	Creek setback	Lower
PD Total	9.37				34		
042-031-023	0.19	UR	UR	Single-family 1 unit/8,000 sf	1		Moderate
042-041-029	0.17	UR	UR	Single-family 1 unit/8,000 sf	1	No road access, sloped	Moderate
042-041-056	0.52	UR	UR	Single-family 1 unit/8,000 sf	1	On a bluff edge; likely not subdividable	Moderate
042-042-006	0.11	UR	UR	Single-family 1 unit/8,000 sf	1	small	Moderate
042-061-024	0.07	UR	UR	Multi-family 1 unit/ 8,000 sf	0	Likely too small	Moderate
042-063-027	0.38	UR	UR	Single-family 1 unit/ 8,000sf	1	Creek setback	Moderate
042-063-033	0.04	UR	UR	Single-family 1 unit/ 8,000sf	0	Too small	Moderate
042-071-002	0.50	OS/UR/C	OS/UR/C	Single-family 1 unit/ 8,000sf	0	Zoning, on a steep hillside	Moderate

APN	Acres	GP Des.	Zoning	Max. Allowable Density	Unit Potential	Site Constraints	RHNA Category Met
042-081-006	0.02	UR	UR	Single-family 1 unit/8,000 sf	0	Too small	Moderate
042-081-024	0.17	UR	UR	Single-family 1 unit/ 8,000sf	0	Too small	Moderate
042-082-019	0.33	UR	UR	Single-family 1 unit/8,000 sf	1	On bluff edge	Moderate
042-091-002	0.07	UR	UR	Single-family 1 unit/8,000 sf	0	Too small	Moderate
042-091-010	0.38	OS/UR	OS/UR	Single-family 1 unit/8,000 sf	1	OS Zoning, shape, on a bluff	Moderate
042-101-006	0.01	UR	UR	Single-family 1 unit/8,000 sf	0	Too small	Moderate
042-101-006	0.00	UR	UR	Single-family 1 unit/8,000 sf	0	Too small	Moderate
042-102-043	0.26	UR	UR	Single-family 1 unit/8,000 sf	1		Moderate
UR Total	3.23				8		
042-111-008	1.74	SE/SR	SE/SR	Single-family 1 unit/ 20,000 sf	1	SE Zoning, steep slopes, creek setback	Above Moderate
042-111-009	1.24	SE/SR	SE/SR	Single-family 1 unit/ 20,000 sf	1	SE Zoning, steep slopes, creek setback	Above Moderate
042-141-019	0.07	SR	SR	Single-family 1 unit/ 20,000 sf	0	Too small	Above Moderate
042-141-020	2.00	SR	SR	Single-family 1 unit/ 20,000 sf	4		Above Moderate
042-151-001	0.57	SR	SR	Single-family 1 unit/ 20,000 sf	1	Steep slope/bluff, potentially unstable	Above Moderate

APN	Acres	GP Des.	Zoning	Max. Allowable Density	Unit Potential	Site Constraints	RHNA Category Met
042-151-003	0.55	SR	SR	Single-family 1 unit/ 20,000 sf	1	Steep slope/bluff, potentially unstable	Above Moderate
042-151-004	0.51	SR	SR	Single-family 1 unit/ 20,000 sf	1	Steep slope/bluff, potentially unstable	Above Moderate
042-151-005	0.49	SR	SR	Single-family 1 unit/ 20,000 sf	1	Steep slope/bluff, potentially unstable	Above Moderate
042-151-011	0.65	SE/SR	SE/SR	Single-family 1 unit/ 20,000 sf	1	Zoning, slopes, creek setback	Above Moderate
042-151-012	0.46	SE/SR	SE/SR	Single-family 1 unit/ 20,000 sf	1	Zoning, slopes, creek setback	Above Moderate
515-331-028	0.52	SE	SE	Single-family 1 unit per parcel	1	Zoning, creek setback, slopes	Above Moderate
515-331-049	0.68	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-331-050	1.58	SE	SE	Single-family 1 unit per parcel	1	Zoning, creek setback, slopes	Above Moderate
515-331-055	0.26	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-350-002	0.71	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-350-007	0.49	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-350-008	0.44	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-350-011	0.47	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-350-012	0.49	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate

APN	Acreage	GP Des.	Zoning	Max. Allowable Density	Unit Potential	Site Constraints	RHNA Category Met
515-350-013	0.75	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
515-350-014	1.20	SR	SR	Single-family 1 unit/ 20,000 sf	2		Above Moderate
515-350-015	1.55	SR	SR	Single-family 1 unit/ 20,000 sf	3		Above Moderate
515-350-016	0.51	SR	SR	Single-family 1 unit/ 20,000 sf	1		Above Moderate
SE Total	17.92				28		

Figure 1 – Vacant Sites Inventory



Meeting the Regional Housing Need

Table 21 compares the City of Trinidad’s RHNA for the 6th cycle planning period to the available site inventory capacity.

The City has a surplus of 26 units available to lower-income households (including extremely low-, very-low, and low-income households) and 26 units available to moderate- and above-moderate-income households, a total surplus of 52 units.

Table 21: Comparison of Regional Growth Need and Residential Sites

Income Group	2018–2027 RHNA	Site Capacity	RHNA Surplus
Very Low	4	34	26
Low	4		
Moderate	3	8	5
Above Moderate	7	28	21
Total	18	70	52

Source: City of Trinidad, March 2020

Site Constraints

Circulation Infrastructure

All of the vacant and developable lots in the City are accessible by either by existing roads or private access easements and would not require substantial increases in road surfaces if developed. If a proposed subdivision or development may require the construction of additional access roads, the developer is responsible for such construction and such roads would be short in length with only minor traffic (less than 5 units).

Service Infrastructure

The primary constraints to development in Trinidad are limited septic capability and water availability.

