

Posted: September 14, 2018



NOTICE AND CALL OF A MEETING OF THE
TRINIDAD PLANNING COMMISSION

The Trinidad Planning Commission will hold a regularly scheduled monthly meeting on
WEDNESDAY SEPTEMBER 19th, 2018, AT 6:00 P.M.
in Town Hall at 409 Trinity Street.

The following items will be discussed:

- I. ROLL CALL
- II. APPROVAL OF MINUTES - August 29, 2018
- III. APPROVAL OF AGENDA
- IV. ITEMS FROM THE FLOOR
- V. AGENDA ITEMS

Discussion / Decision / Public Hearing / Action

- 1. Wilson 2018-07: Lot Merger, Design Review, Use Permit and Coastal Development Permit to construct a 532 sq. ft., 1-bedroom, single-story, secondary dwelling unit northeast of the existing residence. The second unit will utilize the existing septic system, which will be expanded. Located at: 33 Berry Rd.; APNs: 515-331-048 & -049
- 2. General Plan Update: Update and discussion of current status, next steps and review of a new draft Conservation and Open Space Element.

- VI. COUNCIL REPORT
- VII. STAFF REPORT
- VIII. FUTURE AGENDA ITEMS
- IX. ADJOURNMENT

MINUTES OF THE RESCHEDULED MONTHLY MEETING OF THE
TRINIDAD PLANNING COMMISSION
Wednesday, August 29, 2018

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

Commissioners Present: Graves, Stockness, Johnson

Commissioners Absent: None

Staff: Planner Parker, Mateer

II. APPROVAL OF MINUTES

June 20, 2018

There were no comments on the minutes.

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

Passed unanimously (3-0).

III. APPROVAL OF AGENDA

Motion (Stockness/Johnson) to approve the agenda.

Passed unanimously (3-0).

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

1. Civic Club 2018-06: Design Review and Grading Permit application for relocating the Trinidad Memorial Lighthouse and associated work, which was authorized under emergency permits (2015-06E and GD180001), and additional clean-up at Site #1. Located at:
 - Site 1: Civic Club Memorial Property at the intersection of Edwards and Trinity Streets; APN: 042-091-004
 - Site 2: Trinidad Harbor parking area; APN: 042-071-008

Staff Report

Parker summarizes the staff report. She explains the brief history of the active slide and the studies and process that determined that the Trinidad Memorial Lighthouse (TML) need to be relocated. She also described the protests that resulted from the soil disturbance that occurred during relocation, as well as the collaboration that ensued. Parker explains the Civic Club requested and received a permit consolidation request from the City and Coastal Commission, so that the Coastal Commission will process the CDP for both sites. But the City is still responsible for processing the Design Review and Grading Permits for both sites. Parker explains that approval of the permits is for a 4 year period, unless an extension is granted, to allow time for a permanent relocation site to be determined and designed.

Commissioner Comments/Questions

Commissioner Stockness asks about the CDP process. Parker explains both sites are within the Coastal Zone and require CDPs, but Site 2 is under Coastal Commission jurisdiction, and Site 1 is within City LCP jurisdiction, which was the reason for the permit consolidation. Parker further explains that the project will not require City Council approval unless the permits are appealed.

Commissioner Stockness states that she supports Site 2 for the location of the TML. She asks what will happen to the TML sign located near the street. Parker stated that it is not part of the current project and will remain for now.

Commissioner Johnson asks for clarification on the number and affiliation of qualified cultural monitors required to be onsite during demolition and soil disturbing activities. Parker explains that the City only requires one certified cultural monitor onsite, but that the Civic Club plans on having cultural monitors from both the Yurok Tribe and Trinidad Rancheria onsite during work.

Commissioner Johnson asks about the management of concrete saw effluent. Parker explains the saw will require containment of effluent, and suggests that the project geologist may be able to provide more information if needed.

Commissioner Graves explains he had ex parte communication with P. Flesher of the Trinidad Civic Club. He also notes that there does not appear to be a conflict of interest due to the fact that SHN is the contract Planner for the City and contract Geologist for the TML relocation.

Public Comment

R. Hemsted (Trinidad Rancheria Councilmember) thanks the Civic Club and Yurok Tribe for coming together to find a positive solution. Hemsted explains that the Memorandum of Understanding outlines two tribal monitors, one from each Tribe. Hemsted also thanks the Yurok Tribe for also providing volunteers to conduct the work.

Do. Cox (436 Ocean) asks what will happen to the Axel Lindgren Memorial Trail. Parker explains that the TML relocation project will not disturb the existing configuration. She explains there are some unresolved issues with the trail entrance due to a 2012 appeal, and the Civic Club is working through those issues.

A. Lindgren (130 Lanford) explains she would like to see a peace park built at the former site of the TML consisting of benches and flowers. She notes the Axel Lindgren Trail is in poor condition and would offer help to see the trail restored. She cites a trail example from Bandon OR.

Z. Brown (Trinidad Rancheria, Vice Chair) reiterates the comments made by R. Hemsted, including the City in his thanks. He explains that the project was time sensitive and

everyone worked quickly. He emphasizes the importance of continuing the positive relationships that have been built through this process.

T. O'Rourke (Yurok Tribe, Chairman) expresses his appreciation for the hard work done to bring down obstacles and reach a positive solution. He explains the importance of coming together to form partnerships to protect ancestry and future generations. He states the Yurok work crew is ready to go as soon as the necessary permits are approved.

S. Laos (Trinidad Rancheria) agrees with comments made by others regarding positive partnerships and reaffirms that dialogue between stakeholders is important; she also urges permit approval.

P. Fleschner (Trinidad Civic Club) addresses Commissioner Stockness' questions regarding the sign for Trinidad Memorial Lighthouse. She explains the sign and flagpole are on the City right-of-way and the current permit does not address their removal. Therefore, the removal of the sign, flagpole, plaques and anchor will be addressed in future permit(s).

F. Myers (Yurok Tribe, THPO) agrees with prior comments regarding positive relationships and partnerships. He thanks and applauds everyone who contributed toward the solution, and, after reviewing the plans, urges permit approval as proposed.

A. Lindgren (130 Landford) suggests that the sign could be incorporated into the peace park. Commissioner Stockness advises Ms. Lindgren to produce a proposed description of the peace park and provide it to city staff.

Commissioner Discussion

There is no additional discussion.

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

2. Reinman 2018-01: Zoning and General Plan Amendment request to change the zoning and general plan designations of the property from UR - Urban Residential to PD - Planned Development. The purpose is to make the existing multi-family development more conforming and to allow more flexibility for future uses; all new uses in the PD zone require a Use Permit. Located at: 651 Parker St.; APN: 042-042-017.

Staff Report

Parker summarizes the staff report, including the project location, zoning, and existing structures that are present on the parcel. She explains that the property on

which the project is located is zoned UR – Urban Residential. The existing 4-plex structure was legally developed, but is nonconforming as to density, and use as well.

Parker explains that a change in zoning/designation to PD – Planned Development, would allow for more uses, but any changes in use would require a Conditional Use Permit. The proposed change in zoning is not being requested in order to change the existing use at this time. However, the applicant has expressed an interest in having additional short term rental(s) (STR) on the property. Parker explains that if the Planning Commission approves the amendment, it would go next to the City Council and then to the Coastal Commission for certification. Parker provides a staff recommendation for approval, noting that the change is already proposed in the City's general plan update, but also explains the Commission's alternatives.

Commissioner Comments/Questions

Commissioner Stockness inquires about the zoning of the parcel in the Draft General Plan. Parker explains that this parcel, and several others, are proposed to be designated/zoned PD in order to make the existing uses more conforming as to zoning requirements; in this case, it has been proposed as such since 2009, but the applicant was impatient with that process.

Commissioner Stockness inquires about the status of current STR licenses on the property. Parker explains there is presently one STR license. But another unit is offered as a minimum 30-day rental, which does not require an STR license; the other two apartments are regular long-term rentals.

Commissioner Stockness also asks about the zoning of the Eatery. Parker explains that the existing zoning is C – Commercial. Parker goes on to explain that the proposed zoning of the Eatery in the Draft General Plan is PD as well, because it contains an apartment above the restaurant.

Commissioner Johnson asks if the City knows when the project structure was built. Parker responds that the specific date is unknown, but the structure was built in the mid-1970's, prior to adoption of the current Zoning Ordinance. Therefore, it is considered legal, nonconforming.

Commissioner Johnson inquires about the range of allowable uses should the parcel be rezoned to PD. Parker explains that the PD zone allows a much larger range of uses than the UR zone. However, there are no principally permitted uses in PD zone, so any and all changes in use would require approval of Conditional Use Permit by the Planning Commission.

Commissioner Johnson inquires about the difference in definition between a motel, inn, and STR. Parker reads section 17.08.480 of the Zoning Ordinance, which defines motel.

Commissioner Stockness asks about future parking requirements. Parker explains that parking requirements vary depending on the use.

Commissioner Johnson refers to a letter from K. Lake and T. Davies and inquires about concerns with the legality of guest parking signs. Parker explains that she has not reviewed those signs for compliance with the sign regulations. However, they may fall under the exemption for public safety and directional signs.

Public Comment

M. Reinman (Applicant) addresses some of the questions and issues brought up by Commissioners. He explains his plans to apply for an additional STR in the future. He describes the current occupants of his 4-Plex. He goes on to address concerns over the guest parking signs and explains that the signage is used to distinguish private parking from restaurant parking and are not related to the STR use. He also notes that he has made no final decisions regarding future use(s), and that the current situation works well for him; but he wants the structure to be more conforming for maintenance purposes and piece of mind.

Commissioner Stockness inquires about the number of existing bedrooms in the STR. M. Reinman explains that there are two existing bedrooms.

Do. Cox (436 Ocean) raises concerns with parking, signage, and the proposed zoning change, emphasizing that parking will be an issue for any future use. She opines that this application is circumventing the general plan update process and that a rezone should not be done for individual properties. She also worries what precedence this decision could set.

Commissioner Discussion

Commissioner Johnson clarifies that most of the properties along Trinity Street are already designed PD, and that the general plan update proposed changing several others to PD as well. He goes on to explain his understanding of the rationale behind STR caps, and suggests that the Planning Commission may want to consider STR caps in other zones when the ordinance is reviewed.

Commissioner Stockness worries that approval of this request would lead to other property owners making similar requests. She is also concerned about parking. She thinks the rezone should wait for the General Plan update.

Public Comment

S. Atkins (Agent) explains that a primary goal of the proposed zoning change is to bring the existing property and structure more into conformance with current regulations. And the owner is frustrated with waiting for the general plan update, not trying to circumvent the process

Commissioner Discussion

Commissioner Graves explains the purpose and strengths of PD zone. Parker adds that the City's PD zone does not allow as much flexibility as typical PD zones in other jurisdictions, and that it is more like a MU - Mixed Use zone. However, she assures Commissioner Graves that any new use or STR license in the PD zone requires a Conditional Use Permit. Parker summarizes the Use Permit findings required by § 17.72.049 of the Zoning Ordinance, which cover a lot of issues and give the Planning Commission a lot of flexibility to condition projects to minimize impacts.

Commissioner Johnson explains that fundamentally he has no issue with the proposed zoning change, as it's proposed in the Draft General Plan update. He is concerned about the parcel being modified into an inn or motel, but recognizes that the Planning Commission would have to review any such proposal.

Motion (Johnson/Graves): Based on information submitted in the application and included in the staff report and public testimony, I move to adopt the information and findings in the staff report and approve the project as conditioned therein. Passed unanimously (3-0).

3. General Plan Update: Update and discussion of current status, next steps and review of new draft Introduction Chapter and draft Land Use Element.

Staff Report

Parker explains the LCP Grant expires at the end of October, so she wants to get as much work done as possible to ensure that grant requirements are met. Parker explains the progress that has been made over the years, including the Draft Land Use Element in 2009 to the Housing Element in 2013; all the seven required elements were approved by the Planning Commission at some point and reviewed by the City Council. She explains that the optional Community Design and Cultural Elements have not been reviewed to the extent that the other seven have.

Commissioner Comments/Questions

Commissioner Graves notes that, in his experience the Coastal Commission won't review a General Plan without also being provided the implementing ordinances. Parker respond that this is true; she intends to complete a Draft General Plan by the end of the year, and base implementing ordinances off of said draft. Commissioner Graves explains the General Plan and Zoning Ordinances should eliminate ambiguity of words such as "could", "should" and "may", and include words such as "shall" and "shall not." Parker notes that the City has eliminated most of those types of words in its policies.

Commissioner Stockness states that the community should petition to get a representative of Humboldt County on the California Coastal Commission after 2018.

Public Comment

P. Fleschner (Trinidad Civic Club) notes that delays to the General Plan have been expensive for the City and the community. She hopes that the General Plan update is completed promptly to reduce minimize further costs.

Commissioner Discussion

Commissioner Johnsons suggests the Planning Commission set up a schedule to review the General Plan. Commissioner Graves suggests one additional meeting per month and first go through sections that need to be provided to the California Coastal Commission.

Commissioners agree to meet on September 11th a 5 P.M. to continue the General Plan review and discussion starting with the current drafts of the Introduction chapter and Land Use Element.

VI. COUNCIL REPORT

Commissioner Graves reported on Grand Jury report on STRs and the release of Commissioner Morgan.

VII. STAFF REPORT

Parker provides update on the Clean Beaches Grant and associated septic repairs, including the Hidden Creek RV Park and the residence at the corner of Frontage Road.

Commissioner Stockness inquires about stormwater construction scheduling. Parker explains that it is still Phase 1 currently under construction. Scheduling and monitoring are the responsibility of the City Engineer. Parker goes on to explain that Phase 2 permitting will come before the Commission in coming months.

VIII. FUTURE AGENDA ITEMS

IX. ADJOURNMENT

The meeting was adjourned at 8:30.

Submitted by:

Colin Mateer

Secretary to the Planning Commission

Approved by:

John Graves

Planning Commission Chair



Filed: July 5, 2018
Staff: Trever Parker
Staff Report: September 5, 2018
Commission Hearing Date: September 19, 2018
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2018-07

APPLICANT (S): Nick Wilson

AGENT: Bonnie Oliver

PROJECT LOCATION: 33 Berry Road

PROJECT DESCRIPTION: Lot Merger, Design Review, Use Permit and Coastal Development Permit, to construct a new 532 sq. ft., 1-story, 1-bedroom, secondary dwelling unit, which will utilize the existing, but expanded, sewage disposal system.

ASSESSOR'S PARCEL NUMBER: 515-331-048 & -049

ZONING: SR – Suburban Residential

GENERAL PLAN DESIGNATION: SR – Suburban Residential

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15303 of the CEQA Guidelines exempting new construction of small structures, including second dwellings on residentially zoned property.

APPEAL STATUS:

Planning Commission action on a coastal development permit, design review, a variance or a conditional use permit will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project ~~is~~ **X** is not appealable to the Coastal Commission per the City's certified LCP, nor per Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The project involves two adjacent properties that are located on the north side of Berry Road, and known as 33 Berry Road. Access to the site is provided from Berry Road. One parcel (-048) is developed with a 1,236 sq. ft., 2-story, 1-2 bedroom, single-family yurt; the other (-049) is vacant. The existing residence shares an access driveway with 15 Berry Rd to the southwest. The site is bordered by parcels zoned Suburban Residential (SR). There is one Special Environment (SE) zoned parcel to the north near Mill Creek. Most of the surrounding parcels are developed with single-family residences. There are a few vacant parcels to the north. The developed property is just over ½ acre, or approximately 25,265 sq. ft. in area, and the vacant one is 28,314 sq. ft. The properties have shrubs and trees on them, but most of the larger vegetation is located on the northern portion of the lots away from the proposed development. The building site itself is mostly flat (~2% slope), but the lot gives way to steep slopes to the north, with an average slope of 40%. Drainage is to the north toward Mill Creek.

STAFF COMMENTS:

This parcel was part of a major lot line adjustment (LLA) and annexation that was completed in 1998. As part of the lot line adjustment, a development plan for the parcels was approved, including building sites and septic system layouts. While the project layout is not exactly as in the development plan, the key concerns were access, setbacks from the break in slope, stability of fill soils, and leachfields. As conditioned, the proposed project complies with all current requirements and the conditions outlined in the development plan. These conditions were to be recorded on the deed for disclosure, and the applicant developed the adjacent parcel two years ago, so should be aware of the constraints. Although the project itself is fairly straightforward, there are some complicating site conditions.

Referrals were sent to the Building Official, City Engineer, Public Works and the County Division of Environmental Health. The Building Inspector commented that, due to the terrain and presence of fill (from construction of Hwy 101), an R2 soils report would be required that addresses drainage, grading and foundation recommendations. A soils and geologic report was prepared as part of the 1998 LLA that appears to address these issues. The Building Inspector is out of town and won't be able to review the report until he returns. Complying with both the report recommendations and the Building Inspectors requirements have been included as conditions of approval.

The City Engineer noted that the application should indicate how water will be provided and suggested that the portion of driveway within the City right-of-way be paved in order to minimize tracking of dirt. Public Works staff agree that the driveway apron needs to be paved at least to the end of the road easement (approximately 12 ft.). In addition, they would recommend a separate water connection for the residence

based on §13.04.280 of the City's water ordinance, which requires a separate connection for each building or use. This issue does not affect planning review or approval. Finally, they were concerned about some redwoods that were planted within the Berry Road easement that could impact the pavement as they grow. I have not gotten a specific recommendation though. A standard condition of approval has been included that all conditions of the City Engineer, Building Official and Public Works staff must be met prior to building permit issuance and that any utilities, grading, drainage and street improvement requirements will be addressed in the building permit. DEH did not have any comments; they are waiting for the final designs for the new system from the qualified consultant. A condition of approval has been included that an approved OWTS construction permit from DEH is required prior to building construction.

ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

The property where the project is located is zoned SR – Suburban Residential. The purpose of this zone is to allow medium-density residential development. Single-family residences are a principally permitted use, and second dwellings are permitted with a Use Permit (§17.28.030). The minimum lot size allowed in the UR zone is 20,000 s.f., and the maximum density is one dwelling per 20,000 sq. ft. (§17.28.040 and 17.28.050). The property on which the project is proposed is approximately 25,265 sq. ft. plus 28,314 sq. ft. Once merged, the property will be 1.23 acres, or 53,579 sq. ft., large enough to accommodate two residences. The owner does not have to merge the parcels in order build a residence on 515-331-049, which is currently vacant, but the lots do need to be merged in order for both residences to utilize the same septic system.

The floor area of the proposed second unit, as defined by the Zoning Ordinance §17.08.310, will be a modest 532 sq. ft. Other improvements include a 12' x 34' (408 sq. ft.) deck, and a 6' x 8' (48 sq. ft.) covered porch. The project also includes a new gravel driveway (with a paved apron), two off-street parking areas, a new 1,200 gallon tank and extension of the existing leachlines (design not yet final). Project areas and lot coverage is presented in Table 1.

The Suburban Residential zone requires minimum yards of front 30 ft., rear 20 ft., and side 10 ft. (§ 17.36.060). The parcel faces Berry Road to the south. The plot plan indicates that the yard requirements will be met. Note that the northern half of Berry Road is actually an easement in this location rather than a dedicated public right of way. The 30' front setback has been measured from the northern edge of the easement. In accordance with the 1998 soils and geologic report, the project also provides a 20 ft. setback from the foundation to the break-in-slope to the northwest.

Section 17.56.110 allows eaves and overhangs to extend 2.5 ft. into side yards and 4 ft. into front, street-side and rear yards. Decks and stairways, landings, balconies and uncovered porches are allowed to extend up to 8 ft. into front, rear or street-side yards

and 3 ft. into side yards. The site plan indicates that all of these setbacks will be met by the proposed project.

TABLE 1 - AREAS (SQ. FT.)

	Existing	Proposed	Total
Lot Area	25,264	28,314	53,579
FLOOR AREA			
Main Level	822	532	532
2 ND Level	414	NA	NA
Total Residence	1,236	532	1,768
FOOTPRINT			
Residence	822	532	1,354
Stoop/Porch/Deck	40	456	496
Driveway (paving)	800	240	1,040
Total Footprint	1,662	1,228	2,890
FLOOR TO LOT AREA RATIO*			
Residences	4.9%	1.9%	2.5%
Total Footprint	6.6%	4.3%	5.4%

* Note that in the SR zone, the standard FAR would be 10% for a 2,000 s.f. house on a 20,000 s.f. lot.

The maximum height allowed in the SR zone, by Zoning Ordinance § 17.36.06 (average ground level elevation covered by the structure to the highest point of the roof), is 25 feet, except that the Commission may require a lesser height in order to protect views (§17.27.070). The maximum height of the proposed residence as stated on the site plan is 15 ft., 4 in. on the southeast side. Because the ground starts to slope towards the north, the height of the structure would be a little higher than indicated if measured from the average ground elevation covered by the structure. However, it will still be well under the 25 ft. maximum.

The Zoning Ordinance (§ 17.56.180) requires 2 off-street parking spaces other than any garage spaces; spaces must measure 8.5 ft. x 18 ft. The proposed driveway is large enough to accommodate two parking spaces. Driveways and parking areas that accommodate less than 4 spaces must be surfaced with an all-weather surface. Compacted gravel complies with this requirement and still allows some permeability. The first 12 to 15 ft. of the driveway is required to be paved to reduce the amount of dirt and gravel being transported onto Berry Road. Runoff will need to be further addressed as part of the required drainage and erosion control plans, which will be reviewed as part of the building plans.

