

Posted: August 30, 2019



NOTICE AND CALL OF A MEETING OF THE
TRINIDAD PLANNING COMMISSION

The Trinidad Planning Commission will hold a specially scheduled meeting on
WEDNESDAY SEPTEMBER 4TH, 2019, AT 5:00 P.M.
in Town Hall at 409 Trinity Street.

The following items will be discussed:

- I. ROLL CALL
- II. APPROVAL OF AGENDA
- III. ITEMS FROM THE FLOOR
- IV. AGENDA ITEMS

Discussion / Decision / Public Hearing / Action

1. General Plan Update: The following items will be discussed: current status, schedule and public outreach; Introduction Chapter; Land Use Element; Coastal Commission comments.

- V. STAFF REPORT
- VI. ADJOURNMENT

The meeting packets can be accessed at the following link:
<http://trinidad.ca.gov/document-library/pc-meeting-packets-2019>



MEMORANDUM

TO: Trinidad Planning Commission

FROM: Trever Parker, City Planner

DATE: August 30, 2019

RE: Land Use Element – CCC Comments

The intention at this meeting was to discuss water policies based on two new GHD reports that were scheduled to be completed by the end of the month. As far as I know, those reports are not yet available, and even if they are available before the meeting, that does not leave me any time to review them for the packets and doesn't give you much time to review them either.

I don't want to delay further general plan discussions but was not planning on provided new material for the meeting on September 4. However, I think we could go ahead and start discussing how to address the Coastal Commission comments (provided in the August 21, 2019 packet), using the Land Use Element as a starting point. I think this will actually be very helpful, because we can look at individual examples of how the Coastal Commission comments may change things, and I can get direction from the Planning Commission on how they should be addressed.

General Comments 3a and 3f focus on the fact that the City wrote the policies and programs as action statements to avoid the sometimes controversial use of should verses shall. The Coastal Commission would prefer to see explicit subjects. However, Fort Bragg's Coastal General Plan uses the same sentence structure as Trinidad does in the current draft. Several of Trinidad's policies were modeled after Fort Bragg, because that document had been recently certified (2008). Although that is no longer recent, it still serves as an apparently acceptable model. The City made a conscious discussion to structure the policy language in this way, and I don't necessarily see a reason to abandon it. For clarification, language could be added to the intro that policies apply to all development, not just City projects. Policies could also be grouped into subsets as suggested in comment 3f. Keep that in mind and look for areas where that could make sense. I will check with Coastal Commission staff to see if there have been any problems resulting from the language used in Fort Bragg.

General Comment 3b makes sense when you consider that the City will have to update the implementing ordinances before submitting the General Plan to the Coastal Commission for certification. This means that all those policies and programs should be deleted. However, I will keep a list of them, so we have a record of how the Planning Commission wanted to direct those ordinance updates.

Most of the General Comments and the Comments Specific to the Land Use Element from Appendix A of the Coastal Commission comment letter have been addressed above or in comments within the document. General Comment 4 suggests adding a bunch of language from the Coastal Act as policies, which I plan on doing. Land Use Element Comment 1 has to do with reorganizing Section B of that Element, which does seem to make sense, but I haven't tried to implement the suggestion. We can discuss that further at this meeting.

Note that I only provided you with pages 1-15 of the Land Use Element, because you already have Section D (Land Use Outside of City Limits) in the packet from the last meeting. Also, please bring the copy of the Coastal Commission comments from the last meeting.

Attachments

- Revised Introduction Chapter
- Revised Land Use Element (Sections A-C).

CHAPTER 1: INTRODUCTION

A. What is a General Plan

1. Legislative Requirements
2. CA Coastal Act
3. Policies Not Part of the Certified Local Coastal Program
4. Purpose

B. Plan Administration

1. Organization
2. Plan Interpretation
 - i. Background Reports
 - ii. Goals and Policies

C. Current General Plan 20240

1. Administering the Coastal General Plan
2. General Plan Update Process and Public Input
3. Vision Statement
4. Planning Outside City Limits
5. Relationship to County General Plan
6. General Plan Amendment

A. WHAT IS A GENERAL PLAN?

A General Plan is a legal document that serves as the Community’s “constitution” for land, use, development and conservation. A General Plan must be comprehensive and long term, outlining proposals for the physical development of the City and any land outside its boundaries that, in the City’s judgment, bears relation to its planning. The Trinidad General Plan is a legislative document that sets forth development constraints and preferences, and develops a program for the orderly development of public service facilities and private lands and identifies steps to implement the plan. The City of Trinidad General Plan 2020 is a comprehensive update of the 1978 Plan. This plan makes use of existing and new data, trends, and desires to provide a glimpse of what the community is and will be twenty years in the future.