Water and Sewer Capacity

The City has its own water system and provides water to residents in the City as well as some properties outside the City within the City Service Area. The County Division of Environmental Health is contracted to serve as the City’s Health Department and regulates the design and construction of OWTS. The City has an OWTS Management Program on top of that, which requires operating permits, periodic maintenance and upgrades. The sites included in the sites inventory have water and sewer capacity.

Wastewater

Individual onsite wastewater treatment systems (OWTS) are currently the only means of sewage disposal in the City. Much of Trinidad is more densely developed with smaller lots than what would now be considered adequate for OWTS. Fortunately, much of Trinidad has ideal soils for OWTS, but there is documented bacterial contamination in the water around the City. A significant increase in development and density in Trinidad is not feasible with the use of OWTS. OWTS are likely to remain the primary method of wastewater treatment as there are several major hurdles to the construction of a sewer treatment plant. The initial costs of construction are prohibitive to a community as small as Trinidad, and at this time, funding sources for a sewage treatment plant are generally unavailable. In addition, available land on which to construct such a plant is severely limited, and because the ocean surrounding Trinidad has been designated as an Area of Special Biological Significance (ASBS) with a zero-discharge standard, location of a sewer outfall is also problematic. Trinidad has considered the

feasibility of hooking into the McKinleyville Community Services District's sewer system approximately eight miles to the south, but that is also very expensive. In addition, there is a lot of community resistance to the idea of a centralized sewer due to the potential growth inducing impacts and resulting changes to the character of the community.

The City's land use regulations are based on the long-term use of OWTS for sewage disposal. In order to protect water quality, the City has adopted, and recently started implementing, an OWTS Management Program that requires all property owners to maintain an operating permit for their OWTS that requires periodic inspections and maintenance. The program also requires upgrades and repairs to septic systems at the time of property sales or improvements. City Staff also obtained a Clean Beaches grant which included funding for inspecting and repairing non-functioning septic systems. Through these programs, septic systems for 90 residences in the Trinidad-Westhaven area were repaired or replaced. By ensuring that OWTS are functioning properly development on existing lots under existing zoning can continue. However, there is only so much that can be done, because only so much wastewater can be treated onsite. Therefore, densities will continue to be constrained by the use of OWTS.

Water Supply

Trinidad withdraws its municipal water supply from Luffenholtz Creek, located 1.5 miles southeast of the City. The City has a designated Service Area that extends well outside City limits. All development within City boundaries (221 connections), and some development within County jurisdiction (101 connections), is connected to this system for a total of 322 metered connections. The City has ample water rights, so production capacity of the water plant and low flows on the creek are the primary limiting factors for water supply. The City of Trinidad completed several studies in 2019 to evaluate its water system capacity and future water demand. The water plant has an excess production capacity of about 48,000 gpd, which is more than enough to serve build-out within the City, including ADUs. However, droughts can reduce the water availability, particularly during the late summer when demand is highest. In addition, climate change is expected to result in fewer, larger storms with more runoff and less groundwater recharge. One of the limiting factors at the treatment plant is that the infiltration gallery and wet well, where water is withdrawn from the creek bed, become less efficient at lower flows. Therefore, low flows during droughts or resulting from climate change over time, not only reduce the volume of available water, but the City's ability to extract it. So, the City has taken a conservative approach in determining whether to extend any additional connections outside City limits.

The recent water studies provided other insights into the City's water system. While the system is generally functioning with adequate pressure throughout the system, water loss is high at nearly 30%. The City has made several efforts to find and repair larger leaks, but the remaining leaks are just a function of the old infrastructure that needs replacing. Water storage is minimally adequate with two 150,000-gallon storage tanks (285,000-gallon capacity). This provides enough water for residential fire-fighting needs, but not enough to supply water for more than 2-3 days should something fail. In addition, not enough information regarding flows on Luffenholtz Creek exist in order to be able to accurately predict low return flows. Information is also lacking as to the number and size of existing and potential water rights and diversions on Luffenholtz Creek. Therefore, there is a lot of uncertainty as to the reliability of the City's water supply into the future.

The City's water treatment plant is currently in compliance with state potable water treatment standards. Trinidad's water system currently consists of a 105 gallons per minute (gpm) (138,600 gallons per day (gpd)) capacity surface water treatment plant. This includes recent construction of a new membrane filtration system which decreased capacity from a previous maximum of 176 gpm (253,440 gpd), due to changes in operation needed to meet new State turbidity and chlorine contact standards. Raw water is collected from an infiltration gallery located 10 ft. below Luffenholtz Creek and treated by direct filtration and chlorination. The City maintains

three wet well pumps capable of delivering 120 gpm. The City typically only operates one of the three pumps, but during peak demand periods, the City can run two pumps with the combined flow rate of 220 gpm. The distribution system consists of approximately 13 miles of predominantly asbestos-cement piping and includes two 150,000 gallon redwood storage tanks. 180,000 gallons of storage is reserved for fire flows, leaving 120,000 gallons of storage available for regular use. Periodic upgrades and updates are done as the need arises and funding becomes available.

Table 19 – Summary of Current Water System Capacity, Demand and Availability

Conditions	Flows (in gallons per day)	Notes
Current Treatment Capacity	138,600 gpd	Maximum production capacity
Raw Water Available (worst case drought conditions)	Unknown	N/A
2009 City Peak Day Demand	85,289 gpd	Current system peak demand
Available System Capacity	48,578 gpd	July through October

There is minimal potential for development approved by Humboldt County outside City limits to impact the City’s water supply. Existing County policies protect Luffenholtz Creek from significant additional development through its designation as a critical water supply; commercial cannabis is also heavily regulated. The approval of a recent subdivision verified the County’s commitment to protecting the City’s water supply through the imposition of several strict conditions. In addition, current State law (Government Code Section 56133) does not allow the City to extend services outside of its jurisdictional boundaries without approval of the Humboldt County Local Agency Formation Commission (LAFCo) and the City has prioritized areas that may be annexed in the future for extending water service outside City limits. Climate change, existing unused riparian rights, and illegal diversions could impact, however, the City’s supply if not carefully monitored.