The Trinidad General Plan and Zoning Ordinance protect important public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. The project does not appear to be readily visible from any public viewpoints or any residences located upslope or behind. Neighbors have been notified and have the opportunity to speak at the hearing. Exterior materials and colors as stated on the plans will be horizontal tongue and groove cedar siding in natural wood tones to match the existing residence. The roof material will be galvanized metal, which also matches the existing residence.

GRADING / DRAINAGE / STORMWATER:

The project was reviewed under the City's stormwater ordinance, and it is exempt, because it does not create or replace more than 2,500 sq. ft. of impervious surface. However, because the site is vacant, some grading and excavation is required for this project. Because the project will not disturb more than 1,000 sq. ft. of surface area, a Grading Permit is not required.

A Soils and Geologic Report was prepared by Walter B. Sweet in 1998 for the lot line adjustment that created this parcel. All the recommendations of that report have been included as conditions of approval. In addition, the Building Inspector will be further reviewing grading, drainage and erosion control as part of the building permit process.

SLOPE STABILITY:

The project site is not mapped as being unstable or of questionable stability on Plate 3 of the General Plan. A small portion of the project parcel falls within the Alquist-Priolo Fault Hazard Special Study Zone. However, single-family, wood-frame dwellings not exceeding 2-stories are exempt from the requirements of the Alquist-Priolo Earthquake Fault Zoning Act, and no additional studies are required.

The area within approximately 100 ft. of Mill Creek is mapped as being of questionable stability, which is very close to the northern property boundary of this parcel; the building site is well outside of this area. There are steep slopes to the north of the building site and fill soils from construction of Hwy 101 on the southern portion of the lot. As mentioned above, a Geologic Report (Walter B. Sweet, April 15, 1998) was required as part of a previous lot line adjustment, and this project is subject to the recommendations of that report. In terms of the site design considerations, the proposed project meets the recommended setbacks from the buried break-in-slope. In addition, as part of the building permit process, the City Engineer and/or Building Inspector shall review the plans for conformance with the Geologic Report; this has been made a condition of approval.

SEWAGE DISPOSAL:

The existing 2-bedroom septic system layout has been shown on the plot plan as well as improvements proposed to accommodate the second dwelling. The design has not yet been finalized, but the applicant has retained a qualified consultant to design the expansion. Currently proposed improvements include a new 1,200 gal. tank and expansion of the existing leachlines to add 60 to 90 ft. According to DEH staff, the applicant will also need to show there is room for another or a larger reserve field. The project has been conditioned on obtaining an OWTS permit from DEH prior to project construction.

Although the existing home is described as being only one bedroom, DEH requires most systems to be designed for at least two bedrooms. Due to the loft space and size of the primary residence, the City considers the existing residence to be two bedrooms. The modified system will need to be adequately sized and approved to serve three bedrooms.

LANDSCAPING AND FENCING:

Much of the vegetation on the parcel consists of young redwood forest extending down slope to the north of the project, as well as in the front of the parcel along Berry Rd. No large trees or significant vegetation exists within the building area. The forested area to the north of the project area is proposed to remain undisturbed, as well as the vegetation along Berry Rd. However, the owner has expressed a willingness to remove any recently planted redwoods that may pose a threat to the Berry Road pavement if requested by the City.

The project site is identified in the General Plan Environmental Conditions and constraints as an area potentially containing a rare plant (*Dichondra donnelliana*). A condition of approval for the previous lot line adjustment states that *"at the time residential development is proposed, an applicant is required to submit a report prepared by a qualified biologist indicating the potential for impacts to the rare plants on the property as identified in the City's General Plan and any measures necessary to reduce those impacts to less than significant."* Policy 16 of the City's General Plan states in part: *"development should be reviewed to ensure that all reasonable means have been considered to protect any existing rare plants."* After further review of the potential for rare plants, staff has determined that a biological report should not be required if the Planning Commission agrees with staff's analysis. The plant identified as potentially occurring in the project area is no longer on CA Dept. of Fish and Game's "Special Plants" list. This list includes all state and federal officially designated plants, candidate species, those that meet listing criteria as well as the CA Native Plant Society's *Inventory of Rare and Endangered Plants of CA* and others. The plant is described in *The Jepson Manual of Higher Plants of CA* as occurring in open

slopes and moist fields, which the development area does not contain. Therefore, a biological reconnaissance has not been made a condition of project approval.

LOT MERGER / LOT LINE ADJUSTMENT

The City's Subdivision Ordinance does not contain a process for merging lots (other than a reversion to acreage, which is a dissolution of a previous subdivision). The City has administratively approved some lot mergers that were required in order to accommodate a septic system repair on an adjacent lot. Because this merger is being proposed in order to accommodate new development, staff is including the merger as part of the Planning Commission approval.

The submitted map meets the map requirements of §16.24.010 (map filing requirements for lot line adjustments). Section 16.24.030 requires the City Planner to make several findings prior to recommending approval of a lot line adjustment. These include the following:

1. *The lot line adjustment does not violate existing codes and policies; and*
2. *The lot line adjustment will not create difficult or unreasonable access to the parcels; and*
3. *The lot line adjustment would not require variances to permit standard development; and*
4. *Utilities and public services can be provided to the revised parcels; and*
5. *No street dedications or improvements are required.*

All of the above findings can be made. The City Engineer had no issues with the project. Because the proposal is just a lot merger, no survey is required. The owner will need to have a new property description prepared in order to record the merger.

USE PERMIT FINDINGS:

Second dwellings are allowed with approval of a Use Permit in the SR Zone. The following findings, as may be revised, are required in order to approve this project. As usual, the findings are written in a manor to allow approval of the project, but if the Planning Commission disagrees with any of the findings, or public testimony presents conflicting information, then the findings should be reworded accordingly.

- A. *The proposed use at the site and intensity contemplated and the proposed location will provide a development that is necessary or desirable for and compatible with the neighborhood or the community.* Response: The proposed development is small in scale, consistent with LCP requirements and provides additional housing in a low-density neighborhood.
- B. *Such use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property improvements*

or potential development in the vicinity with respect to aspects including but not limited to the following:

1. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;* Response: Geologic risks of and to the structure have been evaluated and are not considered significant. There are no particular hazards presented by this property or development.
 2. *The accessibility of the traffic patterns for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;* Response: Access to the structure will be provided via a new driveway off Berry Road. The project won't affect existing traffic patterns.
 3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;* Response: The proposed project will not involve any emissions.
 4. *Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs;* Response: The proposed project will not result in negative effects related to these items.
- C. *That such use or feature as proposed will comply with the applicable provisions of this title, will be consistent with the policies and programs of the general plan and will assist in carrying out and be in conformity with the Trinidad coastal program.* Response: As discussed above, under the Zoning Ordinance / General Plan Consistency section, the proposed project can be found to be consistent with the City's Zoning Ordinance, General Plan and Local Coastal Program.
- D. *That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment.* Response: Construction of a second dwelling is exempt from CEQA per §15303 of the CEQA Guidelines exempting new construction or conversion of small structures, including a second dwelling in a residential zone. There are no foreseeable environmental impacts that would result from the project.
- E. *When the subject property is located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:* Response: The project is not located between the sea and the first public road, therefore the associated findings are not applicable.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project is located within the Coastal Zone and proposes a new structure, §17.60.030 of the Zoning Ordinance requires Design Review and View Protection Findings to be made as well as approval of a Coastal Development Permit. Application materials show the project location and include the plot plan that shows proposed and existing improvements, and elevations. Recommended Design Review / View Preservation Findings are written in a manner to allow approval, without endorsing the project. However, if information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: Minimal grading is required for this project; the building site is fairly flat.
- B. *Structures in, or adjacent to open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project is not near or adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: Exterior materials and colors will be consistent with the adjacent primary residence, consisting of horizontal siding in natural wood tones, with colored standing seam galvanized metal roofing.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: Trees and associated vegetation growing along the street frontage are proposed to remain at this time unless requested to be moved by the City. The proposed house is consistent with surrounding development. Additional landscaping is not proposed at this time, but can be found to be unnecessary.
- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No on-premise signs are associated with this project.

- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: Above ground utilities already exist along portions of Berry Road. The nearest utility pole is located directly across Berry Road from the driveway, approximately 90 ft. from the nearest corner of the proposed residence. The applicants are proposing an underground connection to the existing junction box serving 15 Berry and the existing primary residence at 33 Berry. The Building Inspector will need to approve that connection as part of the building permit application process.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are associated with this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.*
 2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.*
- The proposed second dwelling is 532 sq. ft., which is well under the 2000 s.f. guideline. It is also less than the standard floor-to-area ratio of 10% at 1.9%.

View Protection Criteria

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The project site is not readily visible from a beach, trail or open space area.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The proposed residence will not block any of the described public views.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences*

of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction. Response: The proposed residence is not expected to block any private views and is less than the guaranteed minimum of 1,500 s.f. in floor area.

D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.

E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Trinidad Cemetery, Holy Trinity Church, Memorial Lighthouse or the Tsurai Study Area.

STAFF RECOMMENDATION

Based on the above analysis, and as conditioned below, the proposed project can be found to meet the Zoning Ordinance requirements, as well as other provisions of the City's Municipal Code and General Plan. If the Planning Commission agrees with staff's analysis, the project may be approved with the following motion:

Based on the information submitted in the application, included in the staff report and public testimony at the hearing, I find that the project is consistent with the City's LCP and other applicable regulations, and I move to adopt the information and Design Review, and Use Permit findings in this staff report and approve the project as submitted and as conditioned and revised therein:

PLANNING COMMISSION ALTERNATIVES

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Add conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk to verify prior to building permits being issued.*
2. Based on the findings that community values may change in a year's time, design review approval is for a one-year period starting at the effective date and expiring thereafter unless an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to building permits being issued.*
3. Recommended conditions of the City Building Inspector shall be required to be met as part of the building permit application submittal. Grading, drainage, erosion control, foundation design, street improvements and vegetation removal will need to be specifically addressed at the time of building permit application. *Responsibility: Building Official prior to building permits being issued.*
4. All recommendations made in Walter B. Sweet's April 15, 1998 Soils and Geologic Report for the site shall be complied with to the satisfaction of the City Engineer and/or Building Inspector unless another report is prepared that supersedes it. *Responsibility: City Building Official to confirm at time permits are issued.*
5. The applicant is responsible for submitting proof that a statement on the deed of the merged parcel, in a form approved by the City Attorney, has been recorded indicating that any increase in use above 2 dwelling units and a total of 3-

bedrooms, will require City approval of adequate sewage disposal capabilities.
Responsibility: City Clerk to verify prior to permits being issued.

6. (a) The applicants shall verify adequate sewage disposal capability by obtaining a valid OWTS Permit from DEH prior to project construction. (b) Documentation that the sewage system was installed as per the County of Humboldt division of Environmental health permit will be indicated by DEH sign-off for construction on the permit after final inspection. *Responsibility: Building Inspector shall verify (a) prior to issuance of building permits and (b) prior to final inspection.*
7. Construction related activities are to occur in a manner that incorporates storm water runoff and erosion control measures in order to protect water quality. An erosion control plan that conforms to the City's grading ordinance will be need to be prepared and submitted as part of the building permit process if construction is proposed to occur between October 15 and April 15. Specific water quality goals include, but are not limited to:
 - a. Limiting sediment loss resulting from construction
 - b. Limiting the extent and duration of land disturbing activities
 - c. Replacing vegetation as soon as possible
 - d. Maintaining natural drainage conditions*Responsibility: Building Official to confirm at time building permits are issued.*
8. Applicant shall direct roof drainage away from the septic system tank and leachfield. *Responsibility: Building Official to confirm at time building permits are issued.*
9. The applicant is responsible for paving a driveway apron that extends from the existing paved edge of Berry Road, to at least the edge of the Berry Road easement on the subject property (approximately 12'). *Responsibility: Public Works staff to confirm at time building permits are issued.*
10. Water service connection to be shown on the building plans and reviewed and approved by Public Works staff. *Responsibility: Building Official to confirm at time building permits are issued.*

A.P.N. 515-331-048

IN LOT LINE ADJ./
MERGER

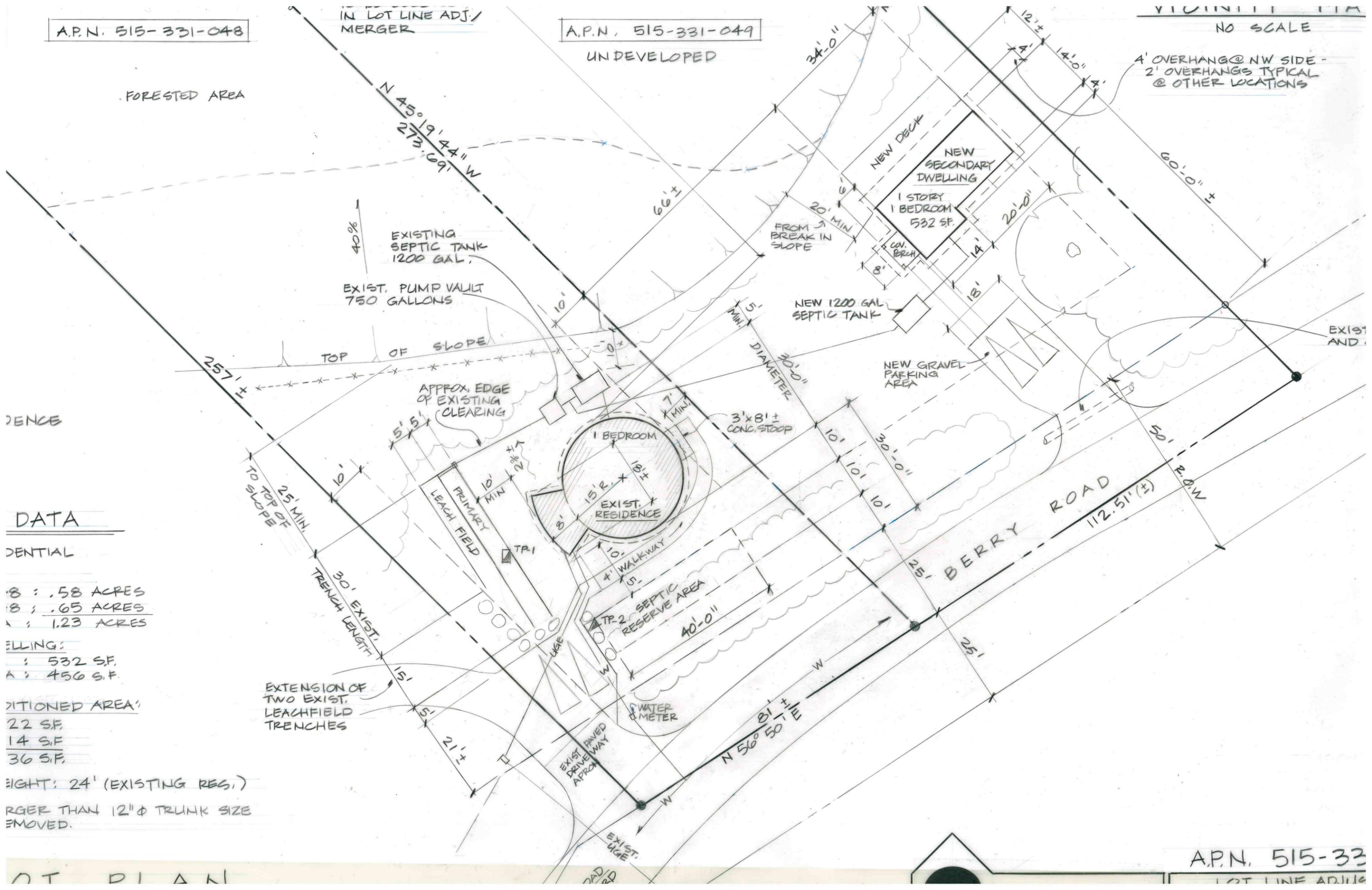
A.P.N. 515-331-049

UNDEVELOPED

NO SCALE

4' OVERHANG @ NW SIDE -
2' OVERHANGS TYPICAL
@ OTHER LOCATIONS

FORESTED AREA



ENCE

DATA

ENTIAL

- 8 : .58 ACRES
- 8 : .65 ACRES
- 1 : 1.23 ACRES

ELLING:

- : 532 S.F.
- A : 456 S.F.

ITIONED AREA:

- 22 S.F.
- 14 S.F.
- 36 S.F.

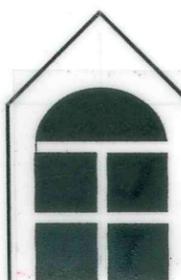
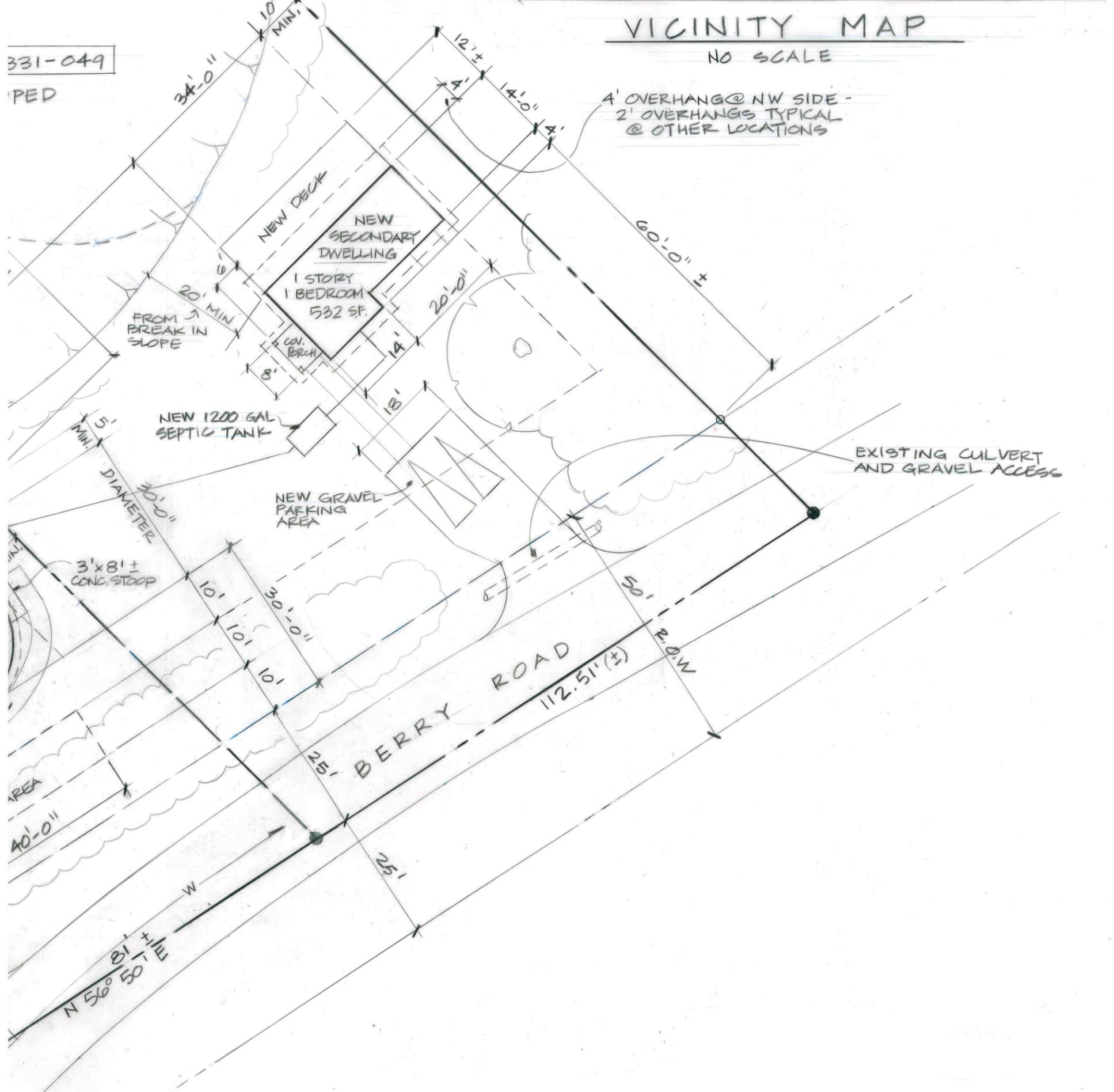
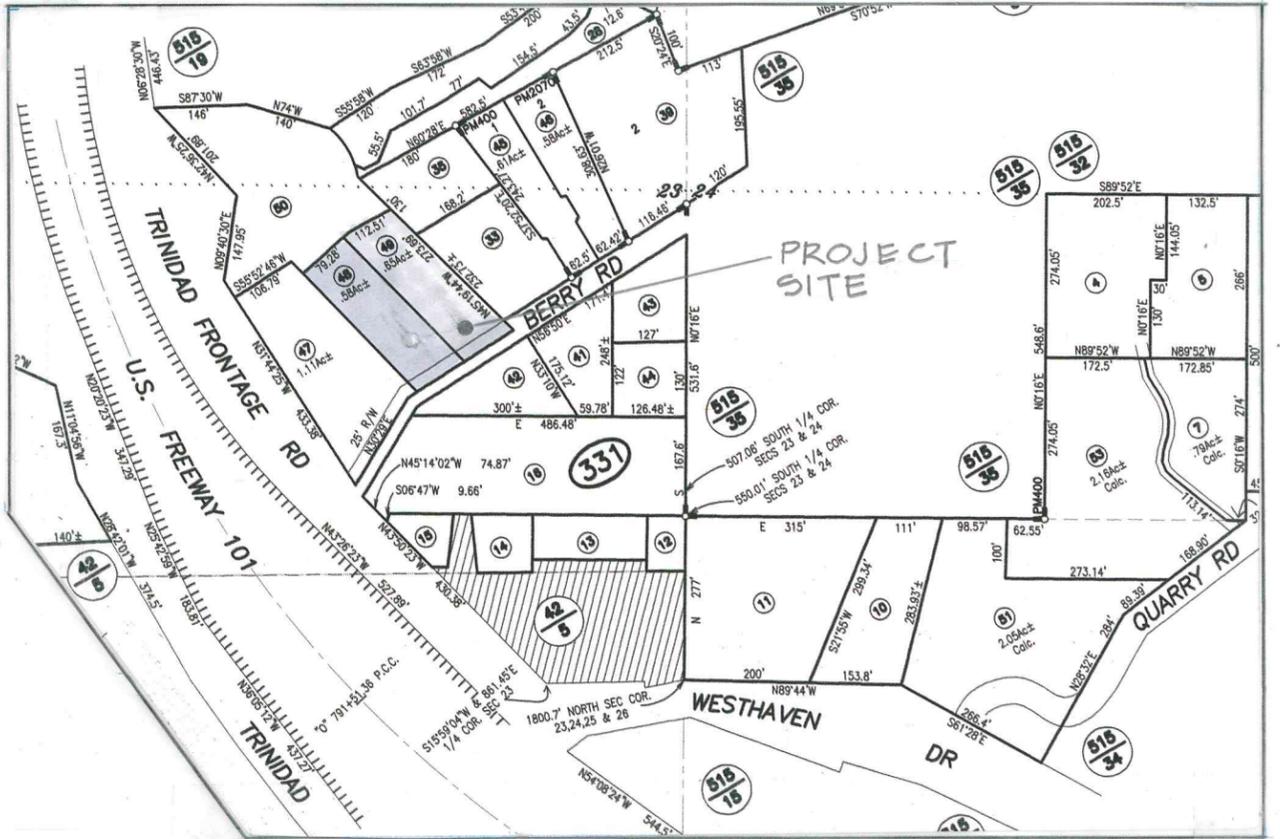
IGHT: 24' (EXISTING RES.)