1. Legislative Requirements

The State of California requires that each municipality to prepare and adopt a General Plan, generally with a 20 year planning horizon (Government Code 65300 et sec). The General Plan should comprise an integrated, internally consistent and compatible statement of policies for the adopting agency. General Plans are required to address at least seven elements: (1) land use; (2) circulation; (3) housing; (4) conservation; (5) open-space; (6) noise; and, (7) safety. The General Plan may include any other elements or address any other subjects, which, in the judgment of the legislative body, relate to the physical development of the county or city.

In addition to establishing requirements for the development of a General Plan, the Government Code stipulates that zoning and subdivision regulations and specific plans must conform to the adopted General Plan. Because Trinidad lies almost exclusively within the Coastal Zone, portions of this General Plan serve as the Land Use Plan (LUP) portion of the Local Coastal Program (LCP) as required by the Coastal Act (see below). The General Plan consists of narrative text and maps, along with goals, principles policies, and programs to be used in making land use decisions. It is organized into the seven elements required by State law, and two optional elements dealing with Community Design and Cultural Historic Preservation.

The nine (**DRAFT**) elements of the Trinidad General Plan are ~~summarized~~ outlined below:

1. *Land Use*: Establishes land use designations with types and intensities of land use, and policies and programs regarding development and redevelopment of land, including priority uses under the Coastal Act. The Land Use Element also discusses the City's relationship to lands outside City limits, including the City's Planning Area, Service Area, and Sphere of Influence.
2. *Conservation, Open Space, and Recreation*: Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs. This element also includes specific policies and programs to ensure continued public access, preserve and enhance scenic views, protect Environmentally Sensitive Habitat Areas (ESHAs), water quality, the Trinidad Bay Area of Special Biological Significance (ASBS), and other natural resources.
3. *Circulation, Energy and Public Services*: Establishes the public facilities and services essential to ensure that the existing and future population of Trinidad is provided with the highest feasible and efficient level of public services. This element contains policies and standards for the roadway system, as well as policies for public transit, bicycle facilities, parking and transportation for the mobility impaired, taking into account the relationship between land use and transportation needs of the community. This element also addresses energy consumption and conservation.
4. *Noise and Safety*: Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials. The element also contains policies and programs to reduce the community's exposure to excessive noise.
5. *Housing*: Includes policies and programs to meet the housing needs of all economic segments of the community. It evaluates existing and potential development in the context of community demographics and balances the need for housing the considerations of water supply, wastewater, environmental quality and social equality.

6. *Cultural and Historic Preservation*: An optional element that provides a framework for assessing, protecting and interpreting Trinidad's unique cultural and historic heritage.
7. *Community Design*: This optional element establishes policies and programs dealing with the appearance of the community. It includes design guidelines to ensure that development contributes to the community's identity and unique sense of place, and policies to preserve historic sites and buildings.

State law requires that all parts of the General Plan comprise an integrated, internally consistent and compatible statement of policies. This standard, as well as court cases which have interpreted it, implies that all elements of the General Plan have equal status, that all goals and policies must be internally consistent, and that implementation activities must follow logically from the Plan's goals and policies. This General Plan meets these standards.

2. California Coastal Act

The California Coastal Act of 1976 established a comprehensive plan to protect resources and regulate development along California's coast. The Coastal Act requires every city and county located partly or wholly within the designated Coastal Zone to prepare an LCP, which is reviewed and certified by the California Coastal Commission. The Coastal Act defines an LCP as "a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of this division at the local level" (Public Resources Code (PRC) Section 30108.6). In other words, the purpose of the LCP is to meet the requirements of and implement the Coastal Act at the local level.

The LCP consists of both an LUP and an Implementation Plan (IP). The IP consists of the zoning and other ordinances and regulations that implement the provisions of the certified LUP, and by extension, policies of the Coastal Act. The Coastal Commission will certify an LUP if it finds that the LUP meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. Though developed in 1976, the City's former ~~Land Use Plan~~ LUP was the first in the State to be certified by the Coastal Commission in 1978. The implementation ordinances, which include zoning, building, grading and subdivision ordinances, were certified in 1980. The Coastal Act (per PRC Section 30001.5), sets the following goals for LCPs in the Coastal Zone:

- Protect, maintain, and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources.
- Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the state.

- Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

Portions of this document establish the LUP of the City of Trinidad LCP, and have been prepared in accordance with the California Coastal Act. The LUP is defined as “*the relevant portion of a local government’s general plan, or local coastal element 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*” (PRC Section 30108.5). Once certified by the Coastal Commission, the portions of this General Plan update constituting the LUP supersedes the City’s 1978 certified LUP.

3. Policies not part of the Certified Local Coastal Program

Because the City of Trinidad is almost entirely within the Coastal Zone, the City has not developed a separate General Plan for outside the Coastal Zone and an ~~an Land Use Plan~~ **LUP** for inside the Coastal Zone. However, not every General Plan policy is required as part of the LUP. Because the adoption and amendment of all LUP policies requires certification by the Coastal Commission, it makes sense to identify those policies that do not apply to the LUP. The policies demarcated with the City of Trinidad seal: ~~are~~ are not part of the certified LCP and do not govern the review and approval of ~~C~~oastal ~~D~~evelopment ~~P~~ermits (**CDPs**). These policies are not part of the standard of review for ~~coastal development permit~~ **CDP** purposes, as they are not relevant to indicate the “*kinds, location, and intensity of land uses*” as required of Coastal ~~Land Use Plans~~ (PRC Section 30108.5). However, the policies demarcated with the City seal are included in the General Plan document as the City will apply these policies under its own separate authority.



The policies and associated programs herein, which are demarcated with the City seal within the General Plan, are not considered part of the City’s certified Local Coastal Program for purposes of the review and approval of ~~coastal development permits~~ (**CDPs**). The policies and associated programs herein, which are not demarcated with the City seal within the General Plan, are considered part of the City’s certified Local Coastal Program and govern the review and approval of CDPs within the City’s jurisdiction.

Note City staff is working with Coastal Commission staff to determine the best way to separate coastal from non-coastal policies in the General Plan. Therefore, ~~this method~~

~~and~~ these policies have yet to be determined, and so have not yet been listed or demarcated.

4. Purpose

The Trinidad General Plan serves the following functions:

- Expresses the community's vision of the future physical development of the City of Trinidad
- Enables the Planning Commission and the City Council to establish long-range conservation and sustainable development policies in the City.
- Provides the basis for judging whether specific private development proposals and public projects are consistent with these policies in the City.
- Informs the residents, developers, decision makers, and other jurisdictions of the ground rules that will guide development and conservation in the City.
- Provides the framework for ordinances that implement the general plan policies through specific regulations.
- Serves as the standard of review for CDPs in the City's delegated permit jurisdiction

B. PLAN ADMINISTRATION

1. Organization

The Introduction chapter focuses on the legislative requirements and purposes of a general plan. It further describes past planning efforts by the City, the relationship of planning within City limits and those areas adjacent to and outside of the City, and opportunities for public input and future amendment. It also contains the City's vision statement and information on using and interpreting the various General Plan Elements.

The chapters following the Introduction constitute the various (9) elements contained with the General Plan. A Glossary is included as a final section. Figures are located at the end of each element, and a list of figures can be found within the Table of Contents. In addition, there are various background reports that are referenced in the General Plan and that were used to inform and shape the policies of each element. However, these background reports should not be considered part of this General Plan.

2. Plan Interpretation

Much of the background information and analysis that supports the policies in this General Plan is included in several background reports and other supporting documents

described below. These documents are available for public review at City Hall. The narrative that precedes the General Plan policies should be considered part of the supporting information and was used in the development of the policies. While it is intended that the policies be fully respected and achieved, circumstances may occur that result in a change in how a specific policy is to be implemented. Decisions relating to the General Plan need not be entirely consistent with the narrative as long as adherence to the policies occurs.