To comply with SB 1087, the City will immediately forward its adopted Housing Element to its water and wastewater providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households.

Stormwater

As previous mentioned, Trinidad Bay is designated by the State as an ASBS as well as a State Water Quality Protection Area (SWQPA). There are 34 ocean ASBS areas monitored and maintained for water quality by the State Water Resources Control Board (SWRCB). ASBS occur along the entire length of California's coastal waters. They support an unusual variety of aquatic life, and often host unique individual species. Stormwater discharge from the City that is conveyed to the existing outfall has the potential to impact the sensitive habitat within the ASBS. Primary pollutants and threats to water quality that have been identified are bacteria, nutrients, sediment, and hydrocarbons.

In 2004, the City received a letter from the State Water Resources Control Board regarding the “Prohibition of Waste Discharge into the kelp beds at Trinidad Head ASBS.” This led to a series of monitoring and planning activities that culminated in the Trinidad-Westhaven Integrated Coastal Watershed Management Plan. Through that process, stormwater was identified as a primary constituent of concern, and initial plans for implementing BMPs and infiltrating stormwater were developed.

The City received a temporary exemption to the prohibition which requires a number of special conditions

including MS4 requirements. Compliance with the substantial conditions of the discharge exception is prohibitively difficult for a City the size of Trinidad with limited staff and budget resources. The ASBS Compliance Plan requires structural BMPs in order to meet the Instantaneous Maximum Water Quality Objectives of the CA Ocean Plan and the “Natural Water Quality Guidelines.” In addition to compliance with regulations, water quality impairments from the discharge of polluted runoff has potential to damage the ASBS ecosystem which could impact the City residents, many who rely on tourism and fishing for income which are both recognized beneficial uses of the ASBS. The beaches along the ASBS also provide an area for water contact and non-contact recreation, including aesthetic enjoyment. Unfortunately, poor water quality discharges threaten these beneficial uses and the inhabitants of the ASBS.

To address this issue, the City applied for grant funding for improvements to the stormwater system that are being constructed in phases, with the final phase set for construction in 2020. The purpose of the project is to infiltrate the City’s stormwater in a series of swales, raingardens and infiltration chambers and eliminate the stormwater outfall altogether. As part of the project planning, the City conducted a comprehensive geotechnical and groundwater study and built a peer-reviewed groundwater model. These were necessary to determine if infiltration of stormwater would impact leachfields and bluff stability, which were two primary concerns. The model was used for locating infiltration basins such that they would not impact leachfields and bluff stability. However, the model did show that unregulated infiltration of stormwater along with inputs from leachfields can negatively impact bluff stability, which limits potential growth in the City.

Seismic / Slope Conditions

Seismicity

The City of Trinidad lies within a geographic region laden with numerous seismic faults and shear zones. The entire northern coast of California is subject to seismic activity, due mainly to the proximity of the Mendocino Triple Junction (MTJ). Multiple tectonic plates (pieces of the Earth’s crust) collide off the coast of northern California and southern Oregon to form the MTJ. In particular, this is where the San Andreas Fault meets the Cascadia Subduction Zone (CSZ), a 750-mile-long thrust fault capable of producing a megathrust quake of magnitude 9.0 or more. The tectonic activity most relevant to Humboldt County is the movement of the Gorda and Juan de Fuca plates underneath the North American plate. This movement causes the Earth’s crust to compress and break, resulting in an extensive system of onshore faults and frequent offshore earthquakes. The Trinidad Fault, an active fault that is part of the Mad River Fault Zone, runs through a portion of town. There are also several other small offshoots of the Mad River Fault that run through Trinidad’s Planning Area, or just offshore, most of which are not considered active.

Most local earthquakes originate offshore, within tectonic plates rather than along plate boundaries. The Gorda plate is most susceptible to seismic activity because it undergoes a large amount of stress, and consequent fragmentation, as it is pushed beneath the North American plate. Offshore, intraplate quakes are generally less damaging to human communities than onshore quakes, but they can still be quite large. The type of potentially damaging quake most likely to occur would be centered offshore with a magnitude between 5.0 and 7.5. Onshore earthquakes are less probable, having an average recurrence interval of 20 years. This type of quake could have a magnitude of 7.5 to 8.0, which would be more intense, and more damaging, than any modern historic quake. Although most earthquakes in the region originate offshore within the Gorda plate, they can also occur on the CSZ boundary. Evidence of prehistoric subduction zone earthquakes suggests that they could have magnitudes of 8.0 to 9.0 or more on an interval of every 300 to 600 years; the most recent one occurred in 1703. There is little that can be done to prepare for and mitigate damage from a large CSZ quake other than warning and evacuation systems

The general risks associated with earthquakes in the Trinidad area are structural damage, slope failures, liquefaction, and tsunamis. With the exception of tsunamis, these risks tend to be greater in areas of unstable slopes, wet conditions, alluvial deposits, or fill material. Trinidad is less vulnerable to damage and inundation of residential areas resulting from tsunamis due to its elevation and protective bluffs, but significant toe erosion could occur, compromising slope stability. In addition to occasional tsunamis, the City is susceptible to violent wave attacks during harsh winter storms. Development in the lower, more exposed portion of the near shore area must continue to be avoided to ensure its protection from waves.