RGER THAN 12" Ø TRUNK SIZE
EMOVED.

OT PLAN

A.P.N. 515-33

LOT LINE ADJ.



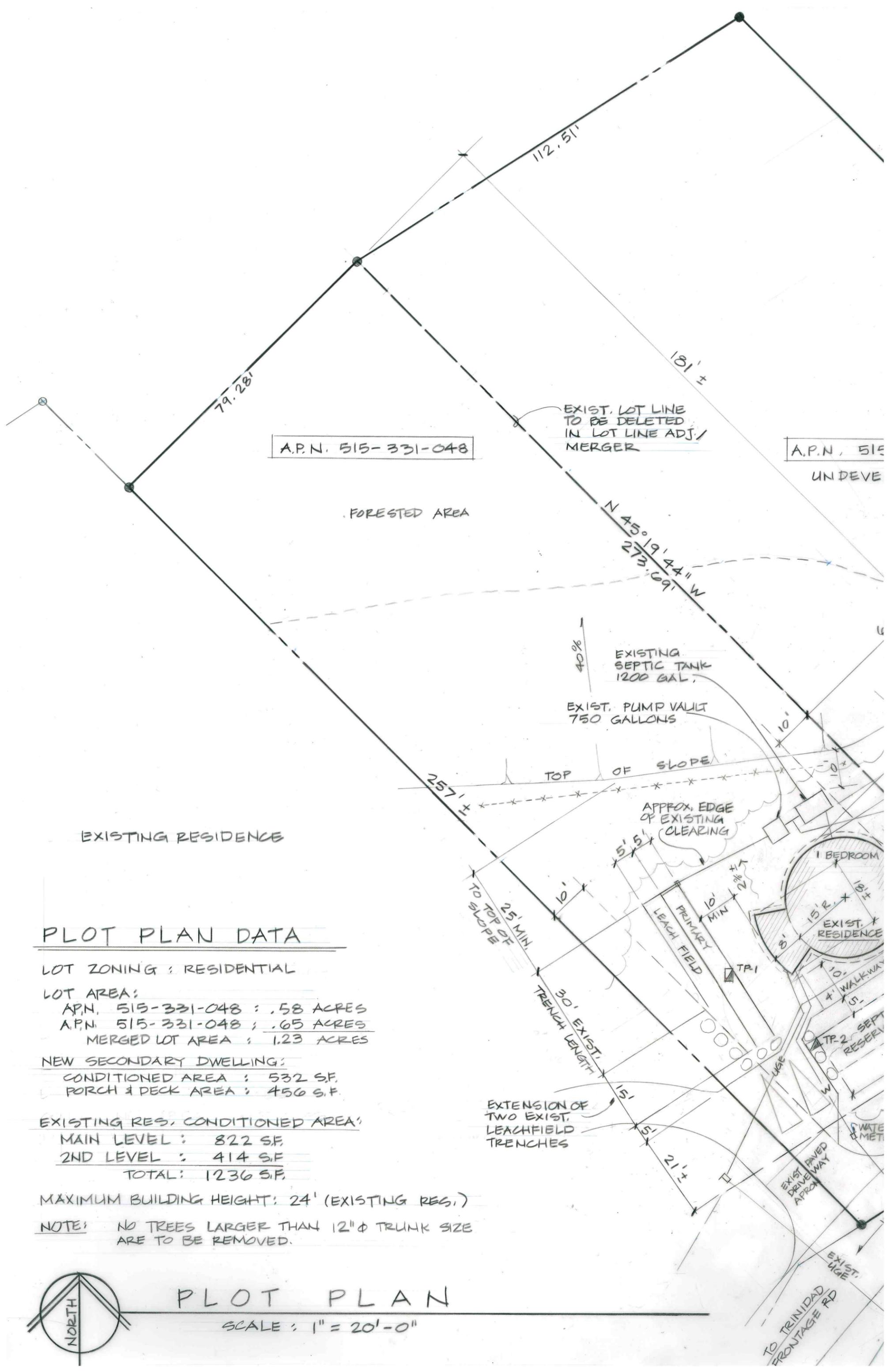
BONNIE L. OLIVER
ARCHITECT
1953 COTTONWOOD AVE

APN. 515-331-048 & 049

LOT LINE ADJUSTMENT
& SECONDARY DWELLING FOR
NICHOLAS WILSON
& **NINA MISCH**

DATE:
SHEET

EXIST. POWER POLE



A.P.N. 515-331-048

A.P.N. 515
UNDEVE

FORESTED AREA

EXIST. LOT LINE
TO BE DELETED
IN LOT LINE ADJ./
MERGER

N 45° 19' 44" W
273.09'

EXISTING
SEPTIC TANK
1200 GAL.

EXIST. PUMP VAULT
750 GALLONS

TOP OF SLOPE

APPROX. EDGE
OF EXISTING
CLEARING

EXISTING RESIDENCE

1 BEDROOM

EXIST. RESIDENCE

PLOT PLAN DATA

LOT ZONING : RESIDENTIAL

LOT AREA:

A.P.N. 515-331-048 : .58 ACRES

A.P.N. 515-331-048 ; .65 ACRES

MERGED LOT AREA : 1.23 ACRES

NEW SECONDARY DWELLING:

CONDITIONED AREA : 532 S.F.

PORCH & DECK AREA : 456 S.F.

EXISTING RES. CONDITIONED AREA:

MAIN LEVEL : 822 S.F.

2ND LEVEL : 414 S.F.

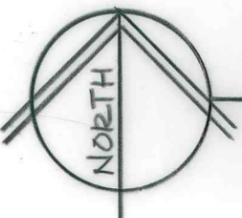
TOTAL: 1236 S.F.

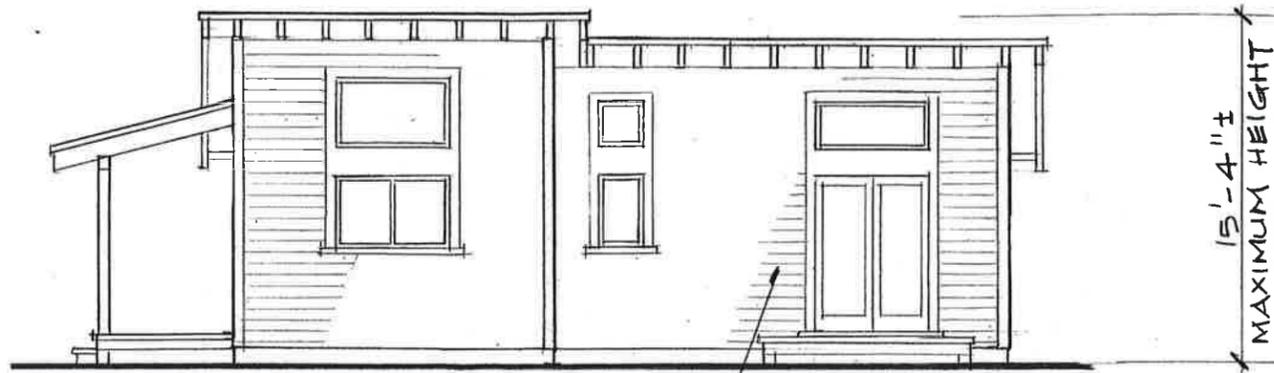
MAXIMUM BUILDING HEIGHT: 24' (EXISTING RES.)

NOTE: NO TREES LARGER THAN 12" ϕ TRUNK SIZE
ARE TO BE REMOVED.

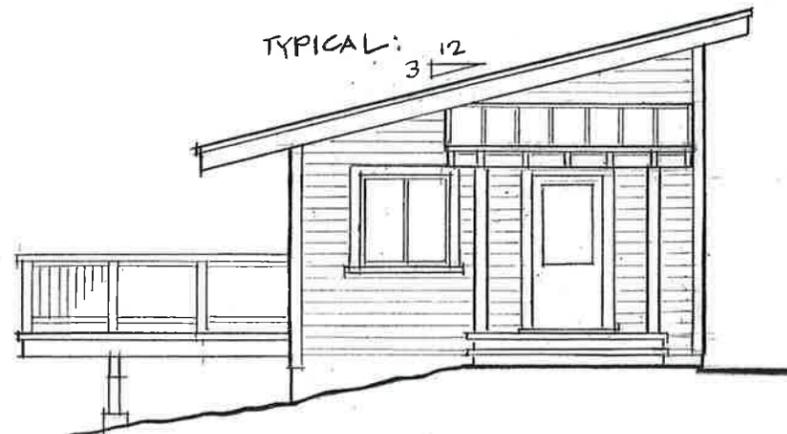
PLOT PLAN

SCALE : 1" = 20'-0"

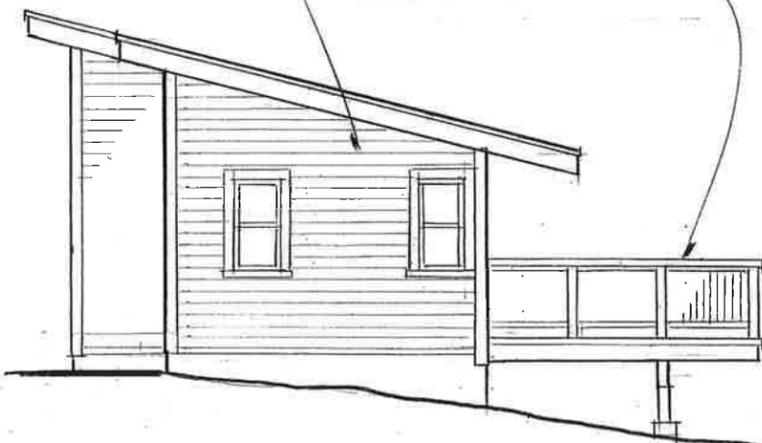




SOUTHEAST ELEVATION
SCALE: 1/8" = 1'-0" TYP.



SOUTHWEST ELEVATION



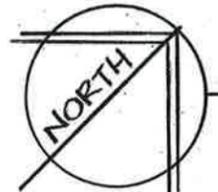
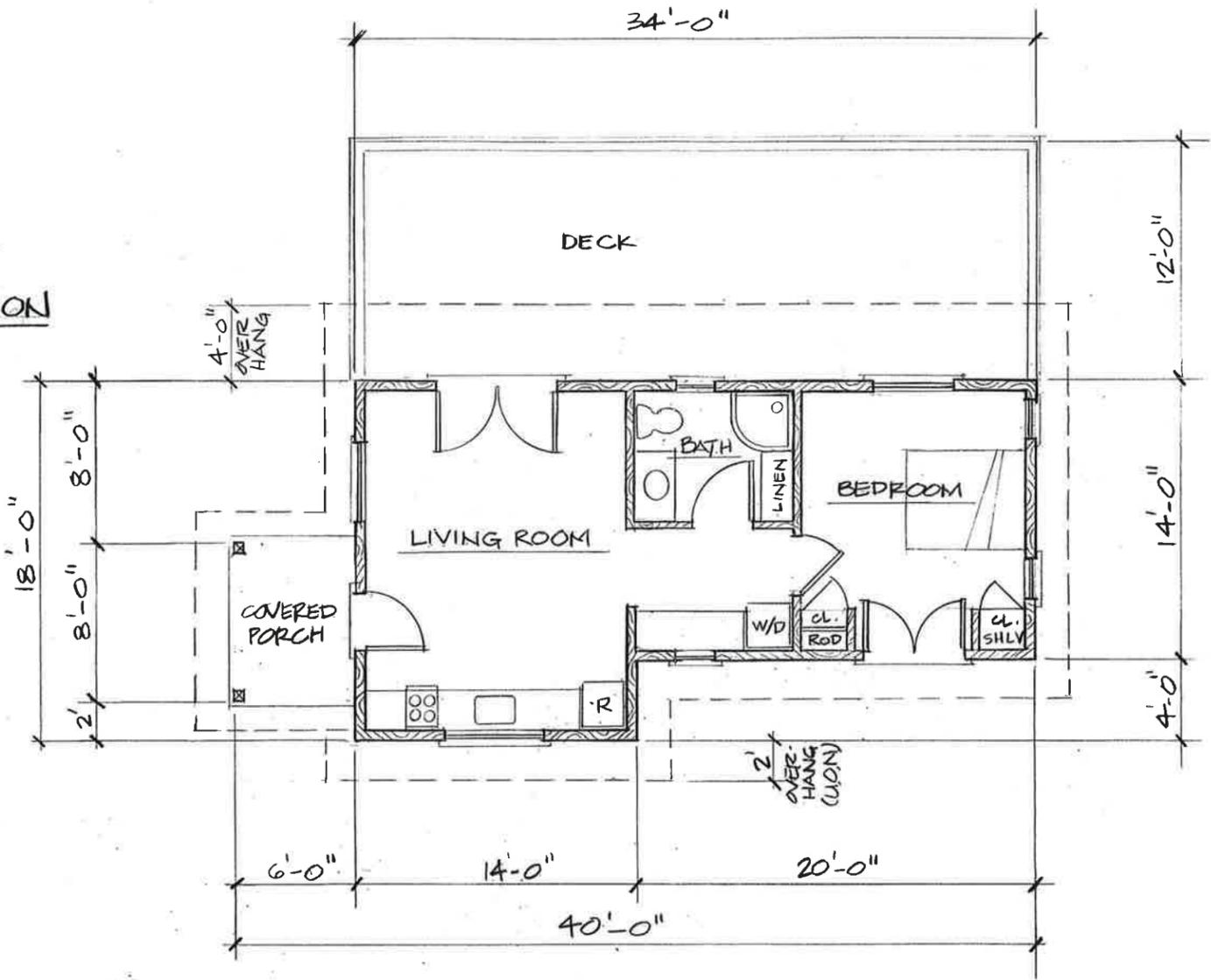
NORTHEAST ELEVATION

GALVANIZED METAL ROOFING TO MATCH MAIN HOUSE



NORTHWEST ELEV.

1x6 T&G CEDAR SIDING TO MATCH MAIN HOUSE



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

RECEIVED

JUL 06 '18

CITY OF TRINIDAD

A.P.N. 515-331-048 & 049

BONNIE L. OLIVER
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MCKINLEYVILLE, CA 95519
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SECONDARY DWELLING
FOR NICHOLAS WILSON
& NINA MISCH
33 BERRY ROAD, TRINIDAD, CA

DATE	7/5/18
SHEET	1 OF 1



MEMORANDUM

TO: Trinidad Planning Commission

FROM: Trever Parker, City Planner

DATE: September 14, 2018

RE: General Plan Update - Conservation, Open Space and Recreation

This element incorporates two of the seven State required elements: Conservation and Open Space. Because recreation is important in Trinidad and under the Coastal Act, that has also been called out as part of this chapter. This is an important element for the City. Even though Trinidad is small in size, it contains a variety of sensitive natural resources as well as numerous recreational opportunities. This element has had substantial updates since the previous March 2010 draft. This includes some reorganization as well as adding recommendations from the climate change report and the Coastal Commission's LCP update guide. In particular, there have been a lot of additions to the recreation section.

I did not provide you with updated figures for a couple of reasons. One, these figure updates are also requiring major updates to and reorganization of our Trinidad GIS files. This is because they were originally created more than 10 years ago, so information and technology have changed. In addition, a number of people have worked on the files over the years, and we did not have good protocols for file organization, nomenclature, etc. So as part of updating these figures, we are updating the entire GIS, which will make future mapping much easier.

Secondly, some of the figures were very rough, and I was not happy with the content. After rereading through the draft element, I have some thoughts and ideas, but would like to get some input from the Planning Commission as well before putting too much work into the next drafts. So far, I have not had a whole lot of input from the Planning Commission on these figures, other than the Trails map (Figure 10), likely because they were so rough. Note that I eliminated Figure 5 that was previously part of the Land Use Element, so all these figures will eventually be renumbered. For now, I will refer to the old figure numbers, because that is how they are currently labeled on the figures and in the text. The following includes my thoughts on these figures.

Figure 6 - Watersheds. This map is pretty straightforward in terms of content, as it includes the various watersheds within the City's Planning Area. I do plan on adding the ASBS boundary to the map. One complication that has come up is that the watershed-based planning area boundary from the 1978 General Plan that we have been using does not match up with the computer-generated watershed boundaries that we created as part of the Trinidad-Westhaven

Integrated Coastal Watershed Management Plan efforts. But for that, we only did the watersheds from Mill Creek south, so we don't have that data for the northern half of the Planning Area. And because we don't have the same hydro-geographic tools that we did for that grant, we may not be able to produce that data for the rest of the Planning Area. This may be more of an internal issue for us to figure out, but I welcome any input from the Commission.

Figure 7a and 7b – ESHAs and OS. First, this figure may be out of order because it is referred to later in the text than some of the other figures. Second, the ESHA data is not adequate and not very useful in its current form. The data comes from the National Wetlands Inventory (NWI), which only maps wetlands, and is not very accurate. Therefore, it doesn't map all the coastal scrub or Sitka spruce forest, for example, that may also qualify as ESHA. There aren't other good sources of ESHA or habitat data available. The OS and SE zoning cover a lot of the area that could be ESAH, but not all. One option would be to use aerial photos to draw polygons around areas that may contain habitat and require closer investigation in those areas. Or we could look at each project on a case-by-case basis. What information does the Planning Commission want to see on this map? Instead of showing OS, we could refer to Figure 1, or we could also show SE areas as well. And I'm not sure whether the Planning Area scale map is of much use.

Figure 8 – Rare, Threatened and Endangered Species (RTEs). This map isn't too bad, but it is what it is so to speak. I do have an updated version, and we are working on making sure the colors stand out from one another. This data is somewhat problematic in that it is updated regularly, so this map will soon be out of date. It is also problematic because one occurrence of an individual animal can result in a very large circle that is not actually indicative of where it is found. However, I do think the data is important to show that the Trinidad area contains a fair number of RTEs, which justify some of the new policies requiring biological surveys. Often just a quick field visit would be needed to document that no suitable habitat exists on a property or building site, so that no biological report would be required. This is something the Planning Commission may want to consider implementing prior to adoption of new regulations though conditions of approval.

Figure 9a and 9b – Soils limitations / Environmental Conditions and Constraints. Figure 9a in particular, isn't sure what it wants to be when it grows up. For example, the fault line is more appropriately shown on the geologic hazards map in the Public Safety Element (Figure 17). The bluff buffer is also out of place. That is not intended to be a bluff setback, but the area where projects are appealable to the Coastal Commission. Although slope/geologic stability is included in Figure 17, it is probably also appropriate here, since several policies in this element deal with development in unstable areas. Another factor is slopes greater than 15%, which needs to be added to this map. Soil limitations (e.g. for septic or erosion) also should be added to this map. We have not been able to figure out where the colored soil limitations on Figure 9b came from, but it is likely old data. The red lines underneath represent the recent NRCS soil survey data. We will use those soil units to determine and map limitations, since that is likely the best available data.