The Land Use Map and the General Plan Policies are the core of the General Plan. Zoning regulations, subdivision decisions, and other City policy deliberations shall be consistent with these policies. If the General Plan is found to be inconsistent with community preferences, the General Plan should be amended accordingly rather than approving developments or actions inconsistent with the General Plan policies. Many policies apply to more than one element of the General Plan. For ease of use in finding applicable policies, they have been repeated in each appropriate element and cross-referenced.

i. Background Reports (DRAFT)

- *Sphere of Influence*
 - *Master Services Element*
 - *Municipal Service Review*
- Impervious Surfaces Study and LID Recommendations, April 2006
- Background Report: Geologic and Seismic Characteristics of Trinidad, CA, April 2007
- Trinidad-Westhaven Integrated Coastal Watershed Management Plan, May 2008
- Trinidad Walkability Study, May 2008
- Fundamentals of a Circulation Element for the City of Trinidad, May 2009
- Background Report: Biology and Environment of the Trinidad Area, October 2009
- Background Report: Soil Characteristics of Trinidad, CA, October 2009
- Trinidad Architectural Survey (incomplete), November 2009
- Draft Trinidad Climate Action Plan, April 2010
- Coastal Resilience Planning For the City of Trinidad, October 2014
- LCP Update Guide Land Use Plan Policy Compliance Analysis, December 2015
- LCP Update Guide Implementation Plan Needs Assessment, April 2016
- Climate Change Vulnerability Report and Adaption Response, April 2016

ii. Goals, Principles, Policies, Programs, and Other Initiatives

The City's vision statement forms the foundation for the goals and policies included in each element of the General Plan. Goals, principles, policies and programs are the essence of the General Plan and are defined below.

- Goal: A general, overall, ultimate purpose, aim or end toward which the City will direct effort. Goals are a general expression of community values and, therefore, are abstract in nature. Consequently, a goal is not quantifiable, time-dependent, or suggestive of specific actions for its achievement.

- **Principle:** An assumption, fundamental rule, or doctrine guiding general plan policies, standards and implementation measures (programs). Principles are based on community values, generally accepted planning doctrine, current technology, and the general plan's goals. Principles underlie the process of developing the general plan policies, but are only explicitly stated when they help frame and clarify the policies, generally for more complex topics such as water resources.
- **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. Policies are based on and help implement the City's goals and principles. Policies also govern the review and approval of CDPs. ~~Except for those policies demarcated with the Trinidad City seal, which are not part of the certified LUP, policies govern the review and approval of CDPs. Policies are based on and help implement the City's goals and principles~~
- **Program:** An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal.
- **Other Initiatives:** Nonbinding and/or advisory statements of intent, encouragement, or pledges of support for specific endeavors, programs, or outcomes. Other Initiatives may set guidelines and priorities for City actions, but are not intended for permit governance or to serve as regulatory standards by which development projects or zoning amendments are to be assessed for conformity and consistency, and are not a valid basis for appealing a permit action.

3. Administering the Coastal Land Use Plan

All development (as defined by §30106) in the Coastal Zone requires a CDP, unless otherwise exempt. For the purposes of reviewing and processing CDPs, conformity with the standards set forth in Trinidad's certified LCP serves as the standard of review for all proposed development within the City's delegated permit jurisdiction. In authorizing Coastal Development Permits-CDPs after LCP certification, the City must make the finding that the development conforms to the certified LCP as well as all other findings required by various sections regulating the issuance of permits of the Trinidad Zoning Ordinance. Any amendments to the certified LUP will require review and approval by the Coastal Commission prior to becoming effective. The following general policies shall provide the framework for the Coastal LUP and the Trinidad General Plan:

Policy 1-1: The policies of the Coastal Act (Coastal Act Sections 30210 through 30264) shall guide the interpretation of the Land Use Plan LUP.

Policy 1-2: Where conflicts occur between the policies contained in the certified LUP and those contained in other local plans, policies and regulations, the policies of the LUP shall take precedence in the City's Coastal Zone.

Policy 1-3: Where policies within the General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

Policy 1-4: Prior to the approval of any development permit required by this Plan, the City, or the Commission on appeal, shall make the finding that the development meets the standards set forth in all applicable Coastal LUP/General Plan policies.

Policy 1-5: The textual discussion is intended as elaboration of and justification for the Plan policies and map designations. Therefore, the text shall be considered as the findings justifying the specified policies and Land Use Maps.

Policy 1-6: Where a conflict exists between the enumerated policies of the LUP and the maps, the enumerated policies control.

Policy 1-7: When acting on a CDP, the issuing agency, or the Coastal Commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the State. In all instances the standard of review for issuance of a CDP shall be the Coastal Act or certified LCP.