Stability

Local topography is characterized by a series of marine terraces, which in cross-section have the appearance of wide stair-steps. These gently sloping surfaces were formed in the geologic past by wave erosion and deposition, and have been moved above sea level due to periodic sea-level changes and uplifting of the coastline. The terrace surfaces range in elevation from about 140 feet at the western edge of town, to 600 feet at the eastern edge of the Trinidad area. Most of the ground surface in Trinidad has a slope of 15% or less, but steeper slopes are found at sea cliffs, stream banks, and the boundaries between marine terraces.

The Franciscan bedrock that underlies Trinidad is composed of pieces of relatively resistant rock within a matrix of sheared, unstable material. Area geology is characterized by outcroppings of this material, especially at the coastline, and by the poorly consolidated alluvial deposits that cover the surfaces of the marine terraces. These different materials are subject to erosion and various types of slope failure.

Portions of Trinidad are composed of moderately to highly unstable slopes. Such slopes are prone to accelerated erosion and mass movement during earthquakes, storms, periods of high water tables, and as a result of poorly planned nearby construction. The City requires geologic reports for any parcel mapped as 'unstable' or of 'questionable stability' on Plate 3 (Slope Stability) of the City's General Plan (Figures 9a or 17 in the Draft General Plan update). It is also worth noting that development may be limited in areas near bluffs. Areas that have been mapped as being 'unstable' have been zoned either Open Space (OS) or Special Environment (SE) to limit or preclude development.

Rates of bluff retreat vary along the coastline depending on local bedrock characteristics and degree of protection from waves. Coastal bedrock varies from sheared and fractured shales, which are highly erodible, to erosion-resistant diorite and greenstone. Bluff retreat also occurs at different rates over time, as rates of sea level rise and geologic uplift change. Most of the Trinidad coast is approaching an equilibrium state, meaning that sea cliff erosion is more or less balanced by geologic uplift. The rates of these processes, however, are not constant and cannot be predicted.

Steep slopes and unstable geologic material create erosion and landslide hazards in some of the Trinidad area. Coastal bluffs are especially subject to these hazards because of continuous wave erosion, which could be exacerbated by climate change and sea level rise. Development should be located far enough from the edge of the bluffs so that structures are not in danger of being undercut by wave activity in the foreseeable future. Development should also be restricted in areas of steep slopes or those dominated by the clayey matrix component of the Franciscan Complex, as these materials are susceptible to earthflows and debris flows

Service Infrastructure

The current minimum lot size in Trinidad is 8,000 s.f. for the Urban Residential (UR) zone and 20,000 s.f. for the Suburban Residential (SR) zone. Both of these minimum lot sizes are less than what the County Division of Environmental Health (DEH), which serves as the City's Health Department, currently allows for lots that utilize septic systems. The minimum lot area allowed in the Planned Development (PD) zone is 2,500 s.f. per lot for planned developments with five or more dwellings, but the maximum density is still one residential unit per

8,000 sq. ft. There are many lots in town that do not meet the minimum size requirement, and at least 4,000 to 5,000 sq. ft. is generally necessary to accommodate a small residence with a septic system; the City's regulations allow lots smaller than the minimum size to be developed as long as wastewater disposal requirements can be met. Under the City's Land Use Plan (LUP), all new individual septic systems must meet the minimum standards set by the State and Regional Water Quality Control Board (RWQCB) and DEH. Septic requirements will likely be a limiting factor for any future developments. The City has an Onsite Wastewater Treatment System (OWTS) Management Program in place that requires all systems to be regularly inspected and maintained through an operating permit system.

The City has a water ordinance, but it does not limit uses based on expected water demand and does not put any volume limits on users. However, "change in the intensity and use of water" falls under the Coastal Act's and City's definition of development. And the City has started discussions about how to revise the regulations and policies to better monitor and control individual water use as well as to make it a consideration in approving permit applications. Due to a substantial water request from the adjacent Trinidad Rancheria to build a hotel, the City has recently been focused on developing policies for evaluating connection requests from outside City limits. Once that is complete, the City will look at addressing existing users and requests from inside City limits as the recent water studies have shown that the City's water supply is more limited than previously thought. Water supply is likely going to become more of a limiting factor for development in the future.

ii. Seismic / Slope Protections

Within the City, the Trinidad Fault (part of the Mad River Fault Zone) has been designated under the Alquist-Priolo Act of 1972 (Fig. 17, Noise and Safety Element). Approximately 60 acres in the Trinidad area lie within this Special Study Zone, as designated by the State Division of Mines & Geology under the Alquist-Priolo Fault Hazard Zoning Act. Although this equates to approximately 19% of Trinidad's land area, much of it runs along the freeway corridor, and most of the affected lots are large, or already developed, and several of the parcels have already been investigated for faults. The purpose of the Zone is to ensure that local development patterns do not create seismic hazards. In this Zone, any subdivisions or new development of structures for human occupancy, other than a single-family wood-frame dwelling less than 2 stories, would be required to undergo a geologic study. According to the Alquist-Priolo Act, no buildings may be constructed within 50 feet of any active fault in the Zone. All buildings outside this buffer, and throughout the rest of Trinidad, are subject to specific design guidelines established by the City including a Fault Study for subjected properties. All of Humboldt County falls under UBC zone 4, which is the highest factor of safety for seismic hazards. There are also several other small offshoots of the Mad River Fault that run through Trinidad's Planning Area, or just offshore. These faults do not constrain development because they are either located offshore or are older and not considered active.

The Trinidad Land Use Plan (LUP) states that no new development may occur on unstable lands. Such development may include the construction of buildings and driveways or the placement of individual septic systems. These specific development types may not occur on sites of questionable stability, or within 100 feet upslope of such sites, unless the proposed development is analyzed and found not to increase instability by a registered geologist. In addition, no new structures may be located on the shoreline less than 20 feet above the Mean Lower Low Water line, with the exception of harbor and public access facilities. Most development of unstable and shoreline site is restricted by the City's zoning regulations, and most of these areas are zoned Open Space and Special Environment, which prohibit most development in these locations.