Figure 10 – Recreation and Trails. This map has had a lot of discussion and input from the Planning Commission, and there are a lot of updates that need to be made to it. But I am happy to take any additional input to include in the current revision.

CONSERVATION, OPEN SPACE & RECREATION ELEMENT

A. Introduction

- 1. Purpose**
- 2. Statutory Requirements**
- 3. Background**

B. Water Resources

- 1. Principles for Water Protection**
- 2. Goals and Policies**

C. Biological Resources

- 1. Principals for Biological Resource Protection**
- 2. Environmentally Sensitive Habitat Areas**
- 3. Plants and Animals**

D. Other Natural Resources

- 1. Timber**
- 2. Soils**
- 3. Minerals**

E. Open Space Resources

F. Recreation

- 1. Public Recreation**
- 2. Public Access**

A. INTRODUCTION

1. Purpose

The Conservation, Open Space and Recreation Element of the Coastal General Plan combines two State-mandated elements, Conservation and Open Space. It also includes policies and programs addressing Environmentally Sensitive Habitat Areas (ESHA), threatened and endangered species, water quality, public access and recreation.

2. Statutory Requirements

California Government Code § 65302 (d) states that the requirements of a Conservation Element is: *“for the conservation, development, and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations”*. Its requirements overlap those of the open-space, land use, safety, and circulation elements. The conservation element is distinguished by being primarily oriented toward natural resources.

The purpose of an Open Space Element is to develop a plan for comprehensive and long-range preservation and conservation of open-space land. Open-space land is

defined in statute as *any parcel or area of land or water that is devoted to open-space use.*” (Government Code §65560(h)) The Legislature found that preservation of open space land serves several important purposes and is a matter of public interest (Government Code §65561). Open space lands can be ‘for the preservation of natural resources’, ‘used for the managed production of resources’, ‘for outdoor recreation’, ‘for the public health and safety’, or for protection of cultural and historic resources. The Open Space Element has specific statutory requirements, but is generally broad in scope and so is often combined with other elements, such as Conservation.

Recreation is not a required General Plan Element. Recreational and park facilities are appropriately discussed in the Land Use and Conservation Elements, and in particular, the Open Space Element (OPR General Plan Guidelines, 2003). Trinidad has included recreational facilities under its own heading due to its importance in Trinidad and the fundamental protection of public coastal access by the Coastal Act. Coastal Act §30500 requires that each LCP contain a specific coastal access component to “*assure that the maximum public access to the coastal and public recreation areas is provided.*” The recreation component of this element meets these requirements.

3. Background

The City of Trinidad and its Planning Area contains ample natural resources and open spaces ~~in and around its borders~~. These include, but are not limited to, a beautiful coastline, scenic offshore rocks, sheltered Trinidad Bay and harbor, coastal streams, rugged headlands, bountiful trails, viable timber stands, and rare, threatened and endangered plants and animals. The kelp beds around Trinidad Head are designated as a State Water Quality Protection Area (SWQPA) – Area of Special Biological Significance (ASBS) and Critical Coastal Area, and the City has been established as one of five California Coastal National Monument Gateways. The natural resources of the Trinidad area are described in more detail in Background Report: Biology and Environment of the Trinidad Area dated October 2009. In 2008, the City also prepared an Integrated Coastal Watershed Management Plan that addresses a variety of water quality concerns and watershed management strategies. The following sections incorporate information and recommendations from these background reports among other sources.

The City wishes to create a sustainable environment by identifying and conserving natural resources. The City also wishes to preserve as much open space as feasible to provide habitat for native species of plants and wildlife, minimize sprawl, maintain the aesthetic benefits of undeveloped land, and provide its residents with a full range of recreational opportunities. The goals, policies and programs of this Element address these aims by establishing the framework for the protection and enhancement of natural resources, protection of water quality, enhancement of open space, and providing for coastal access and recreational opportunities for Trinidad residents and visitors.

B. WATER RESOURCES AND WATER QUALITY

The Trinidad Planning Area is 15.5 square miles (9,924 acres) in area and contains the watersheds of 13 coastal streams (See Figure 6). The major coastal streams that flow through City boundaries are Mill Creek, McConnahas Mill Creek, and Parker Creek. ~~However,~~ Trinidad's Planning Area has always been watershed-based, and includes several coastal watersheds to the north and south of Trinidad. In 2008, the City Completed the Trinidad-Westhaven Integrated Coastal Watershed Management Plan. That process included water quality testing and public outreach, resulting in the creation of the Trinidad Bay Watershed Council. Three primary threats to water were identified through that watershed planning effort, which are: sediment, OWTS, and stormwater. Trinidad State Beach, where Mill Creek empties, has been listed on the State's 303(d) list as impaired for indicator bacteria and the TMDL is scheduled for completion in 2019.

The most sensitive watershed in the Planning Area is Luffenholtz Creek as it is the City's sole source of drinking water. Luffenholtz Creek is located entirely outside of City boundaries. Therefore, the City has developed policies that should be utilized by regulatory agencies in protecting this watershed and has designated both Luffenholtz and Mill Creeks (the City's undeveloped secondary water supply) as "Critical Water Supply Areas". For more information please see Section C—"Development Outside City Limits"—in the Land Use Element, and Section H—"Public Services"—in the Circulation Element.

The water quality and quantity in the Luffenholtz Creek watershed above the City's water withdrawal point warrant strict protections. Through the analysis for the Moss subdivision (County File No. 515-131-32 and 515-291-46; Case No. PMS-03-14), it was determined that Luffenholtz Creek is at least 95% allocated in terms of water rights in a dry year. In order to protect its water supply, the City opposes any further subdivision in the Luffenholtz Creek watershed. According to the Trinidad GIS, almost eighty-percent of the Luffenholtz watershed is in timber production. The City also opposes the use of chemical herbicides and pesticides in timber management practice within this watershed area and supports improvements to roads to reduce sediment delivery. Commercial cannabis production has the potential to negatively impact both the water quality and quantity of coastal streams, and Luffenholtz is particularly sensitive due to its status as a Critical Water Supply. The City needs to work closely with the County to monitor and comment on projects within the Luffenholtz Creek Watershed. Trinidad's fishing/crabbing, tourism/recreation industries and drinking water supplies are susceptible to non-point source (NPS) pollution. It is therefore in the best interest of the community to improve and safeguard its water resources in streams and the ocean. Also, the City must adhere to the strict water quality standards of the CA Ocean Plan due to the presence of the Trinidad Kelp Beds SWQPA/ASBS. The CA Ocean Plan prohibits any discharges into a SWQPA/ASBS. The water quality in streams and seeps within the City's planning area impact the ocean water quality as the streams and seeps empty into the ocean. Therefore, nearshore and offshore water quality issues are related.

According to the Climate Change Vulnerability Report and Adaption Response (GHD, 2016) prepared for the City, climate change modeling data suggests that total

precipitation in the Trinidad area are likely to decrease slightly. However, the intensity of those events is predicted to increase, while the frequency may decrease. This has implications for both water supply and stormwater runoff. An increase in runoff volume during storm events can impact water quality and the capacity of the City's stormwater system. This issue needs to be taken into account when planning infrastructure repairs and improvements. Because Trinidad Bay is designated as an ASBS (see next section), the City is subject to the State Water Resource Control Board MS4 waste discharge requirements that regulate stormwater runoff.

Aquatic hazards, including floods and tsunamis, are discussed in the Open Space and Safety Elements.

1. Principles for Water Resource Protection

When interpreting and implementing the policies and programs of this section, the following principals shall be adhered to.

Watershed approach: Because the water quality of a body of water impacts other water bodies in the planning region, the City has adopted a watershed based approach for the protection of its water resources. The watershed approach accounts for the impacts of human activities to the water resources of the planning region, not just on an individual parcel. Because most of the watersheds in the City's Planning Area extend outside City limits, it is important for the City to respond to County application referrals based on watershed impacts and to encourage the County to do the same for City projects. (LU-9.1.1)

Pollution targets: Three main types of pollutants have been identified that impact water resources in the City's Planning Area. These are sediment, OWTS pollution, and urban pollution in stormwater runoff. Other pollution concerns include runoff from forestry activities, harbor operations, and stream/riparian alteration.

Education and Regulation: Primary methods for protecting water resources are the implementation of public education programs and the creation of ordinances to regulate activities that cause pollution.

Water Conservation: Efforts to conserve water will be focused on, but not limited to, reviewing and implementing a progressive rate structure to reduce water consumption, improving infrastructure to increase water reserves, implementing a capital improvement program to reduce water leakage, adopting regulatory mechanisms to reduce consumption, exploring and encouraging alternatives such as grey water irrigation and rainwater catchment, and utilizing public education to encourage overall water conservation.

Best Management Practices Policies: Incorporate Site Design and Source Control Best Management Practices (BMPs) to the maximum extent practicable in all development. Select BMPs to mitigate both construction-phase and post-construction water quality

impacts. Where appropriate, supplement Site Design and Source Control BMPS with structural Treatment Control BMPs, as necessary, to protect coastal water quality.

2. Goals and Policies for Water Resource Conservation

Goal CONS-1: Actively protect and improve the quality and quantity of water in streams and seeps and the quality of ocean water within the City's planning area.

Public Outreach Policies: Public education can be a very effective means of achieving the goals of reducing pollution, waste and disposal reduction and water conservation.

CONS-1a.1 Develop and implement an effective public outreach and education program for issues that impact the quality and quantity of the City's water resources. Coordinate this effort and seek participation with relevant local groups and agencies, including the Trinidad Bay Watershed Council, HSU Marine Lab, Trinidad Rancheria and Trinidad Elementary School, BLM, State Parks and the RWQCB.

CONS-1a.2 Use public education programs to promote environmentally responsible building designs and construction practices, including, but not limited to: a) creation of permeable surfaces and more natural hydrology through the use of LID technologies and techniques; b) use of low-flow appliances and alternative landscaping methods to reduce water consumption and the use of chemical fertilizers and pesticides, c) sustainable materials and appropriate technology.

Policies to eliminate/reduce major pollution targets: Sediment, OWTS, and Stormwater runoff.

Sediment reduction: The main causes of sediment formation are land disturbance from activities such as construction, road work and timber harvest and transportation, as well as man-made or naturally occurring erosion.

CONS-1b.1 Minimize land disturbance activities from construction (e.g., clearing, grading, and cut-and-fill), and design sites to mitigate development and avoid erosion, steep slopes, unstable areas, and highly erosive soils. (CONS-4.2)

CONS-1b.2 Minimize disturbance of natural vegetation during construction, including mature trees, native vegetation, and root structures, to prevent erosion and sedimentation.

CONS-1b.3 Address erosion and sedimentation during construction, as well as other potential pollutants from construction sites (e.g., paint, solvents, vehicle fluids, and debris). Such measures include controls on timing of grading, BMPs for storage and disposal of construction materials, and/or design specifications for sedimentation basins.

Program CONS-1b.3.1 Develop an inventory system for construction projects to track sediment and erosion control plans in accordance with SWRCB Water Quality Order No. 2013-0001-DWQ and / or the City's current MS4 Permit requirements.

CONS-1b.4 Prohibit grading during the rainy season (from October 15th through April 30th) in areas with slopes of 15 % or greater (as indicated on Figure 9), except in response to emergencies. Grading on slopes ~~less~~more than 15% is discouraged during the rainy season, but may be allowed on a case-by-case basis as long as any areas that are disturbed incorporate appropriate BMPs and monitoring to prevent water quality impacts. (CONS-4.3)

CONS-1b.5 Incorporate soil stabilization BMPs on disturbed areas as soon as feasible, including, but not limited to, re-vegetation of graded or disturbed areas. (CONS-4.5)

-OWTS management: The entire City and surrounding community utilize OWTS for wastewater disposal, but dense development, older systems and some soil limitations warrant careful regulation and oversight of OWTS.

CONS-1b.6 Develop and maintain an OWTS Management Program, consisting of an ordinance and guidelines, in compliance with the CA OWTS Guidelines and the North Coast Basin Plan, that includes requirements for regular monitoring, maintenance, and pumping to assure that State and federal water quality standards are met. (CIRC-11.1 / LU-1c.8)

Program CONS-1b.6.1 Require accurate and current septic information as part of any development application, including subdivisions. OWTS upgrades may be required based on the proposed development. Uses with large quantities or high strength discharges are subject to more stringent reviews and requirements. Encourage the County to adopted a similar program in the Trinidad-Westhaven area.

CONS-1b.7 Base foundation and OWTS requirements on site specific soils studies to ensure that development and sewage disposal systems will not create direct or cumulative adverse impacts on soil or water resources. (CONS-6.3)

Stormwater management: Stormwater occurs when precipitation falls on impervious surfaces. A number of pollution constituents can be mobilized in stormwater. Of particular concern in Trinidad are sediment, bacteria, oils and heavy metals.

CONS-1b.8 Develop a comprehensive stormwater management program to minimize the volume and loading of stormwater-related constituents of concern entering Trinidad Bay. Drainage paths may be elongated to reduce erosion potential and decrease sediment carrying capacity. Pipes may be replaced with meandering open ditches to increase infiltration and for attenuation and bioretention opportunities for constituents of concern. (CIRC-8.1)

CONS-1b.9 Encourage Low Impact Development techniques to preserve hydrologic function and maximize on-site infiltration of runoff to the extent practicable. In development where infiltration is precluded by site conditions, implement appropriate treatment control BMPs, such as filtration to reduce the discharge of polluted runoff. (CIRC-9.2)

Program CONS-1b.9.1 Develop policies and educational materials that provide guidance to residents about appropriate LID that increases infiltration in a manner that does not negatively impact bluff stability or leachfields.

Program CONS-1b.9.2 Utilize the most recent version of the Humboldt Low Impact Development Stormwater Manual to determine the most appropriate LID options for each site.

Program CONS-1b.9.3 Require the use of BMPs for construction projects that meet established parameters such as the size of the project, the distance to waterways, the season of construction and unique features of the site.

CONS-1b.10 Limit the use of curb and street storm drains to avoid conveying runoff directly to the City's stormwater conveyance system. (CIRC-9.3)

CONS-1b.11 Minimize impervious surfaces in new and existing development to the maximum extent practicable.

CONS-1b.12 To help protect water quality, site development in order to:

- a. Preserve or improve the infiltration, purification, and retention functions of natural drainage systems that exist on the site, to the maximum extent practicable.
- b. Protect areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and/or that are susceptible to erosion and sediment loss.
- c. Analyze the natural resources and hazardous constraints of planning areas and individual development sites to determine locations most suitable for development.
- d. Preserve and protect riparian corridors, creek channels, wetlands, and buffer zones.
- e. Minimize disturbance of natural areas, including significant trees, native vegetation, and root structures.
- f. Ensure adequate setbacks from creeks, wetlands, the Pacific Ocean, and other surface waters.
- g. Promote clustering of development on the most suitable portions of a site, taking into account geologic constraints, sensitive resources, and natural drainage features.

CONS-1b-13 Periodically reevaluate the capacity of the City's storm drainage system to ensure that capacity is adequate to accommodate potential increases in rainfall intensity during storm events due to climate change.

Policies to eliminate/reduce other or multiple pollution targets:

CONS-1c.1 Incorporate fundamentals of low-impact-development (LID) technologies into the requirements of the City's implementation plans and 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. (LU-1c.3)

CONS-1c.2 Incorporate storm water runoff, erosion and sediment control, and water quality considerations into the staff recommendations or implementation regulations for all Coastal Development or other discretionary permit application reviews. Applicants shall be responsible for any required monitoring. Specific water quality goals include, but are not limited to (CIRC-9.1):

- (1) Limit erosion and sediment loss resulting from construction.
- (2) Limit the extent and duration of land disturbing activities.
- (3) Limit removal of existing vegetation to only what is necessary to construct projects
- (4) Upon project completion, replace non-native and invasive species as soon as possible, preferably with native plants.
- (5) Maintain natural drainage conditions.
- (6) Conform, wherever possible, to the natural topography of the area.

CONS-1c.3 The selection of appropriate BMPs to protect water quality shall be guided by the most recent version of the California Stormwater Quality Association (CASQA) *Stormwater BMP Handbooks*, or an equivalent BMP manual that describes the type, location, size, implementation, and maintenance of BMPs suitable to address the constituents of concern generated by the development. A site specific infiltration rate may be required of the designer to assist with stormwater quality mitigation design and to facilitate the City's review of the proposed development. (CIRC-9.4)

Program CONS-1c.3.1 Implement appropriate protocols to manage BMPs (including ongoing operation, maintenance, inspection and/or training) in all development, to protect water quality for the life of the development.

CONS-1c.4 Develop regulations and/or public educational materials to discourage the use of chemical fertilizers and pesticides.

CONS-1c.5 Continue to support monitoring of Trinidad Head ASBS with a focus on constituents that have shown previously elevated levels.

CONS-1c.6 As funding allows, monitor water quality in and around Trinidad. Focus sampling efforts on identified constituents of concern in coastal streams, seeps and

nearshore ocean waters. Ensure sampling meets applicable protocols, including quality control.

Water Conservation Policies:

CONS-1d.1 Promote an active, on-going water conservation program to minimize water consumption. Extend the City's conservation program to properties outside the City that are connected to the City water system. Encourage the County and/or Watershed Council to provide water education. Encourage the County to implement a similar program in the Trinidad-Westhaven area (CIRC-12.3)

Program CONS-1d.1.1 Pursue implementation of a progressive water rate structure to encourage water conservation. Periodically review and amend the water rate structure to ensure that it promotes water conservation. (CIRC-12.3.1)

Program CONS-1d.1.2 Identify where losses are occurring in the City's water distribution system and pursue infrastructure improvement to reduce water leakage and increase storage capacity in the system. (CIRC-12.3.2)

Program CONS-1d.1.3 Adopt a water efficiency landscape ordinance in accordance with AB 1881 and Dept. of Water Resources requirements. (CIRC-12.3.2)

Policies dealing with areas and development of special concerns: Water resources of significant value require special protection. Similarly, development that has a greater potential impact to the City's water resources needs special policies and additional requirements.

CONS-1e.1 Area of Special Biological Significance: Ocean areas in and around Trinidad Head are designated by the State of California as an Area of Special Biological Significance (ASBS) / State Water Quality Protection Area (SWQPA) and a Critical Coastal Area (CCA). The State Ocean Plan imposes special protection standards for the water quality in this ocean area and prohibits any discharge into this body of ocean water, and the City must comply with this plan and any conditions of an exception to the discharge prohibition granted to the City by the State

Program CONS-1e.1.1 Implement a comprehensive program to reduce / eliminate discharges into the Trinidad Head ASBS that have been identified by the State Water Resource Control Board.

Program CONS-1e.1.2 Consistent with the California Ocean Plan and the City's Discharge Exception, implement a comprehensive water quality monitoring plan for Trinidad Bay and its tributary streams as necessary to assess and reduce nonpoint source pollution entering the Trinidad Head ASBS and track improvements over time (CIRC 8.3).

Program CONS-1e.1.3 Continue to comply with the National Pollution Discharge Elimination System MS4 Permit requirements.

CONS-1e.2 Development of Special Concern: A development in one or more of the following categories is considered a Development of Special Concern. Specify additional requirements and standards for such projects in the City's zoning and grading ordinances as necessary to protect water quality:

- (1) any development that results in 5,000 sq. ft. or greater impervious surfaces;
- (2) any development that will result in higher densities than called for in this General Plan;
- (3) any development that produces high amounts or strengths of wastewater such as restaurants, laundromats, service stations, etc.
- (4) any development that results in direct discharges to a waterbody.
- (5) any development occurring within ### feet of a coastal bluff (or in the area(s) identified as inappropriate for LID).

Program CONS-1e.2.1 Adopt and implement grading / zoning ordinance standards that require applicants for any Development of Special Concern to provide the following:

- a. Submit a Water Quality Management Plan (WQMP), certified by a California Registered Civil Engineer, Certified Professional in Erosion and Sediment Control (CPESC), or Certified Professional in Stormwater Quality (CPSWQ);
- b. Estimate increases in pollutant loads and runoff flows resulting from the proposed development, if any, and;
- c. Detail the BMPs that will be implemented to minimize both construction and post-construction water quality impacts. Require, at a minimum, site Design and Source Control BMPs, and require treatment Control BMPs where appropriate to address the particular pollutants of concern based on the specific land use.

CONS-1e.3 Critical Water Supply Areas: Protect Luffenholtz Creek as a Critical Water Supply Area. (see LU-9.4)

Program CONS-1e.3.1 Ensure the County maintains the status of Luffenholtz Creek as a Critical Water Supply Area pursuant to Humboldt County General Plan Policy WR-P4.

Program CONS-1e.3.2 Maintain and ongoing request for notification from the County for any development projects within the Luffenholtz Creek watershed.

Program CONS-1e.3.3 Review and comment on applications for new development within the Luffenholtz Creek watershed to ensure protection of both water quality and quantity.

CONS-1e.4 The City does not support commercial medical and recreational cannabis cultivation and production within the Trinidad Planning Area due to factors such as limited water supply, steep slopes and lack of agricultural land.