Dry Utilities

Dry utilities, including electricity, and telephone service, are available to all areas within the City. The extension of power to service new residential development has not been identified as a constraint. No natural gas lines exist in Trinidad, so individual property owners maintain propane tanks.

Service providers are as follows:

- Electricity: Pacific Gas and Electric Company (PG&E)
- Telephone: AT&T
- Fiber Cable: Suddenlink

Constraints on the Development of Housing

Various interrelated factors can constrain the ability of the private and public sectors to provide adequate housing and meet the housing needs for all economic segments of the community. These factors can be divided into two categories: (1) governmental constraints and (2) nongovernmental constraints. Governmental constraints consist of land use controls, development standards, processing fees, development impact fees, code enforcement, site improvement costs, development permit and approval processing, and provision for a variety of housing. Nongovernmental constraints consist of land availability, the environment, vacancy rates, land cost, construction costs, and availability of financing.

Governmental Constraints

Governmental constraints are policies, standards, requirements, or actions imposed by the various levels of government upon land and housing ownership and development. Although federal and state agencies play a role in the imposition of governmental constraints, these agencies are beyond the influence of local government and are therefore not addressed in this document.

Zoning Standards

Due to the small lot sizes and septic space requirements, off-street parking requirements could be a limiting factor for potential new development, particularly residential units added to existing commercial structures as promoted by policies to encourage mixed use. To some extent, parking requirements (1 additional space) may also limit the development of second units on small residential lots, but it is likely that septic requirements are more of a factor. This is not considered a significant constraint due to the high level of build-out on these properties and the low number of inquiries desiring second units.

The City’s Zoning Ordinance currently has a parking-in-lieu alternative when there would otherwise be a shortage of off-street parking in the mixed use (PD) zone. However, this alternative has not been used for many projects since being incorporated into the Zoning Ordinance and has been controversial when used; variances for parking have been more common. The City currently requires a use permit for all multifamily development. Program HI-14 has been included to monitor this process to ensure it does not cause a constraint to development. Development standards for the three residential zoning designations are shown in **Table 20**.

Table 20 – Development Standards from the City of Trinidad Zoning Ordinance*

Zone	Use Permit	Minimum Lot Area	Density Unit/s.f.	Setbacks F-R-S	Off-Street Parking # Spaces/Unit
SR (Suburban Residential)					
Single-Family	No	20,000 s.f.	1/20,000	30-20-10	2/unit
Two-Family	Yes	20,000 s.f.	1/20,000	30-20-10	2/unit
UR (Urban Residential)					
Single-Family*	No	8,000 s.f.	1/8,000	20-15-5	2/unit
PD (Planning Development)					
Less than 5 Units	Yes	8,000 s.f.	1/8,000	20-15-5	2/unit
5 or More Units	Yes	2,500 s.f.	1/8,000	**	1.5/unit

**This does not include provisions for accessory dwelling units that have been adopted by the City, but have not yet been certified by the Coastal Commission for implementation. **Where the two-thousand five hundred square foot minimum lot area applies (For Planned Developments with five or more dwelling or commercial units), no setbacks are required, except when adjacent to any other zone the yard shall be the same as that required in the adjacent zone.*

Parking Standards

The City’s parking requirements vary according to the type of dwelling unit, as shown in **Table 21**.

Table 21: Residential Parking Standards

Type of Residential Development	Required Parking
Single Family and Mobile Home Dwellings	Two parking spaces + any garage spaces
Attached dwellings (duplex, townhouse)	1.5 spaces per dwelling unit
Accessory Dwelling Unit	One parking space

Source: City of Trinidad Municipal Code, Section 17.56.180.

Provisions for a Variety of Housing

Housing element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population. This includes single-family housing, multifamily housing, manufactured housing, mobile homes, emergency shelters, and transitional housing. **Table 22** summarizes the permitted housing types.

Table 22: Housing Types Permitted by Zoning District

Residential Use	Zone						
	SE	SR	UR	PD	VS	C	PR
Single-Family — Detached	P	P	P	UP	UP	UP	-
Single-Family — Attached	-	-	-	-	-	-	-
2-4 Dwelling Units	-	-	-	UP	-	-	-
5+ Dwelling Units	-	-	-	-	-	-	-
Residential Care < 6P	-	-	-	-	-	-	-
Residential Care > 6P	-	-	-	-	-	-	-
Emergency Shelter	-	-	-	-	-	-	-
Single-Room Occupancy	-	-	-	-	-	-	-
Manufactured Homes	P	P	P	UP	UP	UP	-
Mobile Homes	P	P	P	UP	UP	UP	-
Transitional Housing	-	-	-	-	-	-	-
Farmworker Housing	-	-	-	-	-	-	-
Supportive Housing	-	-	-	-	-	-	-
Accessory Dwelling Units	UP	UP	UP	UP	UP	UP	-

Source: City of Trinidad Municipal Code, 2019

“P” = Permitted “UP” = Special Use Permit “-” = Not Permitted

Emergency Shelters

The California Health and Safety Code (Section 50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay.”

Senate Bill 2 (Cedillo, 2007) requires jurisdictions to allow emergency shelters and transitional housing without a conditional use permit. The City must identify a zone or zones where emergency shelters will be allowed as a permitted use without a conditional use permit or other discretionary permit. The zone or zones identified must have land available to accommodate an emergency shelter.

The City of Trinidad’s Municipal Code does not have any provisions identifying or allowing emergency shelters within the city. The City has included program HI-1 to comply with State Law and is processing a zoning amendment concurrent with the Housing Element update.

Housing for Persons with Disabilities

In compliance with SB 520, a complete evaluation of the City’s zoning laws, practices, and policies was done as a part of the Housing Element update process.

- **Reasonable accommodations.** The City’s Zoning Ordinance does not have a reasonable accommodation procedure but has included implementation program HI-1.
- **Separation requirements.** Once allowed (program HI-1), the City’s Zoning Ordinance will not impose any separation requirements between residential care facilities.
- **Site planning requirements.** Once allowed (program HI-1), site planning requirements for residential care facilities will be no different than for other residential uses in the same zone.
- **Definition of family.** The City’s current definition is as follows “Family” means one person; or two or more persons; or a group not in excess of five persons living together as a single housekeeping unit”. The City’s has included program HI-1 to update the ensure the City’s definition of family is consistent with current housing law.

Accessory Dwelling Units

Assembly Bill (AB) 1866 requires local governments to use a ministerial process for considering second-unit applications for the purpose of facilitating the production of affordable housing. The City has included program HI-1 to comply with State Law.

Local Processing and Permit Procedures

Shown in **Table 23** are the typical permit processing times for residential development.

Table 23: Typical City Permit Process and Timelines

Project Type	Typical Processing Time
Conditional Use Permit	5 to 10 weeks
Zone Change	8 to 12 weeks + Coastal Commission processing time of several months to a year
General Plan Amendment	8 to 12 weeks + Coastal Commission processing time of several months to a year
Site Plan Review (non-discretionary)	N/A
Design Review	4 to 8 weeks
Tract Maps (Major Subdivisions)	N/A
Parcel Maps (Minor Subdivisions)	3–4 months minimum of staff time (not including applicant’s revisions or special studies)
Initial Environmental Study	2 weeks preparation (excluding special studies); 8 weeks processing
Environmental Impact Report	N/A

Source: City of Trinidad, 2020.

Shown in **Table 24** are the typical processing procedures for residential development.

Table 24 Typical Processing Procedures by Project Type

	Single-Family Unit	Subdivision	Multifamily < 5 Units
Typical Approval Requirements	Coastal Development Permit	Tentative Map Review (including approval by Planning Commission and City Council)	Coastal Development Permit
	Design Review	CEQA	Design Review
Est. Total Processing Time	4 to 8 weeks	9 months	8 to 12 weeks

Source: City of Trinidad, 2020.

Design Guidelines

The City of Trinidad details its design guidelines in Chapter 17.60 of its Municipal Code. The City's design guidelines aim to preserve the community's identity by the coastline by preserving lines-of-sight and viewsheds, the size and bulk of structures, and the community's unique character. The guidelines include the following regulations:

- The project should be designed to the site rather than modifying the land to fit the development;
- Color palettes for buildings next to open spaces should use “natural” tones;
- Pre-set designs should be avoided – each project must match its surroundings;
- Vacant lots in the SR and UR zones are guaranteed a height of at least 15 feet and a floor area of at least 1,500 square feet even if the structure would obstruct views of the harbor, Little Trinidad Head, Trinidad Head, or the ocean from public roads, trails, and vista points;
- Similarly, any site plans for buildings erected within 100 feet to any of the historic landmarks in the City may be reviewed and amended so as not to cause view blockages of these historic resources.

For the full list of design guidelines please refer to the Trinidad Municipal Code. None of these design guidelines seem to be a burden on new housing development in Trinidad.

Planning and Building Permit Fees

The City uses full-cost recovery for its planning, building, and community development permitting and ministerial approval processes. The minimum deposit charged to applicants for community development permits (e.g. use permit, design review, ministerial review, etc.) is \$750 but costs usually can exceed \$1,400 during typical plan review.

Development Fees

The City does not have development impact fees.

Building and Code Enforcement

Building Standards

The City of Trinidad's Municipal Code indicates that the officially adopted building standards on file are the 1997 Uniform Codes. The City has indicated, however, that staff have been using the 2016 Edition of the California Building Code (CBC). It is unclear if there are any local amendments to the 2016 CBC. Trinidad's officially adopted codes include:

- Uniform Building Code (1997 Edition) and the Uniform Building Code Standards (1997 Edition);
- Uniform Mechanical Code (1997 Edition);
- Uniform Housing Code (1997 Edition);
- Uniform Code for the Abatement of Dangerous Buildings (1997 Edition);
- Uniform Fire Code (1997 Edition);
- Uniform Plumbing Code (1997 Edition);
- National Electric Code (1997 Edition);
- Uniform Sign Code (1997 Edition); and

- Uniform Administrative Code (1997 Edition).

The City has amended the Uniform Building Code to match the local context by making the following housing development-related adjustments:

- Allowing the Building Inspector to halt occupancy and require property owners to bring buildings into compliance with load-bearing or setback regulations if they exceed the City’s officially-adopted ordinances;
- Creating a Board of Appeals body to approve buildings materials and construction methods—full details of this body are defined in Trinidad Municipal Code subsection 15.04.050;
- Mandating possession of building permits from the Building Official for certain activities as described in Trinidad Municipal Code subsection 15.04.060;
- Amending certain aspects of the Building Permit approval process as detailed in Trinidad Municipal Code subsection 15.04.070;
- Allowing the Building Official to employ a consultant if the Official requires specialized knowledge for ministerial review of an application; and
- Requiring the possession of an encroachment permit by an applicant if work occurs in a public right-of-way.

The City of Trinidad Planning and Building Services Department views code enforcement as the means to ensure safe and uniform construction practices critical to providing decent, suitable shelter for all economic segments of the community, and to safeguard the general health, safety, and welfare of the community. Therefore, enforcement of the Building Code is not viewed as an obstacle to the provision of affordable housing in the city. The Department will, however, need to adopt and transition over from the Uniform Building Code to the most recent version of the California Building Code to ensure maximum safety and sustainability of all future housing structures. This also helps ensure full compliance with the latest state building regulations and goals. At the time of writing, the most recent version of the California Building Code is the 2019 Edition, which many jurisdictions in California adopted in January 2020.