C. BIOLOGICAL RESOURCES

The Trinidad Planning Area, and even the small area of the City itself, has a relatively high diversity of habitat types. Habitats vary considerably from conifer and hardwood forests to coastal scrub and sandy beaches, to kelp beds and offshore rocks that include both intertidal and subtidal areas. There are a number of special status habitat types and plants and animals within the Planning Area. Riparian vegetation is located along portions of all thirteen of the coastal streams in the planning area. This vegetation protects the quality of the water, minimizes soil erosion and sedimentation, and provides valuable habitat for a wide variety of animals.

Kelp beds to the east and west of Trinidad Head, including Trinidad Bay, are a biological resource important to the local fisheries and the State, demonstrated by its CCA, ASBS, and SWQPA designations. Offshore rocks, inter-tidal areas, and beaches provide habitat for marine plankton and invertebrates, seabirds and marine mammals. Areas that are accessible during low tide are susceptible to predators and curious beachcombers. Offshore rocks are now protected as part of the California Coastal National Monument, sections of the coast managed by the BLM. Management will coincide with the regulations enacted by the MLPA.

With respect to the land use regulations, the City's Open Space (OS) and Special Environment (SE) designations encompass the City's major creeks, wetland, riparian, shoreline, and other Environmentally Sensitive Habitat Areas (ESHAs). Because development in OS and SE areas is very restricted, land use designations help to protect these sensitive coastal resources. Smaller areas may not be specifically designated OS or SE or even identified on resource maps, but will be protected by policies contained in this section when identified during development proposals.

Plans for navigational aids and harbor improvements should take into consideration possible impacts to near-shore habitats. The Harbor Area is discussed further in the Land Use Element.

1. Principles for Biological Resource Protection

Identify sensitive or important habitats and special status species. Figure 7 (a and b) serves to identify those areas generally known to or that potentially contain ESHAs within the City and within the Planning Area respectively. There is always the potential for ESHA's to exist that are not currently mapped, or for areas that are mapped as ESHA's to not actually contain any ESHA's. A biological report may be required, consistent with Policy CONS-2a.11, to substantiate the presence or absence of ESHAs

on prior to any development. The following areas are ESHAs that are known to occur in the Trinidad area:

- a. Creeks, drainages, sloughs, and associated riparian habitats including but not limited to: Mill, Parker and McConnahas Mill Creeks;
- b. Wetlands, estuaries, bays and associated riparian and / or shoreline habitat, including Trinidad Bay ASBS, beaches and the offshore rocks;
- c. Other unique habitat areas: rare or sensitive habitats, waterbird or marine mammal rookeries; shorebird concentration sites; habitat for all rare, threatened, or endangered species on federal, state lists or CA Native Plant Society; and vegetated bluffs and dunes;
- d. Public Trust lands such as beaches and tidelands.

Limit development and habitat alteration within ESHAs and where special status species are found. Most ESHA's and special status species are protected by various laws, and the policies found herein are intended to implement and comply with those laws.

Maintain appropriate buffers to protect ESHAs and special status species from impacts from adjacent development. Appropriate space between ESHA's or special status species and adjacent development helps to limit and mitigate any impacts from development on these important resources.

Protect and improve native habitat and minimize impacts to native species. Native habitat and species are the ecological backbone of Trinidad and are afforded special considerations to protect and restore their natural form and function.

2. Environmentally Sensitive Habitat Areas (ESHAs)

An Environmentally Sensitive Habitat Area is an "area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (PRC Division 20 CCA § 30107.5). Protection of ESHAs is one of the essential aspects of the Coastal Act. Trinidad has several ESHAs including, but not limited to, portions of coastal bluffs, biologically rich tide pools, nesting grounds, kelp beds, streams, riparian habitats, and rare, threatened, or endangered plants or plant communities. The City will recognize and utilize ESHA definitions and designations in accordance with current Coastal Act regulations, CA Dept. of Fish and Wildlife requirements and CA Native Plant Society policies and recommendations.

Areas that may contain ESHAs include, but are not limited to, areas indicated by Figure 7a and 7b: Open Space and ESHAs, a – inside the City, and b – in the City's Planning Area. The ESHAs shown on Figure 7 are based on the best information available at the time mapping was done. The boundaries of ESHAs identified this map are not intended to be definitive, but to identify the general location of sensitive environmental resources.

Detailed locations and boundaries of these resources shall be verified and refined by the preparation of Biological Reports for individual development projects.

Goal CONS-2: Preserve and Enhance the City's Environmentally Sensitive Habitat Areas (ESHAs).

a. Policies to limit development in ESHA's or near special status species.

CONS-2a.1 Only permit Diking, Filling, and Dredging of open coastal waters, wetlands, estuaries, creeks and other bodies of water where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

Program CONS-2a.1.1: Ensure that Trinidad's Grading and / or Zoning ordinance contain provisions and standards regulating these types of activities and that they are limited to specific uses and situations.

CONS-2a.2 Incorporate the best mitigation measures feasible for channelizations, dams, or other substantial alterations of coastal streams, and limit them to:

- a. Necessary water supply projects, or
- b. Alternative energy projects such as micro-hydro power, or
- c. Developments where the primary function is the improvement of fish and wildlife habitat, and
- d. Projects that are consistent with all applicable regulations and permit requirements of other agencies.

CONS-2a.3 Protect environmentally sensitive habitat areas (ESHA) against any significant disruption of their habitat values, and allow only uses dependent on and compatible with maintaining those resources, as defined in the City's Zoning Ordinance, within ESHAs.

CONS-2a.4 Condition all development located within or adjacent to ESHAs to require all landscaping to be from native stock to the extent feasible. At a minimum, prohibit the use of plants listed by CNPS or DFG to be invasive, problematic or noxious , and remove any existing such plants. Maintenance requirements may also be included.

CONS-2a.5 Maintain up to date resource information regarding special status species. The General Plan defers to state and federal regulations associated with rare, threatened, and endangered species.

CONS-2a.6 Minimize development in areas where rare plants have been identified to protect the habitats located there. Require the identification and location of rare plants as part of the application for any major new developments or improvements.

CONS-2a.7 Prohibit new land divisions creating new parcels located entirely within an ESHA or Buffer Areas unless the parcel to be created is restricted at the time of its creation solely for open space, public recreation, or conservation.

CONS-2a.9 Require the preparation and approval of a drainage and erosion control plan for permissible development on all properties containing environmentally sensitive habitat, including but not limited to those areas identified as ESHAs on Figure 7.

Program CONS-2a.9.1 Require review of any changes in runoff volume, velocity, or duration that may affect sensitive plant and animal populations, habitats, or Buffer Areas for those populations or habitats, by a qualified biologist to ensure that there will not be adverse hydrologic, erosion, or sedimentation impacts on sensitive species or habitats. Identify and adopt mitigation measures and compliance monitoring standards to minimize potential adverse runoff impacts.

CONS-2a.10 Preserve, enhance and restore vegetation within ESHAs, including riparian corridors.. Locate new structures and activities outside ESHAs to project vegetation. unless it would prevent the establishment of all permitted uses on the property. Ensure that areas that must be disturbed due to special circumstances be kept to a minimum, be carefully reviewed by the City, and be replanted with appropriate native vegetation.

CONS-2a.11 Require permit applications for development within or adjacent to ESHAs, including areas identified in Figure 7 or other sites identified by City staff, either through a site visit or other evidence, which have the possibility of containing environmentally sensitive habitat, to include a Biological Report prepared by a qualified biologist which identifies the resources and provides recommended measures to ensure that the requirements of the Coastal Act and LCP are fully met.

Program CONS-2a.11.1 *Revise the zoning ordinance to include the specific requirements for the content of the Biological Report.*

b. Policies for development in buffer areas.

CONS-2b.1 Site and design development in areas adjacent to ESHAs to prevent impacts that would significantly degrade such areas, and to be compatible with the continuance of such habitat areas.

Program CONS-2b.1.1: Limit development in buffer areas to certain compatible uses as defined in the City's Zoning Ordinance.

Program CONS-2b.1.2: Require a setback separating all permitted development from adjacent sensitive habitat areas and special status species. The minimum width of ESHA and special status species setbacks shall be at least 100 feet, unless otherwise defined in the City's Zoning Ordinance, and unless the designated setback would eliminate all reasonable use of the property.

Program CONS-2b.1.3: Analysis by a qualified professional may justify a reduced setback based on specific findings as long as it can be demonstrated that the ESHA quality and function will not be negatively impacted.

CONS-2b.2 Prohibit native vegetation removal in Buffer Areas except for:

- a. Vegetation removal authorized through coastal development permit approval to accommodate permissible development,
- b. Removal of trees for disease control,
- c. Vegetation removal for public safety purposes to abate a nuisance consistent with Coastal Act Section 30005, or
- d. Removal of firewood for the personal use of the property owner at his or her residence to the extent that such removal does not constitute development pursuant to Coastal Act Section 30106.
- e. Minor vegetation maintenance to preserve existing yards and viewsheds.
- f. Vegetation removal to restore or enhance habitat values as recommended by a qualified professional.
- g. Such activities may be subject to additional standards or restrictions to protect sensitive habitat.

CONS-2b.3 Ensure that exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) be minimized, restricted to low intensity fixtures, and shielded so that no light or glare shines beyond the boundary of the property or into Environmentally Sensitive Habitat Areas. (CD-5.1)

3. Plants and Animals

Humboldt County is home to a variety of rare, threatened and endangered (RT&E) plant and animal species. The Background Report on Biology and Environment of the Trinidad Area describes the biological resources more thoroughly. The RT&E species list changes year to year, and an updated list from the California Department of Fish and Wildlife (DFW) California Natural Diversity Database (CNNDDB) should be generated and kept on file at City Hall. However, each developer or applicant is responsible for assuring they have the most current information. In addition to the CNNDDB, the California Native Plant Society has created five lists in an effort to categorize degrees of concern for plant species. Plants on lists 1 and 2 are considered “special status” species in California for the purposes of development reviews. Within the Trinidad Planning Area there are a number of special status plants, several bird species, three amphibians, two fish and two mammals with known occurrences.

Goal CONS-3: Identify and protect Special Status plants, animals and their habitats in and around the City.

Policies to protect and improve native habitat and minimize impacts to native species.

CONS-3.1: To the extent feasible, preserve, protect, and restore streams and riparian areas to their natural state.

CONS-3.2: Work with organizations and private property owners to enhance the City's watercourses for habitat preservation and recreation.

CONS-3.3: Develop additional guidelines for the maintenance of watercourses to further assure that native vegetation is not unnecessarily removed and that maintenance minimizes disruption of wildlife breeding activities and wildlife movement. Incorporate these guidelines, where appropriate, into the City's maintenance procedures.

CONS-3.4: Seek Federal and State funding for the repair of stream bank erosion, planting of riparian vegetation to stabilize creek banks, and removal of debris obstructing waterflow.

CONS-3.5 To the extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve trees and native vegetation on the site.

CONS-3.6 Require site planning and construction to maintain adequate open space to permit effective wildlife corridors for animal movement between open spaces.

Program CONS-3.6.1: Timing of construction may be limited by the wet season as well as nesting and breeding seasons of sensitive species.

Program CONS-3.6.2: The City may require open space or conservation easements to protect open space and ESHAs as a condition of development approval.

CONS-3.7 Place and maintain signs prohibiting the collection of marine life from tide pools, inter-tidal rocks, or other near shore environments without the necessary permits or license, on all City trails leading to and from the beach. This would allow only activities such as fishing for game fish with proper fishing licenses or authorized Native American use.

CONS-3.8 Pursue development of a management plan for aquatic and marine recreation throughout the watershed to minimize the ecological impacts of those activities.

CONS-3.9 Support efforts to restore and improve salmonid habitat throughout the Planning Area.

CONS-3.10 Some non-native species, such as pampas grass (*Cortaderia jubata*), Himalaya berry (*Rubus discolor*), Scotch broom (*Cytisus scoparius*), blue gum eucalyptus (*Eucalyptus globulus*), English ivy (*Hedera helix*), English holly (*Ilex aquifolium*), and cotoneaster (*Cotoneaster sp.*), are invasive exotics that can and do displace native species, reducing the area's natural diversity, biological integrity and aesthetics. Use only native species, or species demonstrated to be non-invasive, in public landscapes and strongly encourage their use in private landscapes.

Program CONS-3.10.1: Provide public information materials that explain why invasive species are a problem. Maintain a program that recommends effective but non-toxic eradication measures, and eradicates non-native species on public lands where they are displacing native species.

Program CONS-3.10.2: Condition development projects that require discretionary approval to prohibit the planting of any species of broom, gorse, pampas grass, ivy, cotoneaster or other species of invasive non-native plants deemed undesirable by the City.

Program CONS-3.10.3: Request that Caltrans, PG&E, and the County of Humboldt remove pampas grass broom, and any other plants rated as “high” on the California Invasive Plant Council’s *California Invasive Plan Inventory Database* from their rights-of-way.

Program CONS-3.10.4: Work to remove plants rated as “high” or “medium” on the California Invasive Plant Council’s *California Invasive Plan Inventory Database* from City-owned rights-of-way.

CONS-3.11 Develop policies for permitting “major vegetation removal” that protect both habitat values and viewsheds.

Program CONS-3.11.1: Ensure that major vegetation removal occurs outside the nesting season (March 1 – August 15) or that an appropriate survey occurs prior to vegetation removal if work occurs during the nesting season.

D. OTHER NATURAL RESOURCES

1. Timber

Within Trinidad City Limits, there are no viable commercial timber stands. However, most of the upper areas of Trinidad’s Planning Area watersheds are commercial timberland. These timberlands, if appropriately and sustainably managed contribute to the City’s viewshed, provide habitat for native plants and animals and sequester carbon from the atmosphere. If improperly managed or overharvested, there are impacts to aesthetics, habitat, water quality and air quality. The County is encouraged to preserve economically viable timber stands for sustainable commercial use. Additional related policies can be found in section D.3 – Planning Area – of the Land Use Element.

Most of the trees within the town are within the State Park, Open Space lands or exist as private landscaping. Within the City, the balance of the value of trees is often in conflict with the important coastal views they may block. The City has adopted a Views and Vegetation ordinance that addresses these issues. The ordinance allows for the protection of important “heritage trees” if so designated by the City Council.

Goal CONS-4: Preserve economically viable timber stands for use as sustainably harvested commercial timber while protecting water quality, special status species and sensitive habitats.

Timber Policies

CONS-4.1 The sustainable management of timber resources, and related uses, is encouraged, so that the long term economic return from productive timber production will provide sufficient incentives to prevent urban conversions. Urban conversions are discouraged within the Urban Services Boundary.

CONS-4.2 In cooperation with California Department of Forestry, request review of all Timber Harvest Plans (THP) within the Planning Area. Review THPs for measures that protect water quality, control erosion and flooding, and preserve the City viewshed. Recommend that THPs which do not include these measures not be approved.

CONS-4.3 Encourage the management of private timberlands to use current principles of sustainable forestry for all aspects of forest use and function: recreation; timber production; biodiversity; air and water quality; and carbon storage. Timber owners are encouraged to apply for conservation easements, certified forestry, or compensation for carbon storage.

CONS-4.4 City and County Zoning Ordinances should require a use permit for timber harvesting (as defined by the Forest Practice Act) within or nearby unstable lands or lands of questionable stability. (SAF-1.8)

CONS-4.4 Continue to work with Green Diamond, and other larger timber land holders, on protecting and restoring planning area watersheds from negative impacts of timber harvest past and present.

2. Soils

Soils are a resource essential to raising timber, crops and forage. There are few areas of prime soils for crops or forage in the planning area, but much of the land in the planning area is prime timberland. Some prime timber soils have been converted to residential development and others are located so near to development that they are no longer manageable timber sites. Because of the importance of the regional economy, prime timber soils in manageable units should be protected from development. Due to

the small amount of prime soils for crops and forage, these areas should be protected as well.

Soils also act as constraints on development when they will not adequately support structures or other improvements including OWTS. For long range planning purposes, development may be able to occur in areas with soils limitations without degradation of water quality and public health if land divisions and developments are only allowed after thorough site investigations and necessary design and maintenance standards are enforced. Soil limitations are not in themselves a sufficient constraint to justify development prohibitions. In areas with soil limitations more specific site analysis is needed to determine how a foundation or OWTS can be designed to work and how much land area is needed to accommodate the system and proposed development, and to provide necessary protective buffers. Related factors such as hydrology, stability and topography must also be considered. It is expected that this site specific evaluation process in areas with soils limitations will result in a lower average density of development than can be expected in areas with only slight soils limitations.

Refer to Figure 9 for existing soils limitations information. Because available soils information is much generalized, studies should be undertaken to confirm the degree of limitation in any area proposed for intensive development. Soils suitability for OWTS varies throughout the planning area. Since OWTS are to continue to serve as the long-range wastewater disposal system, each development and its wastewater disposal system will have to be conformed to the capabilities of the site. Regular maintenance monitoring and pumping is required by the City's OWTS Management Program in order to protect public health, water quality and property values.

Where developable areas have a high percentage of soils with OWTS limitations, the areas are designated Rural Residential, Resource Production (County designation), or Special Environment to allow development appropriate to the soil limitations of each development site. Areas with slight limitations are designated Suburban Residential or Urban Residential to allow higher density development consistent with the preference of neighborhood residents and the density constraints identified in soil suitability studies.

Note that soils are closely related to geology, but geology has its greatest impact in terms of public safety. Therefore, a discussion of Trinidad's geology and limitations are included in the Public Safety Element.

Goal CONS-5 Protect and preserve soil as a natural resource.

Soil Conservation Policies

CONS-5.1 Minimize soil erosion to prevent loss of productive soils, prevent landslides, protect water quality, and maintain infiltration capacity and soil structure.

CONS-5.2 Minimize land disturbance activities from construction (e.g., clearing,

grading, and cut-and-fill), and design sites to mitigate development and avoid erosion, steep slopes, unstable areas, and highly erosive soils. (CONS-1b.1)

CONS-5.3 Prohibit grading during the rainy season (from October 15th through April 30th) in areas with slopes of 15 % or greater (as indicated on Figure 9), except in response to emergencies. Grading on slopes less than 15% is discouraged during the rainy season, but may be allowed on a case-by-case basis as long as any areas that are disturbed incorporate appropriate BMPs and monitoring to prevent water quality impacts. (CONS-1b.4)

CONS-5.4 Encourage the use of Best Management Practices (BMPs) for erosion and sediment control in construction and road maintenance throughout the Planning Area in order to reduce the impacts of erosion, sedimentation and stormwater runoff. Provide developers and other interested citizens with educational materials regarding BMPs as part of application materials or upon request.

CONS-5.5 Incorporate soil stabilization BMPs on disturbed areas as soon as feasible, including, but not limited to, re-vegetation of graded or disturbed areas. (CONS-1b.5)

CONS-5.6 Update the City's Grading Ordinance as necessary to ensure that it incorporates the latest available Best Management Practices as recommended in the Trinidad-Westhaven Integrated Coastal Watershed Management Plan.

GOAL CONS-6: Protect landscapes and waterways based on necessary soil studies for development and landscape modification.

Soil Limitations Policies

CONS-6.1 Require detailed studies of soil characteristics and hydrology for developments in areas with soil limitations (such as instability, clay content or high groundwater) to ensure that the lot size, foundation requirements and OWTS design are adequate to prevent direct or cumulative adverse impacts on soil stability or water resources.

CONS-6.2 Specify OWTS design prior to any intensification or addition to existing uses.

CONS-6.3 Base foundation and OWTS requirements on site specific soils studies to ensure that development and sewage disposal systems will not create direct or cumulative adverse impacts on soil or water resources.

3. Mineral Resources

The Conservation Element is "required to include policies to address the conservation and development of identified mineral deposits designated by the State as being of

Statewide or regional significance.” Humboldt County has not yet been so designated by the State. There are no mining operations within the City limits. The only nearby activities include hard rock quarries: one exists off Quarry Road (Mercer, Fraser Co.); several others are located on Simpson Timber land to the East. These quarries provide a source of jetty-quality rock, which is in short supply along California’s coast. The Trinidad quarry has provided jetty materials from Fort Bragg to Crescent City and North to Oregon.

Land use conflicts can occur from these quarries particularly since they are operated on an intermittent basis. Years of inactivity may suddenly be followed by a season of intense activity to meet a particular contract need. Such activity can produce noise (from both blasting and operations) and truck traffic. The surrounding neighborhood, particularly new residents, can grow accustomed to the inactive periods and can be frustrated by new activity. This activity subsides again after a period of time. Eventually these quarries diminish on-site supplies and are closed. State law requires that each mine site have a mining and reclamation plan identifying the final reclaimed use and requirements for achieving it. The City supports the County’s designation of the majority of the quarry site as “Resource Production.” Policies related to mineral resources near the City can be found in section D.3 – Planning Area – of the Land Use Element.

Goal CONS-7: Ensure existing quarries within the Trinidad Planning Area are 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.

CONS-7.1 Encourage the County and mine operators to minimize the impact of mineral extraction activities on the surrounding natural and built environment through the application of appropriate management practices including, but not limited to, minimizing surface disturbance, air pollution, water pollution, noise pollution, vibration, and traffic impacts.

E. OPEN SPACE RESOURCES

Trinidad’s Open Space areas provide a variety of benefits such as: 1) preservation of natural resources; 2) managed production of natural resources; 3) outdoor recreation; 4) viewshed protection; and 5) public health and safety.

Open Space issues are addressed throughout this General Plan document, as well as being discussed in the various background documents. Open Space related policies are contained in the Land Use, Conservation, Safety, Recreation, Community Design and Historic and Cultural resources Elements. The reader is referenced to discussion and policies in those sections for additional information.

The coastal bluffs behind the beaches are generally unstable and provide a scenic backdrop for the beachfront environment. Except for a few residences located on small benches or behind the bluff tops, these beachfront areas have been kept in a natural

state. Protection of open space areas and retention of scenic and natural characteristics along the Trinidad shoreline is a matter of continuing public concern. With few exceptions, these lands and unstable bluffs are unsuitable for intensive park development or intensive public recreational use.

Sea level rise, an increase in mean sea level (MSL), is the result of global warming and is an important factor when considering the conservation of public open spaces. Current climate modeling data suggests a small to moderate amount, up to 30 cm, of sea level rise is possible in Trinidad in the next 50 years (GHD 2016). This could potentially affect beach widths and erosion on beaches and along bluffs. More intense management strategies to stabilize the coastline and maintain open space and public access may be necessary.

Government ownership is one means for protecting these natural hazard and scenic beachfront areas; this places the burden of management and maintenance within the public sector. There are other effective means of gaining the desired protection, such as open space easements, which would reduce public costs and eliminate the potential for inappropriate intensive public use.

Trinidad Bay and the bay bordering Trinidad on the west, including all their islands, offer two of the most uniquely beautiful views, combining ocean, islands, bay and rugged, timber shorelines that can be found no where else along the California coast. The islands provide habitats for marine organizations and serve as refuges or rookeries for birds and marine mammals, including sea lions and harbor seals. They are also protected as part of the California Coastal National Monument.

Areas in the City designated Open Space include: a portion of the Tsurai Study Area, Trinidad Head, Little Head, near-shore and off-shore rocks, beaches, Trinidad State Beach, Trinidad School playing field,. Areas north of the City include Trinidad State Beach at College Cove/Elks Head, Simpson Demonstration Forest. South of the City includes Baker Beach, and County Parks (Houda Point, Luffenholtz Creek Parks). Cultural resources are discussed in the Cultural Resources Element.

GOAL CONS-8: Protect the open space and its environment and natural resources of Trinidad, Trinidad Head and the surrounding areas

Open Space Policies

CONS-8.1 Preserve the beaches and sea cliffs which border the southern and western sides of the City (identified as Open Space) from development and allow them to remain in their essentially natural state. Passive recreation and vegetation management for habitat or scenic vistas are allowable uses.

CONS-8.2 Keep development on Trinidad Head to a minimum to protect the resources located there. Passive recreation such as hiking trails and vista points are allowable uses. (CIRC-10.5)

Program CONS-8.2.1 Develop and adopt a Management Plan for Trinidad Head that addresses trails, benches and interpretive elements and their maintenance, management of federally-owned parcels, reduction of impacts of existing uses, and eventual phase-out of commercial uses.

CONS-8.3 Preserve Trinidad Bay and the bay bordering Trinidad on the west, including all their islands, in their essentially natural state. Encourage near shore developments to be unobtrusive and visually compatible with the bay vista.

CONS-8.4 Require open space easements or similar agreement to protect the natural character of Open Space, Special Environment areas and ESHAs when approving permits for allowable development.

Program CONS-8.4.1 Revise the Zoning Ordinance to ensure that such agreements cover the portions of the lot that need not be disturbed by proposed structures and appurtenant uses or designated for protection in geologic reports.

Program CONS-8.4.2 If funds are available, obtain such agreements on already developed lots in the Special Environment area to obtain the degree of public control over lands designated as Open Space and Special Environment needed to protect scenic, cultural and natural resources.

CONS-8.5 Ensure that the lands designated as Open Space lying seaward of Edwards and Van Wycke Streets remain entirely undeveloped and managed such that the unparalleled views to the south are restored and maintained.

CONS-8.6 Coastal bluff management considerations address vegetation management, scenic vistas, trail maintenance, and unauthorized activities such as 'piped discharges' of stormwater runoff, disposal of grass and yard wastes over the bank, carving into bluff faces and trespass onto sensitive areas. Public education in combination with ordinance provisions are the best methods for addressing these concerns.

CONS-8.7 For the entire Planning Area including within City Limits, the areas generally within 100 feet of the centerline of perennial streams and 50 feet from the centerline of intermittent streams are placed in the Open Space or Special Environment designations and by definition are to be designated as a Riparian Protection Zone. These zones may vary in width depending on site specific criteria and the existence/absence of naturally occurring (not artificially manipulated) riparian habitat. Similarly designate riparian habitat along streams in timber management areas.

CONS-8.8 Adopt a public education program that educates residents and visitors how and why to minimize impacts on Open Space resources. This includes, but is not limited to, landscaping and chemical use, water use, OWTS maintenance, tide pool etiquette, etc.

CONS-8.9 Monitor beach and bluff erosion for impacts from sea level rise...

F. RECREATION AND PUBLIC ACCESS

1. Public Recreation

Activities available to local residents include recreational and educational programs at the elementary school, social events, sport fishing, hiking, beachcombing and a myriad of other activities. Tourists primarily come to Trinidad to enjoy the coastal resources and the local lifestyle. Visitors are able to enjoy sport fishing shopping, sightseeing, berry picking, eating out, beachcombing, hiking, picnicking, visiting the marine lab, whale or bird watching, and just relaxing at their lodgings or campsites.

Publicly accessible recreation areas, other than beaches and coastal trails (see Public Access section), include the Trinidad Elementary School and its playground and track areas, the Town Hall (which is used for social and fraternal functions), and the adjacent tennis court, Trinidad Cultural Center, which includes the Museum (the BLM has chosen to locate their Offshore Rocks National Monument information here), Library and Saunder's Park, the Memorial Lighthouse, the pier, Trinidad Head and the Harbor Area.

In addition, there are several areas nearby the City where people can enjoy coastal recreation. Luffenholtz Beach County Park, Houda Point, Baker Beach, Moonstone Beach, and Clam Beach County Park are located south of the City. The College Cove/Elk Head area is located a few miles to the North. Patrick's Point State Park is seven miles north of the City. Trinidad State Beach is located partially within City limits and continues north of the City.

Certain aspects of public safety and environmental protection are affected by public recreation. There are a number of hazards that can impact public recreation and access, including large wave events, tsunamis, steep slopes and unstable bluffs. In addition, public recreation can affect plants and animals and habitat, including riparian areas, coastal bluffs, bird and wildlife use/activities, rare plants and intertidal zones.

Goal CONS-9: Provide a variety of quality public recreational opportunities for both residents and visitors.

Public Recreation Policies

CONS-9.1 Public restrooms are encouraged to be available in the harbor area, Saunder's Shopping Center, near the Trinidad Cultural Center, and at Trinidad Town Hall.

CONS-9.2 Continue to cooperate with the local Chamber of Commerce and the Humboldt County Convention & Visitors Bureau in providing visitor service information at City Hall and other appropriate locations.

CONS-9.3 Continue to provide adequate litter control programs, including dog waste stations in areas open to the public, particularly at the beach parking area(s).

CONS-8.4 Maintain Town Hall as a center for community functions.

CONS-9.5 Trinidad Head will be maintained with hiking trails, benches and vista points. Public vehicular access will be controlled by a locked gate and vehicles will only be allowed on Trinidad Head with permission from the City or the Federal Government.

CONS-9.6 Encourage the State to improve the restrooms at the College Cove/ Elk's Head parking area.

CONS-9.7 Connect State Park Trails (and related signs) to the City's Trail System.

CONS-9.8 Monitor and maintain parking at recreation areas to ensure fair access.

CONS-9.9 Maintain public viewsheds in scenic areas.

CONS-9.10 Ensure the safety of recreationalists by providing readily accessible information regarding the dangers of large waves, tsunamis and steep slopes in the form of signage, brochures, etc. as needed.

CONS-9.11 Ensure that the impacts of public recreation on ESHAs is minimized by providing information to the community and the public about avoiding and protecting key resources.

2. Public Access

Public access to the shoreline is guaranteed by the California Constitution and is further defined by standards established by the Coastal Act to recognize the shoreline as a public resource which is available for viewing, recreation, and scientific research at the water's edge and along tidal rivers. Access to the shoreline is dependent on the right of the public to cross public and private land. Access across private land is generally obtained through purchase of an easement, or obtained as a condition of development approval.

There are a variety of public access points in Trinidad. The California Coastal Trail runs along Scenic Drive and then through town to the Harbor Area and then up through Trinidad State Beach. Trinidad Beach State Park maintains a variety of trails, including some in City limits. Trinidad City trails include connections to the Trinidad State Beach trails from Underwood and the Harbor Area. The Trinidad Head Trail loop is accessed from the Harbor Area. The Galindo and Van Wycke Street trails connect Edwards Street and the Memorial Lighthouse to the Harbor. The Axel Lindgren Memorial Trail provides access to Old Home Beach (formally known as Indian Beach) from the Memorial Lighthouse and CA Coastal Trail. The Parker Creek Trail provides access to Old Home

Beach from behind the Saunders Shopping Center. The Old Wagon Road (Wagner Street) connects the CA Coastal Trail and Edwards Street to the Parker Creek Trail, and the Groth Lane Trail provides a connection to the Parker Creek Trail from Scenic Drive.

For the most part, here is ample public coastal access in Trinidad. Together these trails provide a variety of public access points to and from the coast, all within $\frac{1}{4}$ mile of each other. The one exception is the southeastern part of town; there is more than $\frac{1}{2}$ mile between the southeastern City limits and the nearest trail access at Groth Lane. And the nearest public access south of the City limits is at Baker Beach, another 0.7 miles to the south. Although Scenic Drive is not particularly safe for pedestrians due to very narrow stretches and sharp curves, is part of the officially designated CA Coastal Trail. The City has proposed an additional access from Scenic Drive to the coast along McConnahas Mill Creek to help fill this gap. The Trinidad Coastal Land Trust has also expressed an interest in developing a trail from Scenic Drive that connects to the Parker Creek Trail between Groth Lane and Main Street through a parcel they own. These are the only additional accesses proposed at this time. There are no known informal, unmapped accesses currently being utilized.

In accordance with the Coastal Act, the City requires dedication of access easements along and adjacent to designated trails and beaches as a condition of approval of coastal development permits. These easements are granted in the form of Offers To Dedicate (OTDs), and the Trinidad Coastal Land Trust (TCLT) has been the entity that has accepted most of those easements, with the City holding a few as well. The TCLT has expressed a willingness to continue to accept these easements, and the City will continue to maintain the ones that are designated public trails. .

The City also has a responsibility to ensure that public access is not impeded or discouraged by private development. There is not much potential for additional development along or near the shoreline in Trinidad, but impediments can also include discouraging signage, lack of signage, and vegetative growth. Trail signage has been a controversial topic in Trinidad in several locations due to concerns of private property owners as well as impacts to unstable slopes and cultural resources from pedestrian traffic.

The portion of Trinidad Head not needed by the Coast Guard was transferred to the City of Trinidad and annexed within the City limits in 1984. [Amended Ord. 166; 12-12-84]. Trinidad Head Trail provides a view to the Trinidad Harbor and the Pacific Ocean. The Trinidad Trails Plan is available with the City Clerk at City Hall. The U.S. Coast Guard recently transferred its ownership of 13 acres of the southern portion of Trinidad Head to the BLM. The land was added to the California Coastal National Monument in January 2017.

Goal CONS-10: Maximize public access to and along the coast consistent with sound resource conservation principles and the constitutionally protected rights of property owners.

Public Access Policies

CONS-10.1 The public shall have access to trails and coastal resources; existing and proposed trails are shown on Figure 10. Advertise the trail system, including connections to State Park trails, in visitor information and current maps that will be kept on file at City Hall and made available to the public at a Visitor Information Center and / or the Chamber of Commerce kiosk.

CONS-10.2 Provide maximum access and recreational opportunities consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Provide public open space and shoreline access in the Coastal Zone.

Program CONS-10.2.1 Provide shoreline access in the Coastal Zone along the vertical and lateral access routes as shown on Figure 10.

Program CONS-10.2.2 Acquire additional public access to the shoreline by:

- a) requiring public access as a condition of development consistent with the Coastal Act, the Coastal Commission's Statewide Interpretive Guidelines, and the findings required to support an Offer to Dedicate (OTD);
- b) accepting, or facilitating acceptance of, Offers To Dedicate (OTDs) that will increase opportunities for public access and recreation; and
- c) create partnerships with the community, agencies, and organizations to maintain and improve public access to and along the coast.

Program CONS-10.2.3 Acquisitions of coastal land and easements for public access purposes shall not preclude the potential development of necessary infrastructure to support coastal-dependent uses.

CONS-10.3 Development in the Coastal Zone shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Protect public prescriptive accesses wherever they exist.

CONS-10.4 Require formal access offers of dedication where necessary and feasible to assure continued public use of designated trails.

CONS-10.5 Require public access easements or similar agreement to assure public use of both proposed and existing designated trails when approving permits for allowable development. Such agreements on beaches shall cover the area from the high-tide line to either the base of the bluff or to the first line of vegetation. Interior trail easements shall include enough area to provide for adequate public access, appropriate improvements and maintenance while minimizing the amount of private land encumbered.

CONS-10.6 Require public access from the nearest public roadway to the shoreline and along the coast, as shown in Figure 10, in new development except where it is inconsistent with public safety, other LCP policies, or the protection of fragile coastal resources and environmentally sensitive habitat areas.

CONS-10.7 Require access easements along designated trails, consistent with the California Coastal Act and the City's Zoning Ordinance, as a condition of approval of applicable development projects, in order to mitigate the project's impacts on public access.

Program CONS-10.7.1 Revise the Zoning Ordinance to provide specific regulations for public access easements and OTDs.

CONS-10.8 Implement mitigation measures required for impacts to public access and recreational opportunities prior to or concurrent with construction of the approved development. Mitigation is not a substitute for implementation of a feasible project alternative that would avoid impacts to public access.

CONS-10.9 Public accessways and trails to the shoreline and public parklands are a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer to Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities (e.g. parking), construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

CONS-10.10 Dedicated accesses are not be required to be opened for public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access. Open the easement to the public as soon as is feasible and accept the responsibility for operation and maintenance of the accessway for easements to the City, or grant the easement to a private nonprofit association that is willing to accept, maintain and operate the accessway.

CONS-10.11 For all grants of easement from the City to a private non-profit association, the Executive Director of the Commission must review and approve a management plan submitted by the private non-profit association that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded grant of easement, and that the association will open the easement to the public as soon as is feasible.

Program CONS-11.11.1 Work with the Trinidad Coastal Land Trust and other organizations and agencies to accept liability for and maintain public accesses.

Program CONS-10.11.2 Facilitate the acceptance of Offers to Dedicate (OTDs) as a means of obtaining additional public access.

CONS-10.12 Develop and promote a continuous trail system throughout the City which connects to the California Coastal Trail system.

CONS-10.13 Require an amendment to the Local Coastal Program for the permanent closure of any existing public accessway. Temporary closures due to emergencies or to perform necessary maintenance and repairs shall be the minimum duration necessary, and alternative access shall be provided where feasible.

CONS-10.14 Develop ordinances and policies to ensure unobstructed public access to all Trinidad Trails, including restrictions on vehicles, vegetation, or other obstructions so they aren't allowed to block or hinder pedestrian access to trails.

CONS-10.15 Pursue opportunities to provide transportation corridor linkages for pedestrian trails and bike routes as well as scenic recreational routes. Consider linkages to the California Coastal Trail, Hammond Trail and Pacific Coast Bicycle Route (CIRC-4.7)

CONS-10.16 Develop policies and requirements for temporary events to ensure that adequate public access, including parking, is maintained.

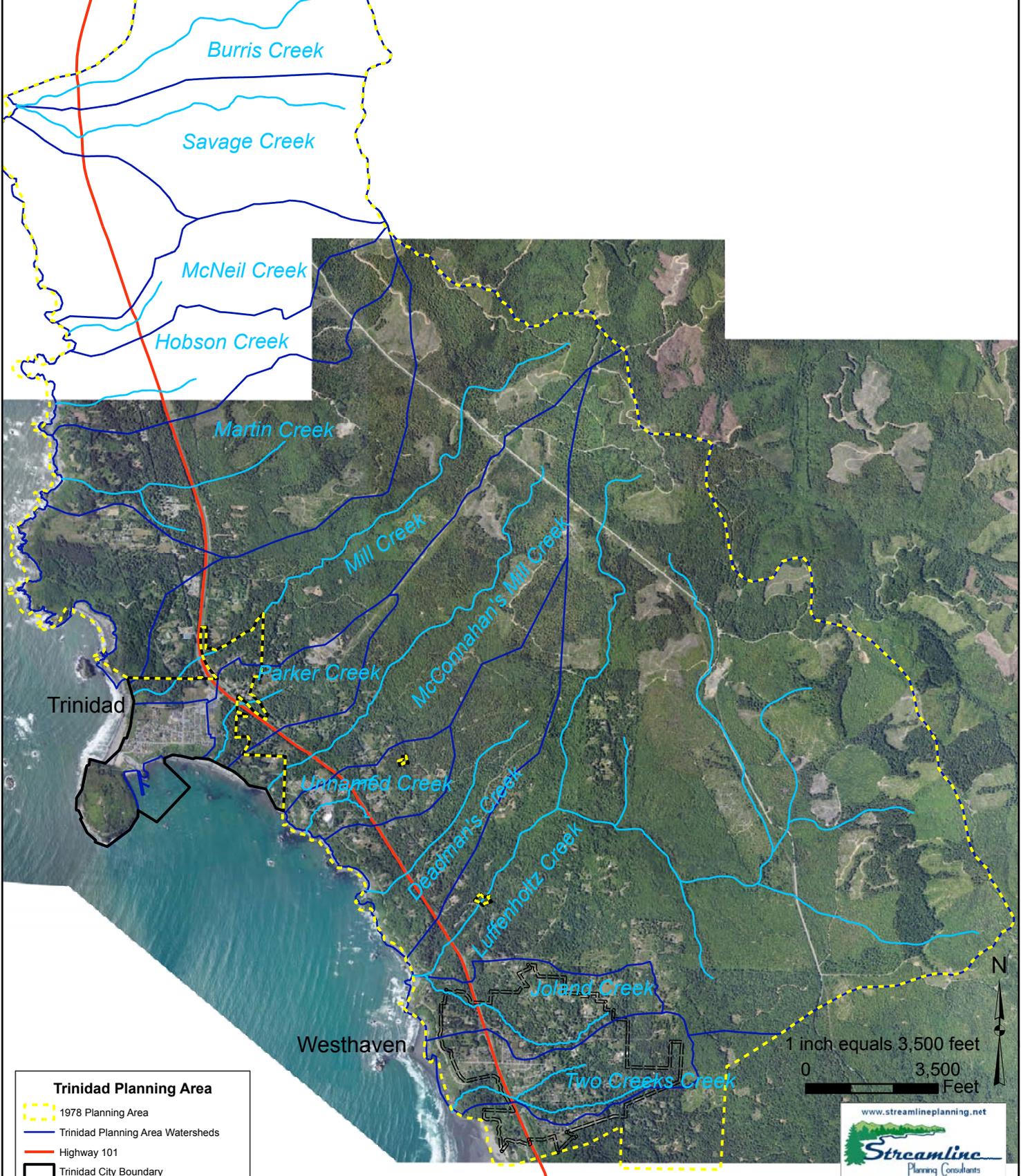
CONS-10.17 Retain public access easements as part of any street abandonment or property transfer where public access currently exists.

CONS-10.18 Prohibit posting of misleading signs, markings and other structures that discourage appropriate use of legal public accessways.