On- and Off-Site Improvements

On- and off-site improvement requirements consist primarily of paving of off-street parking and construction of wastewater and drainage facilities. These requirements are comparable with other surrounding jurisdictions and are not excessive. Most streets in Trinidad don’t have sidewalks or curbs, and improvements aren’t usually required for new development, which reduces some of the burden on property owners. Some additional septic and storm water regulations or conditions are being considered as part of the current General Plan update because of bluff saturation issues and the sensitive environments around Trinidad, including the Trinidad Head Area of Special Biological Significance (ASBS) / State Water Quality Protection Area (SWQPA) and Tsurai Study Area. Setbacks and lot coverage restrictions are also comparable to surrounding jurisdictions and do not represent a constraint to development. Trinidad does have a 2,000 sq. ft. maximum floor area guidelines for residential structures, which helps to keep homes modestly sized and priced.

Review of Local Ordinances

The City does not have any locally adopted ordinances that hinder the development of housing.

Local Coastal Plan

The City's Local Coastal Plan (LCP) implements Coastal Act policies which include review of new development for compliance with design review and view protection findings. These tend to result in some restrictions on development to minimize the bulk or structures, or 'mansionization' and to preserve viewsheds. However, there are no known cases where development was precluded. All policies are applied as equally as possible, considering the somewhat subjective criteria and public involvement, regardless of the type of development proposed.

The most notable of these constraints are the mandates set forth by the California Coastal Commission (CCC) pursuant to the California Coastal Act. Almost the entire City of Trinidad falls within the Coastal Zone, meaning that all proposals for new development are subject to the standards and regulatory procedures included in the City's Local Coastal Program (LCP). At the heart of the LCP is the Trinidad Land Use Plan (LUP), equivalent to a General Plan, which establishes numerous land use regulations relevant to the City's coastal location and characteristics.

In general, the purpose of an LCP is to allow for a partnership between the State and local governments in protecting the Coastal Zone from expansive, environmentally detrimental development. Several Coastal Act policies may apply to development proposals in Trinidad. These should be considered when assessing governmental constraints to development within the City. They are as follows:

- Maximum public access and recreational use of the coast must be provided, with consideration of private property rights and the environment;
- Marine and land resources, including riparian areas, tide pools, wetlands, and rare and endangered habitat areas must be protected;
- The scenic integrity and viewsheds of the coastal landscape must be preserved

It is also important to note that, under the Coastal Act, coastal-dependent development proposals (such as those oriented toward recreation or tourism, or those involving the organized study of coastal/marine resources) receive higher approval priority by the Coastal Commission than do non-coastal-dependent developments (such as residential dwellings). This is particularly true in certain designated areas such the Trinidad Harbor area and Visitor Service areas; in addition, the CCC generally encourages short-term / overnight accommodations, including vacation rentals, as long as coastal resources are protected.

At this time, the City of Trinidad is currently updating its LCP. It will be critical that the LCP and the Housing Element update work concurrently to achieve both the goals of protecting Trinidad's coastline while also helping the City fulfill its RHNA requirements and associated housing goals for this planning cycle.

Nongovernmental Constraints

Development Costs

Local residential construction cost information was not readily available for the City of Trinidad but residential construction cost data for Fortuna and Arcata—two Humboldt County cities which are similar in size and location both along US-101 and the coastline—was available. In Arcata, single-family residential construction costs ranged from \$122 to \$136 per square foot in 2019. Based on that estimate, the total construction cost for an average 1,200 square-foot single-family home would therefore equate to as low as \$146,400 or as high as \$163,000 total. The average multi-family residential development construction cost in Arcata was slightly higher at an approximate \$245 per square-foot. Based on that estimate, the total construction cost for a multi-family

development consisting of a gross total of 8,000 square feet was an estimated \$1,959,696. This equates to an approximate construction cost of \$244,962 per each 1,000 square-foot unit in the 8,000 square-foot, multi-family residential shell space. In Fortuna, the average single-family residential construction cost per square foot was \$156 in 2019. Based on that estimate, therefore, the gross construction cost for a 1,200 square-foot, single-family home in Fortuna would be an estimated \$187,200. There were no estimates available for multi-family residential construction costs in Fortuna.

Construction costs for both single- and multi-family residential developments in Trinidad, therefore, are most likely similar to these estimates in both Fortuna and Arcata.

Construction costs vary widely according to the type of development, with multifamily housing generally less expensive to construct than single-family homes. However, wide variation within each construction type exists depending on the size of the unit and the number and quality of amenities provided, such as fireplaces, swimming pools, and interior fixtures, among others.

In addition to construction costs, the price of land is one of the largest components of housing development costs. Land costs vary depending on whether the site is vacant or has an existing use that must be removed. Similarly, site constraints such as environmental issues (i.e., steep slopes, soil stability, seismic hazards, or flooding) can also be factor in the cost of land. Other costs stem from professional services such as land surveying and engineering, soils engineering/analysis, site design, landscape and architectural design, and permit processing.

If labor or material costs increase substantially, the cost of construction in Trinidad could rise to a level that impacts the price of new construction and rehabilitation. Therefore, increased construction costs have the potential to constrain new housing construction and the rehabilitation of existing housing. The City will continue to do its part in reducing development processing times and providing a more streamlined review process.

Availability of Financing

The cost of borrowing money to finance the construction of housing or to purchase a house affects the amount of affordably priced housing in Trinidad. Fluctuating interest rates can eliminate many potential homebuyers from the housing market or render a housing project that could have been developed at lower interest rates infeasible. Typically, when interest rates decline, sales increase. The reverse has been true when interest rates increase. **Table 26** illustrates interest rates as of March 2020. The table presents both the interest rate and the annual percentage rate (APR) for different types of home loans.