CONS-10.19 Public parking areas with 2-hour parking limits should be provided, when found necessary, along the South side of Edwards Street to ensure visitor access to trails and vista points. (CIRC-2.3)

Trinidad General Plan

Figure 6 Watersheds (Draft 10-29-09)



Trinidad Planning Area

- 1978 Planning Area
- Trinidad Planning Area Watersheds
- Highway 101
- Trinidad City Boundary
- Westhaven Community Services District

1 inch equals 3,500 feet
0 3,500 Feet

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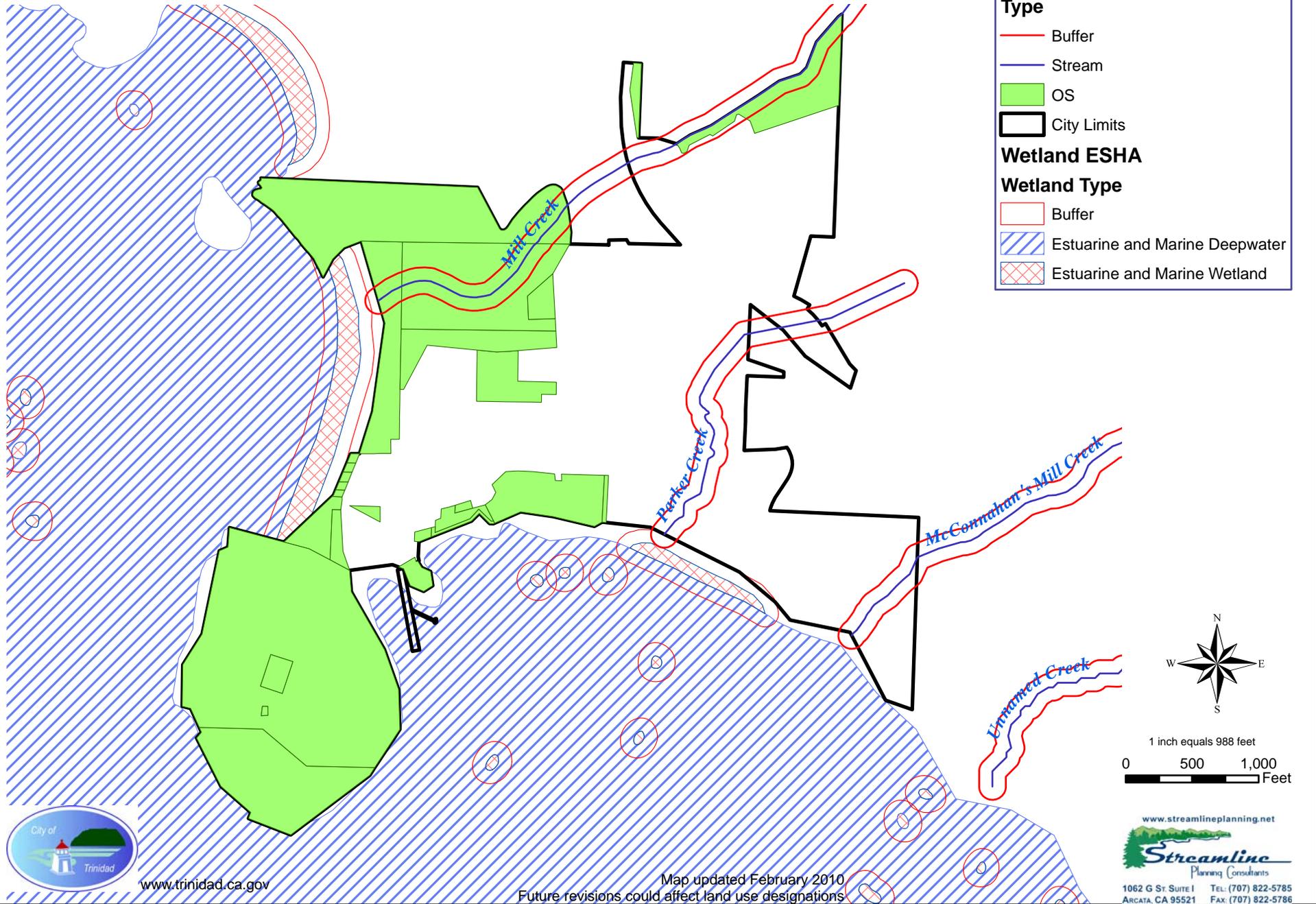
1062 G St. Suite 1 Arcata, CA 95521
TEL: (707) 822-5785 FAX: (707) 822-5786

Map updated October 2009

Check the Humboldt County website for current information: <http://gis.co.humboldt.ca.us/>

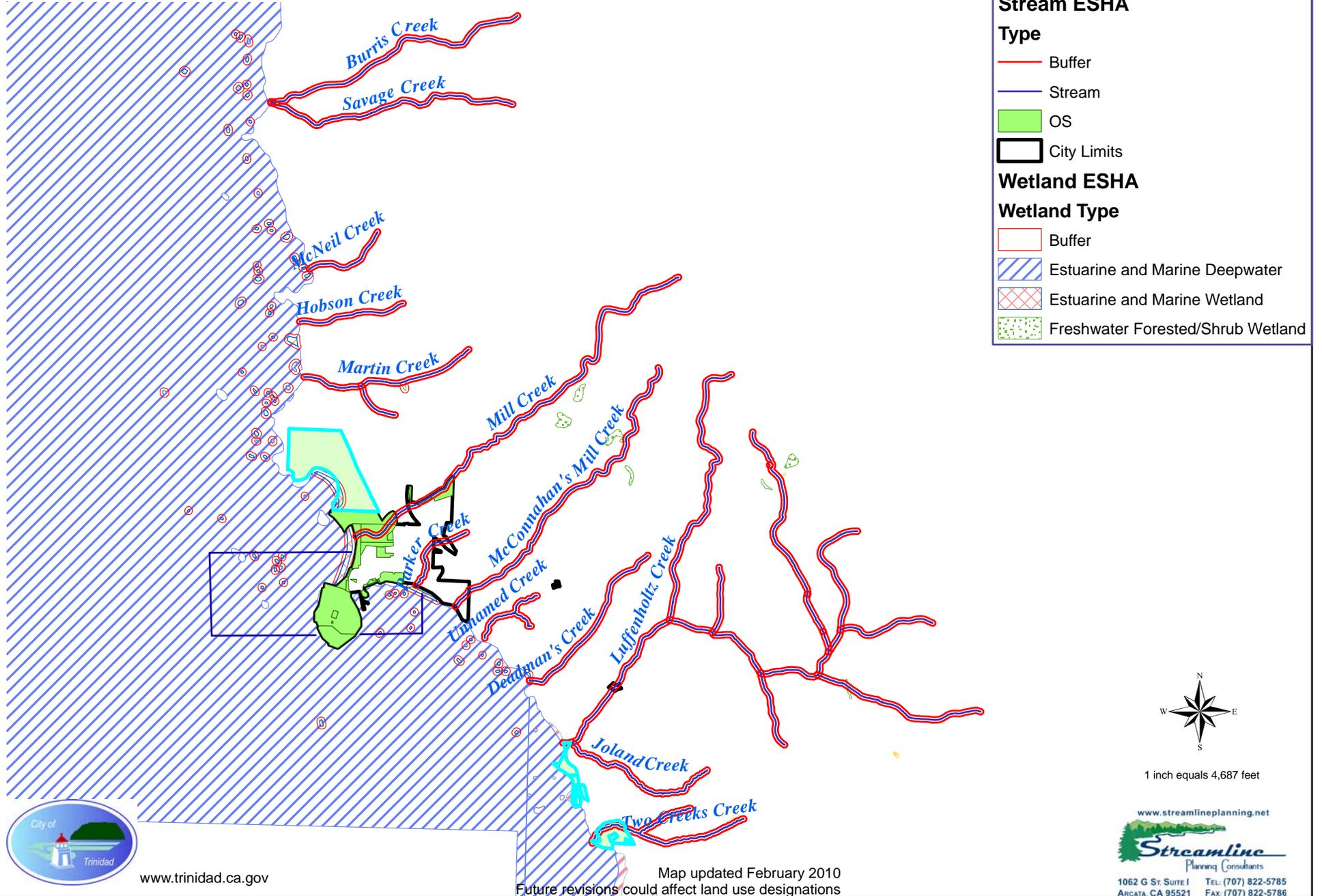
Trinidad General Plan

Figure 7a: ESHAs and Open Space Within City Limits



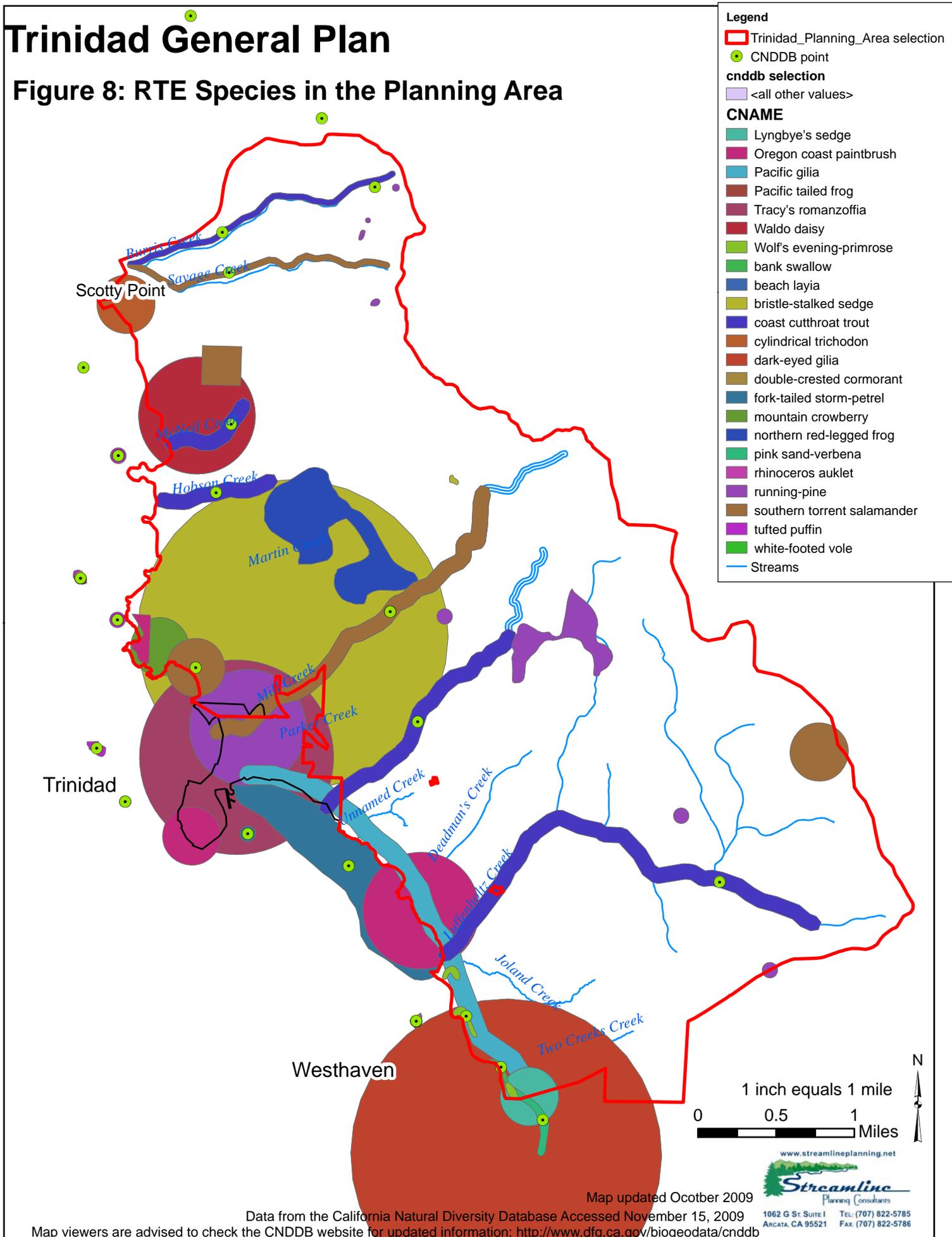
Trinidad General Plan

Figure 7b: ESHAs and Open Space Outside of City Limits



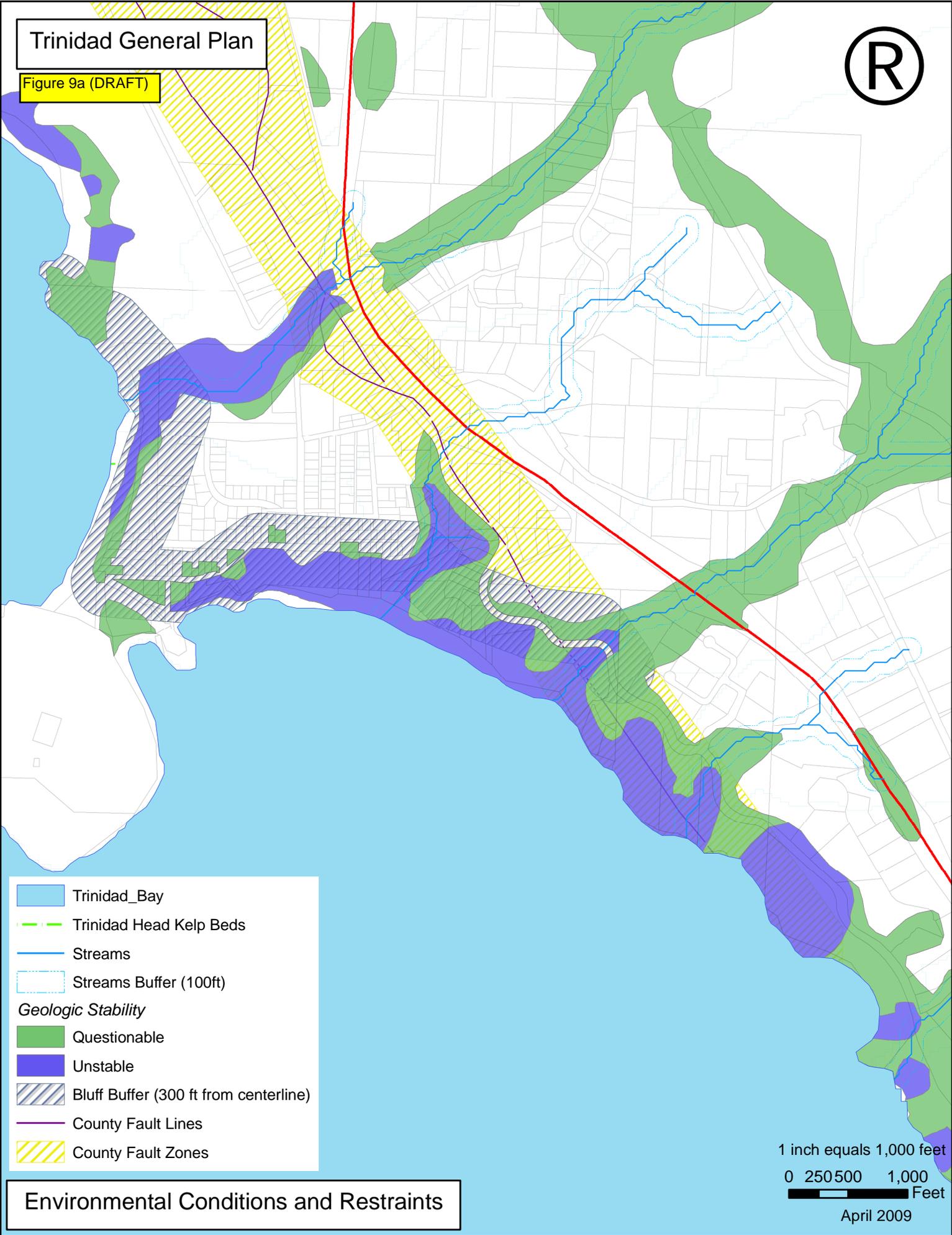
Trinidad General Plan

Figure 8: RTE Species in the Planning Area



Trinidad General Plan

Figure 9a (DRAFT)



- Trinidad_Bay
- Trinidad Head Kelp Beds
- Streams
- Streams Buffer (100ft)
- Geologic Stability*
- Questionable
- Unstable
- Bluff Buffer (300 ft from centerline)
- County Fault Lines
- County Fault Zones

1 inch equals 1,000 feet
0 250 500 1,000 Feet

April 2009

Environmental Conditions and Restraints

Trinidad General Plan

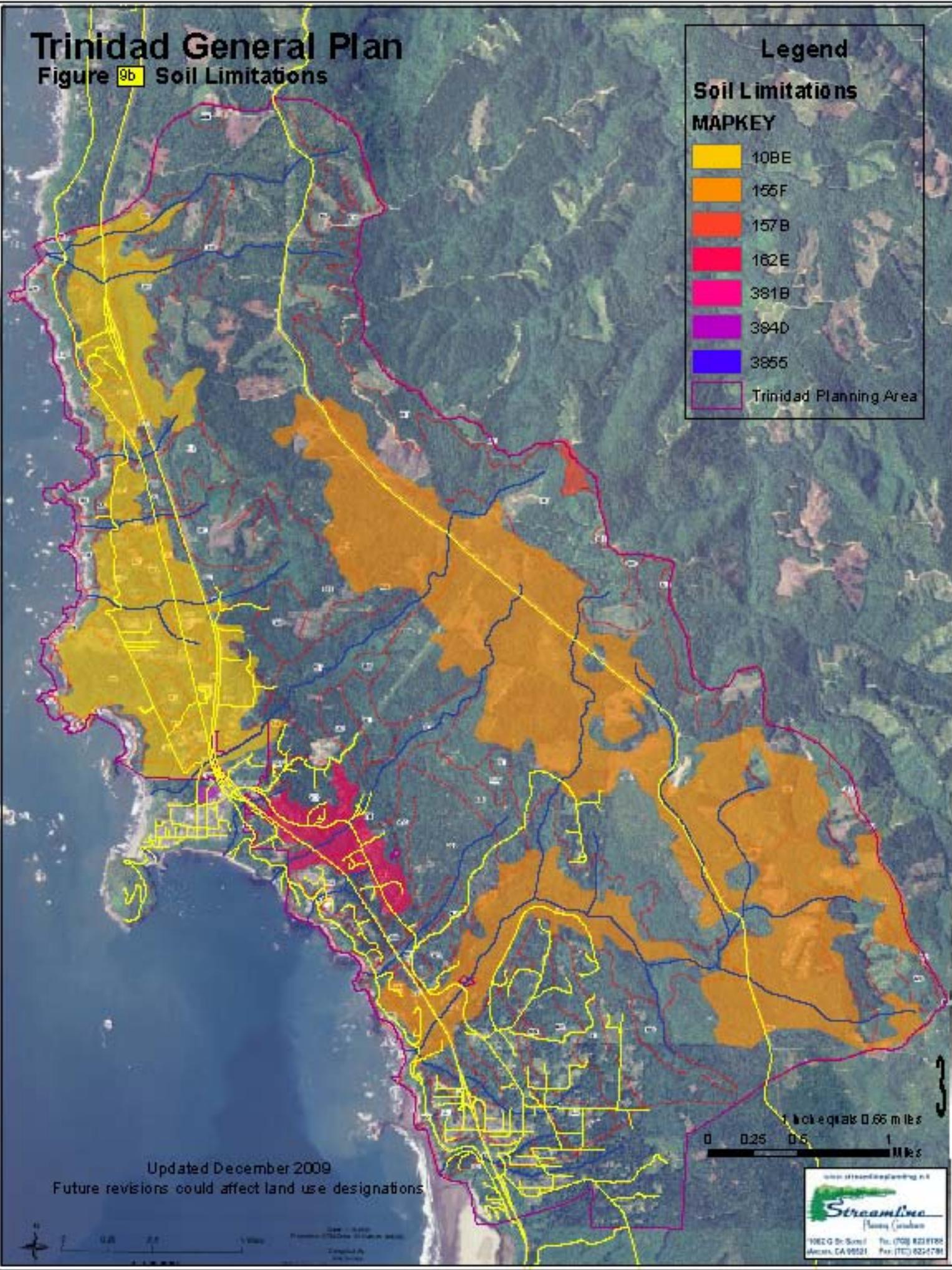
Figure 9b Soil Limitations

Legend

Soil Limitations

MAPKEY

- 10BE
- 155F
- 157B
- 162E
- 381B
- 384D
- 3855
- Trinidad Planning Area



Updated December 2009
Future revisions could affect land use designations

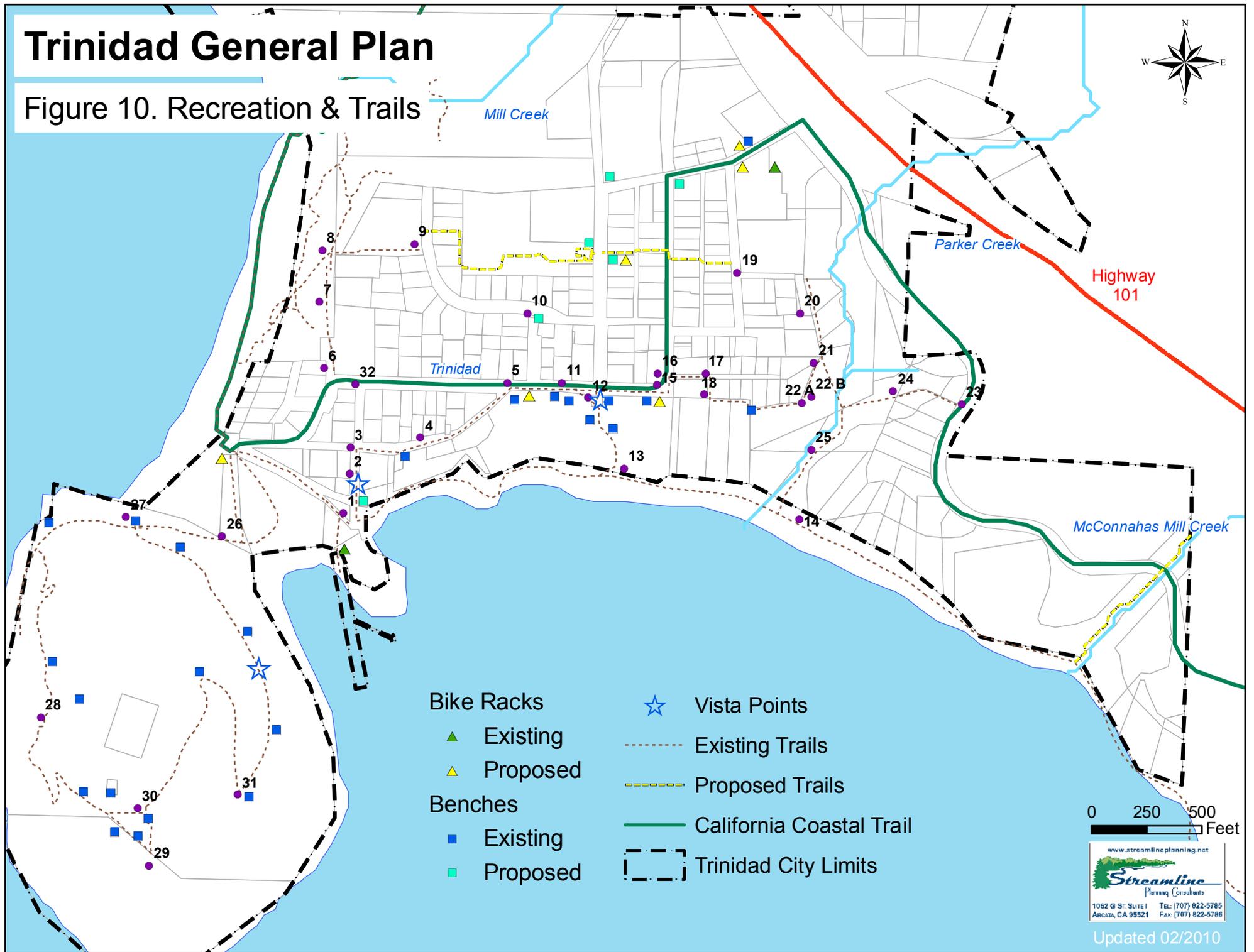
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Trinidad General Plan

Figure 10. Recreation & Trails



GLOSSARY

Accessory Dwelling Units (ADU):

Means any residential dwelling unit which provides complete independent living facilities on the same building site as a legal single-family residence, including permanent provisions for living, sleeping, cooking, eating, and sanitation, as defined in Government Code Section 65852.2(i)(4).