Table 26: Interest Rates

Conforming	Interest	APR
30-Year Fixed	3.500	3.624
15-Year Fixed	2.625	2.843
5-Year ARM	3.000	3.284
Jumbo		
30-Year Fixed	3.375	3.409
7-Year ARM	2.500	2.969

Source: *www.wellsfargo.com, March 2020.*

Price of Land

An online survey of listings of vacant lots on Trulia and Craigslist in March 2020 indicated that there were no vacant lots available for sale in Trinidad proper but there was one vacant lot for sale and two lots had recently been sold within the unincorporated lands immediately outside of the city limits. These lot costs ranged from \$235,000 to \$500,000 with the median cost being \$299,000 and the average cost being \$344,667. If any vacant lots were to be sold in Trinidad in the future, they would likely be sold at similar price or even higher since the amount of developed lands versus undeveloped lands in Trinidad is higher than in Unincorporated Humboldt County.

The City provided additional data summarizing land sales within the last five years. **Table 27** describes each year the land sales occurred and how much each lot was sold for.

When viewing all the data, it becomes clear that most vacant lots tend to be sold between \$150,000 and \$400,000 in Trinidad. This is consistent with the current for-sale vacant lots in Unincorporated Humboldt County immediately outside Trinidad.

Table 27: Vacant Lots Sold 2015-2018

APN	Year Sold	Cost
515-331-049	2015	\$150,000
515-331-048	2015	\$188,318
042-031-028	2016	\$390,150
042-081-024	2018	\$263,000
042-031-028	2018	\$390,150
042-041-056	2018	\$700,000

Source: City of Trinidad, 2020

Residential Energy Conservation

Housing elements must include a review of opportunities to encourage energy conservation in residential development (Government Code Section 65583(a)(7)). Energy conservation policies could reduce housing costs, promote sustainable design, and help reduce greenhouse gases. Title 24 of the California Administrative Code sets mandatory energy standards for new development and requires the adoption of an “energy budget.”

The California Department of Housing and Development encourages jurisdictions to take steps toward better energy conservation through their housing element updates. Policy ideas are listed on HCD’s website to help jurisdictions toward this goal. Additional resources are listed below.

Energy Conservation Resources

California Solar Initiative Rebates

Rebates vary according to system size, customer class, and performance and installation factors (www.gosolarcalifornia.org). There are two rebate programs: Expected Performance-Based Buydown (for systems that are less than 30 kilowatts) and Performance-Based Incentive (for all systems greater than 30 kilowatts).

Single-Family Affordable Solar Housing

The Single-Family Affordable Solar Housing (SASH) program offers incentives to qualified low-income homeowners to help offset the costs of a solar electric system. The SASH program is overseen by the California Public Utilities Commission and administered by GRID Alternatives, a nonprofit organization.

California Solar Initiative Multifamily Affordable Solar Housing

The Multifamily Affordable Solar Housing (MASH) program offers solar incentives for qualifying affordable multifamily dwellings. The program is overseen by the California Public Utilities Commission and offers incentives to qualifying affordable housing within the service territories of PG&E, Southern California Edison Company, and San Diego Gas & Electric. MASH provides fixed, upfront, capacity-based incentives for qualifying solar energy systems. The amount of the incentive depends on which track the applicant is eligible for.

Federal Solar Investment Tax Credit

The Federal Investment Tax Credit (ITC) for residential and commercial solar systems is 26 percent of net system cost. This tax credit is available on residential properties that commence construction by 2020. The ITC then steps down to 22 percent in 2021. After 2023, the residential credit will drop to zero, while the commercial and utility credit will drop to a permanent 10 percent.

Redwood Coast Energy Authority and Pacific Gas & Electric

PG&E owns and maintains all the electrical and natural gas infrastructure in Humboldt County. In May 2017, all electrical services were transferred from PG&E’s management to a newly-appointed joint power authority called the Redwood Coast Energy Authority (RCEA). The RCEA includes the County of Humboldt; the cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, and Trinidad; and the Humboldt Bay Municipal Water District. RCEA’s goal is to implement sustainable energy programs to reduce energy demand and enhance regional energy efficiency. RCEA’s energy sources come from more renewable sources (e.g. biomass & biowaste,

geothermal, eligible hydroelectric, solar electric, and wind). Residents may opt out of RCEA's power supply and return to PG&E service when they wish but residents otherwise are automatically opted in by default to RCEA's power service when they purchase property in Humboldt County. RCEA currently has a goal to adopt completely renewable energy sources by 2025 and furthermore achieve 100% local renewable electricity in 2030.

The Authority administers a number of programs for its customers, including residents in Trinidad, including:

- Free Energy Advisor Consultation.
- Supporting installations of electric vehicle charging stations.
- Free Energy Efficiency Kit.

For residents who opt out of RCEA and return to PG&E energy service, PG&E offered the following energy conservation programs as of March 2020 (www.pge.com):

- SmartAC. Provides free equipment and installation for the efficient regulation of central air conditioning systems and heat pumps for residential and small business customers.
- AC Quality Care Program. Provides rebates to customers to help pay for work done by AC Quality Care certified contractors.
- Energy analyzers and calculators (online).
- Zero Net Energy (ZNE) program. Began in 2010 to support the 2008 California Long Term Energy Efficiency Strategic Plan; ZNE goals state that all new residential construction will be ZNE by 2020.
- Rebate Program. Offers a range of rebates on energy-saving products for residential owners.
- Home Upgrade program. Offers up to \$4,500 in rebates from PG&E for energy-efficiency upgrade projects.
- Energy Upgrade California Home Upgrade rebate program.

Local Program

As of March 2020, the City of Trinidad had not published any current plans or programs relating to energy conservation.

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]