Area of Special Biological Significance (ASBS):

This is a State designated area, of which Trinidad Head Kelp Beds are one of the 34 areas so designated that are given special protections and additional water quality standards.

Arterial (street):

A major street carrying the traffic of local and collector streets to and from freeways and other major streets, with controlled intersections and generally providing direct access to properties.

Best Management Practices (BMPs)

Activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. Best Management Practices include: treatment facilities to remove pollutants from stormwater; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants.

Bio-retention system

A type of stormwater treatment and runoff control that is based on low-impact development principles. Bio-retention systems slow down stormwater runoff to improve water quality by utilizing landscaping and soils to treat stormwater runoff by collecting it in shallow depressions and filtering and infiltrating it through a planting soil media. Bioswales, grass buffer strips and raingardens are all examples of bio-retention systems.

California Coastal Act or Coastal Act

The California Coastal Act of 1976, Division 20 of the Public Resources Code, as amended.

Caretaker Dwelling

A dwelling unit, with a kitchen, accessory to a single-family dwelling, visitor serving, commercial, or other use, occupied by an employee of the landowner, who manages or otherwise cares for the owner, or owner's premises.

CASQA

California Stormwater Quality Association

CEQA

California Environmental Quality Act.

Child Care Center

A Child Care Center (or Day Care Center) is usually located in a commercial building. Non-medical care and supervision is provided for infant to school age children in a group setting for periods of less than 24 hours.

City Service Area: The area where the City already provides water service, located along trunk lines running between the City and Luffenholtz Creek along Scenic Drive and Westhaven. The City can not provide new water hook-ups in the Service Area that is not within City Limits due to LAFCO regulations without annexation.

Class 1 (or I) Stream

A perennial, seasonal or intermittent stream in which fish are always or seasonally present onsite or habitat to sustain fish migration and spawning exists.

Class 2 (or II) Stream

A perennial, seasonal or intermittent stream or spring in which habitat for aquatic, non-fish vertebrates or aquatic benthic macro-invertebrates exist.

Class 3 (or III) Stream

An intermittent or ephemeral watercourse having a defined channel with a defined bank (slope break) and a width to depth ration of 5:1 or less showing evidence of annual scour and sediment transport.

Class 4 (or IV) Stream

Completely man-made watercourses such as roadside ditches, agricultural drainage ditches and canals.

Coastal-dependent Development

Means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal-related Development

Any use that is dependent on a coastal-dependent development or use.

Coastal Development Permit

Means a permit for any development within the coastal zone that is required pursuant to subdivision (a) of Section [30600](#).

Coastal Resources

Include, but are not limited to, public access opportunities, visitor and recreational facilities, water-oriented activities, marine resources, biological resources, environmentally sensitive habitat areas, agricultural lands, and archaeological or paleontological resources.

Coastal Zone:

Means that land and water area of the State of California from the Oregon border to the border of the Republic of Mexico, specified on the maps identified and set forth in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting this division, extending seaward to the state's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards.

Collector (street):

A street for traffic moving between arterial and local streets, generally providing direct access to properties.

Conservation

The management of natural resources to prevent waste, destruction, or neglect.

Critical Coastal Area

An area designated by a multi-agency, statewide committee based on certain criteria for an innovative program to foster collaboration among local stakeholders and government agencies, to better coordinate resources and focus efforts on coastal watersheds in critical need of protection from polluted runoff. The Kelp Beds at Trinidad Head CCA was designated because it is also an ASBS.

Critical Water Supply Area

A Critical Water Supply Area is defined in Section 3362 of the Humboldt County General Plan: Framework Plan as the specific area used by a municipality or community for its water supply system, which is so limited in area that it is susceptible to a potential risk of contamination from development activities.

Cultural Resources.

Cultural resources include, but are not limited to, any object, building, structure, site, district, area, or place that is culturally, historically, or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Humboldt County. Sites, resources, or structures listed in federal, state, or local registration programs, or formally determined eligible for listing, or that meet the criteria for listing in the California Register of Historical Resources shall also be recognized as significant cultural (historical) resources. Cultural resources also include cultural places, as defined by California Public Resources Code Sections 5097.9 and 5097.993, including any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine or any Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources, including any historic or prehistoric ruins, any burial ground, and any archeological or historic site.

Cultural Resources Community.

The cultural resources community includes:

- a) Native American Tribes, defined as federally recognized and non recognized tribes and tribal organizations that have ancestral lands in Humboldt County that are on the contact list maintained by the Native American Heritage Commission; and, the appointed Tribal Historic Preservation Officers (THPOs) of such tribes.
- b) Applicable agencies and organizations, including the Native American Heritage Commission, the California State Office of Historic Preservation, the North Coastal Information Center, the Northwest Information Center, Humboldt County Public Works Department and the Planning and Building Divisions, and local historical societies and museums.
- c) Other interested parties who have requested in writing to be notified of such matters.

Density

Means the total number of square feet of developable area of a lot divided by the number of dwelling units located on the lot.

Design Review

The process whereby projects are reviewed for compliance with established design guidelines.

Development

Means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with [Section 66410 of the Government Code](#)), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the [Z'berg-Nejedly Forest Practice Act of 1973](#) (commencing with [Section 4511](#)).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Dwelling, or Dwelling Unit

Means one room, or a suite of rooms in a building designed for, intended for, or used by one household or family, which household or family lives, sleeps and cooks therein and which unit has one kitchen or kitchenette.

Dwelling, Single-family

A freestanding building designed for and / or occupied exclusively by one household or family.

Environmentally Sensitive Habitat Area (ESHA):

Means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments [or as currently defined in Section 30107.5 of the Coastal Act](#).

Erosion

The process by which soil and rock are detached and moved by running water, wind, ice, and gravity.

Family Child Care Home

A Family Child Care Home must be in the licensee's own home. A Family Child Care Home reflects a home-like environment where non-medical care and supervision is provided for periods of less than 24 hours.

There are Small Family Child Care Homes and Large Family Child Care Homes:

- Small Family Child Care Homes provide care to no more than 8 children.
- Large Family Child Care Homes provide care to no more than 14 children.

Family

Means one or more persons living together as a single housekeeping unit.

Feasible:

Means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Forest ~~Protection-Practice Act~~

[Z'berg-Nejedly Forest Practice Act of 1973, Division 4, Chapter 8, Public Resources Code.](#)

General Plan

A comprehensive, long-term plan mandated by State Planning Law for the physical development of a city or county and any land outside its boundaries which, in its judgment, bears relation to its planning. The plan shall consist of seven required elements: land use, circulation, open space, conservation, housing, safety, and noise. The plan must include a statement of development policies and a diagram or diagrams illustrating the policies.

Government Code

Green Building Project

A project that is certifiably green by either the United States Green Building Council (LEED program) and/or Build it Green.

Habitat

The natural environment of a plant or animal.

Home Occupations

Means a use customarily conducted within a dwelling or accessory building by the inhabitants of the dwelling and which use is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the character or the dwelling or premises.

Household

Person or persons living in one dwelling unit.

Implementing actions

The ordinances, regulations, or programs which implement either the provisions of the certified local coastal program or the policies of the Coastal Act and which are submitted pursuant to Coastal Act Section 30502.

Kitchen/Kitchenette

Land Use Plan (LUP)

The relevant portions of a local government's general plan, or local coastal program which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions. (Coastal Act Section 30108.5)

LEED

[Leadership in Energy and Environmental Design is an internationally recognized green building certification system, developed by the U.S. Green Building Council, providing third-party verification that a building or community was designed and built using strategies aimed at improving performance across the following metrics: energy savings, water efficiency, CO2 emissions reductions, improved indoor environmental quality and stewardship of resources and sensitivity to their impacts.](#)

Local Agency Formation Commission (LAFCO): is one of several decision making government entities in California with the responsibility to decide boundary issues pertaining to city and county (non-incorporated) lands, including spheres of influence, and issues about the annexation of county lands into a city or special district. LAFCOs' current legal authority and mandate are defined by the Cortese-Knox-Hertzberg Local Government Act of 2000 (Government Code Section 56000 *et seq.*)

Local Coastal Plan (LCP)

The relevant portions of a local government's general plan, or local coastal program which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions. (Coastal Act Section 30108.5)

Local Street:

A street providing direct access to properties and designated to discourage through-traffic.

Low Impact Development (LID)

Small-scale integrated management practices designed to maintain a development site's natural hydrology by minimizing impervious surfaces and infiltrating stormwater close to its source

Major Vegetation Removal

Major vegetation removal shall be defined to include one or more of the following:

- a. Removal of one or more trees measuring 12 inches or more in diameter (38 inches in circumference) at 4.5 ft. above the ground.
- b. Removal of vegetation (brush and/or ground cover) covering an aggregate (continuous or not) of more than 500 sq. ft. in surface area (not including tree canopy).
- c. Removal of trees with a canopy area covering more than 6,000 sq. ft.
- d. Removal of woody vegetation within an ESAH (Director determination).
- e. Removal of woody vegetation on slopes over 15% or in areas mapped as being unstable or of questionable stability (Director determination).

(Nesting season: March 1 - August 15)

Minerals

Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum (Public Resources Code §2005). Gold, sand, gravel, clay, crushed stone, limestone, diatomite, salt, borate, potash, etc., are examples of minerals. Despite the statutory definition of "mineral," local governments may also want to consider geothermal, petroleum and natural gas resources along with their planning for minerals.

Mean high tide (mean high water, mean low water, etc.)

Mean High Water or Tide (MHW) is the average of all the high water heights observed over a period of several years. For example, in the U.S. this period spans 19 years and is referred to as the National Tidal Datum Epoch. The 19-year recording period is the nearest full year count to the 18.6 year cycle of the lunar node regression, which has an effect on tides.

Mean lower low water (MLLW) is the average height of the lowest tide recorded at a tide station each day during a 19-year recording period. MLLW is only a mean, so some tidal levels may be negative relative to MLLW.

Mean higher high water (MHHW) is the average height of the highest tide recorded at a tide station each day during the recording period. It is used, among other things, as a datum from which to measure the navigational clearance, or air draft, under bridges.

Ordinary High Water Mark (OHWM) is that line on the shore established by the fluctuation of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris or other appropriate means that consider the characteristics of the surrounding areas. (33 CFR 328.3(e))

Nonconforming

A structure and / or land use which was lawfully established but which does not now conform with the land use, yard, height, or other requirements and conditions of the Trinidad Local Coastal Program.

Non-point Source (NPS) Pollution

A pollutant source introduced from dispersed points and lacking a single, identifiable origin. Examples include automobile emissions or stormwater runoff.

Non-Renewable Natural Resources

Inanimate resources that do not increase significantly with time and whose use diminishes the total stock (e.g., minerals, fossil fuels and fossil water).

Onsite Wastewater Treatment System (OWTS)

Open Space

Any parcel or area of land or water devoted or committed to an open-space use as defined in the General Plan.

Overlay Zone

A mapped zone that imposes a set of requirements in addition to those laid out by the underlying zoning regulations. Overlay zones typically address special features or conditions that may pertain to several districts, such as viewshed protection areas, creeks, and neighborhood preservation areas.

Parcel

A lot or tract of land.

Passive Recreational Use

Those recreational activities typically associated with coastal open space that generally are non-structured and require minimal or no developed facilities or improvements to land. Such activities include, but are not limited to, walking, biking, jogging, hiking, dog walking, bird watching, tide-pooling, beach combing, informal sports activities such as Frisbee or ball throwing and kite-flying, nature viewing, and picnicking. Passive recreation includes ancillary facilities necessary to support visitor access to the coastal open space, including but not limited to parking lots, interpretive signage, visitor kiosks, restrooms, etc. Passive recreation activities do not include activities such as: playgrounds, community gardens, ball-fields, skate parks, etc.

Planning Area: This is the region of influence for the City, both what influences the City and what the City influences. The General Plan includes policies that cover the Planning Area in coordination with Humboldt County.

Point Source

A source of pollutants which may be traced to a point of emissions.

Policy

A specific mandatory statement binding the City's action and establishing the standard of review to determine whether land use and development decisions, zoning changes or other City actions are consistent with the General Plan.

Pollutant

Anything which causes or contributes to pollution. Pollutants may include: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

Pollution

The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses (California Water Code § 13050).

Priority Uses, Coastal Act

Uses that the Chapter 3 policies of the Coastal Act protect in favor of other competing uses without such priority status. Generally, these priority land uses include uses that by their nature must be located on the coast to function, such as ports and commercial fishing facilities, or uses that encourage the public's use of the coast, such as various kinds of visitor-serving facilities and coastal recreational and public access uses, uses that protect existing coastal resources such as wetlands and other sensitive habitat, and coastal agriculture.

Public Access Dedications

Offers to dedicate easements for public access to or along shorelines or designated trails may be required for any new development in accordance with §30212 of the Coastal Act.

Public Viewing Area

A location along existing scenic public roads and trails or within public parklands or beaches where there are scenic views of the beach and ocean, coastline, mountains, ridgelines, canyons and other unique natural features or areas.

Recreational access

Provides public access to coastal recreational resources through means other than those listed above, including but not limited to, parking facilities, viewing platforms, and blufftop parks.

Renewable Natural Resources

Resources that can be replaced by natural ecological cycles or sound management practices (e.g., forests and plants).

Riparian Corridor

A general term for lands running parallel to and along a creek or stream, which lands constitute the ecosystem and potentially environmentally sensitive habitat for animal and plant life of said creek or stream.

Riparian Habitat

Land and plants bordering a water course.

RWQCB

Regional Water Quality Control Board.

Sea

The Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to constant or periodic tidal action through any connection with the Pacific Ocean, excluding nonestuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

Sharrow

[A shared-lane marking placed in the travel lane to indicate where bicycles should travel. These are used in instances where a bicycle lane is impractical and vehicles and bicycles must share the same travel lane.](#)

Short Term Rental (STR)

[The rental of any dwelling, in whole or in part, within the City of Trinidad, to any person\(s\) for transient use, other than \(1\) a permitted bed and breakfast \(2\) ongoing month-to-month tenancy granted to the same renter for the same dwelling, \(3\) one less-than-30-day rental per year, or \(4\) a house exchange for which there is no payment.](#)

Smart Growth

[An approach to development that encourages a mix of building types and uses, diverse housing and transportation options, development within existing neighborhoods, and community engagement. Smart Growth is an urban planning and transportation theory that concentrates growth in compact walkable urban centers to avoid sprawl. It also advocates compact, transit-oriented, walkable, bicycle-friendly land use, including neighborhood schools, complete streets, and mixed use development with a range of housing choices.](#)

Specific Plan

A tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s) or a portion thereof or for designating, in a comprehensive and detailed fashion, the City's or a developer's intentions with respect to a property's use and development. (Authorized and further defined in California Planning, Zoning, and Development Laws, Article 8., Sections 65450 through 65457.)

Sphere of Influence:

A term that is legislatively defined by LAFCO as "the probable ultimate physical boundaries and service area." This means the area that the City will likely annex in the future. The City is required to show proof of its ability to provide services to this area through preparation of a Master Services Element

Spring

Any natural source of upwelling groundwater that is hydrologically connected via surface flow in years with above average rainfall to a Class 1, 2 or 3 stream.

State Water Quality Protection Area (SWQPA)

Section 36700 (f) of the PRC defines a state water quality protection area (SWQPA) as “a nonterrestrial marine or estuarine area designated to protect marine species or biological communities from an undesirable alteration in natural water quality, including, but not limited to, areas of special biological significance that have been designated by the State Water Resources Control Board through its water quality control planning process.”

Stormwater

Any surface water flow, runoff, or drainage which originates from precipitation (i.e., rainfall or snowmelt).

Stormwater BMP Handbooks

A set of four BMP handbooks (Construction, New Development and Redevelopment, Industrial and Commercial, Municipal) published by CASQA. These Handbooks reflect the current practices, standards and significant amount of knowledge that has been gained since the early 1990’s about the effectiveness of BMPs. The most recent versions of the Handbooks can be accessed at the following website: <http://www.cabmphandbooks.com/>

Stream

A stream mapped by USGS on the 7.5 minute quadrangle series, or identified in a local coastal program. The bank of a stream shall be defined as the watershed and relatively permanent elevation or acclivity at the outer line of the stream channel which separates the bed from the adjacent upland, whether valley or hill, and serves to confine the water within the bed and to preserve the course of the stream. In areas where a stream has no discernable bank, the boundary shall be measured from the line closest to the stream where riparian vegetation is permanently established.

Subdivision

The division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, or other divisions of land for sale, development, or lease.

Timber

Trees of any species maintained for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but does not mean nursery stock. (§51104(e)).

Timberland Production Zone

An area which has been zoned pursuant to §51112 or §51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses.

Trail access

Provides public access (i.e. hiking and equestrian) along a coastal or mountain recreational path, including to and along canyons, rivers, streams, wetlands, lagoons, freshwater marshes, significant habitat and open space areas or similar resource areas, and which also may link inland trails or recreational facilities to the shoreline.

Tsurai Study Area: An area of bluff below Edwards Street encompassing portions of seven parcels both publicly and privately owned that was specifically mapped and outlined in the 1978 General Plan on Plate 1B (Land Use Map)

12.5 Acres (Tsurai Study Area): An area similar to, but different from the Tsurai Study Area as mapped on Plate 1B of the 1978 General Plan. This area encompasses six parcels that are all publicly owned by the City and coincides with the 12.5 acres of property that was transferred to the City of Trinidad from the Coastal Conservancy and over which the Coastal Conservancy still holds an easement. This area runs further up Parker Creek than the Plate 1B Tsurai Study Area, but excludes two privately owned parcels that are within the Plate 1B Tsurai Study Area.

Tsurai Village Site: An area that is not specifically mapped due to its cultural sensitivity that refers to the main area where the Tsurai Village was located that included most of the homes.

Urban Limit Line

Also called an urban growth boundary (UGB), the urban limit line is a regulatory line drawn around a city, county, or metropolitan area, outside of which little or no development can occur within a given time frame, usually 20 to 30 years. In particular, the Coastal Act and regulations require different policies for urban and rural areas (e.g. §30241). There is an urban limit line mapped in the Trinidad Area Plan (County LCP), and the current line corresponds to the 'intensive growth area' mapped in the 1978 Trinidad General Plan.

Vacation Rental Unit (VDU)

A dwelling, or a portion of a dwelling, that is rented out on a short-term (less than 30 days) basis.

View

Views are limited to coastal views, including the Pacific Ocean, rocky coastline and islands, Trinidad Harbor, Trinidad Head and Little Trinidad Head. Private views are from the inside of a residence or an occupied commercial structure. (Use definition from views & veg ordinance)

View Corridor

A three-dimensional area extending out from a viewpoint as shown on Figure ##

Visually Degraded Area

Areas where coastal views have been compromised by development

Watershed

The total area above a given point on a watercourse that contributes water to the flow of the watercourse; the entire region drained by a watercourse.

Wetlands

- a. Lands within the Coastal Zone which may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens, or as currently defined by §30121 of the Coastal Act. The condition or quality of the wetland does not affect its regulatory status as a wetland.

b. Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts of other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some (CCR §13577(b))

Coastal Commission

~~Land where the water table is at near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentration of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some during each year and their location within, or adjacent to vegetated wetland or deepwater habitats." (14 CCR 13577)~~

DFG / USFWS

~~Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports hydrophytes, (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year. (Cowardin, 1979)~~

USAGE

~~The term "wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (33 CFR 328.3(b); 40 CFR 230.3(t))~~

Zoning Ordinance

Establishes regulations governing the use, placement, spacing, and size of buildings, open spaces, and other facilities.