Policy 1-8: The City does not have the power to grant or deny a permit in a manner which will cause a physical or regulatory taking of private property, without the payment of just compensation. This policy is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

In addition, certain types of development, as well as development within certain geographic areas that are acted on by the City after certification of the LCP, are appealable to the Coastal Commission (PRC Section 30603). These include:

- (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
- (2) Developments approved by the local government not included in paragraph (1) that are located on tidelands, submerged lands, and public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
- (3) Developments approved by the local government not included with paragraphs (1) or (2) that are located in a sensitive coastal resource area.

- (4) Any development which constitutes a major public works project or a major energy facility (whether approved or denied by the local government).

The grounds for an appeal of an approval of a permit are limited to an allegation that the development does not conform to the standards set forth in the certified LCP or the public access policies of the Coastal Act. In addition, the grounds for appealing of a denial of a permit for a major public works project or major energy facility, referenced in number (4) above, are limited to an allegation that the development conforms to the standards set forth in the certified LCP and the public access policies of the Coastal Act. The Coastal Commission retains coastal development permitting jurisdiction on submerged lands, tidelands, and public trust lands (PRC Section 30519). See **Figure #** for retained jurisdiction and appealable areas.

C. CURRENT GENERAL PLAN

This General Plan includes a revision of the previous General Plan/LUP policies based on numerous background reports and other inputs, as referenced in each element, and is intended, based on current knowledge, to extend forward for a twenty-year period. It updates all the existing General Plan elements, including the 1976 Land Use, Conservation, Open Space and Circulation Elements, the 1975 Public Safety, Noise and Scenic highway Elements, and the 1998 Housing Element. The policies contained within this document govern the use of land and water within the City limits of the City of Trinidad and supersede those previous documents.

1. Plan Highlights

The City of Trinidad General Plan and LUP is intended to implement the community's vision for the future. The Plan is a comprehensive, long-range plan and identifies Trinidad's Land Use, Housing, Conservation, Open Space & Recreation, Circulation, Public Services & Energy, Noise & Public Safety, Community Design and Cultural & Historic Preservation goals and polices related to the conservation and development of land in Trinidad.

Land Use

The Land Use Chapter establishes policies and programs to create the general framework for the future pattern of growth, development and sustainability in Trinidad, CA. The element consists of the following components:

–*Land Use Designations* illustrate the pattern of conservation and development that the General Plan envisions. In this section, land uses are defined as Suburban Residential (SR), Urban Residential (UR), Commercial (C), Visitor Services (VS), Mixed Use (MU), Open Space (OS), Special Environment (SE), Public and Community (PC) and the new Harbor (H) designation. Associated development constraints, maximum densities and land use policies are identified for each land use category and the land use areas are graphically depicted on the *Land Use Designations Map*. ~~Land Use Goals align with the~~

~~City's Vision and Strategic Goals by emphasizing zoning compliance, rational short-term rental planning, green building practices, low impact development (LID), smart growth, maintenance of coastal views and access, adequate water treatment, alternative energy and protection of open space and, finally, the City's response to climate change.~~

~~-Development Outside the City Limits~~

This section covers Trinidad's *Sphere of Influence*, the *City Service Area* and the *Planning Area*. It begins with a brief review of the benefits and disadvantages of annexation of surrounding properties into the Trinidad City limits. Trinidad's current Sphere of Influence is defined as the properties to which the City can provide water service connections, those adjacent to the City's trunk line and/or those within the Luffenholtz and Mill Creek watersheds that are not zoned for timber production. The City Service Area refers to areas that receive all, or most, of the urban services (water, police protection, road maintenance, etc.) Finally, the Planning Area includes twelve critical coastal watersheds into the planning framework in support of the Strategic Goal to provide clean and pure water to Trinidad residents.

Conservation, Open Space and Recreation

This chapter focuses on two ~~main~~ State required elements: -- Conservation and Open Space -- as well as public access and recreational opportunities, which are two key issues for the Coastal LUP. It ~~also~~ includes policies and programs that address ~~Environmentally Sensitive Habitat Areas (ESHAs)~~, threatened and endangered species, water quality, public access and recreation and the protection of natural resources, including open space. The principles for *water resource protection* and conservation outlined in this section support the strategic goal to reduce water pollution and ensure safe drinking water and the principles for *biological resource protection* focus on sensitive flora and fauna with limitations placed on development on or near areas where 'special status' species are located. *Open Space guidelines* in this section focus on preservation and management of natural resources, outdoor recreation opportunities, watershed protection and public health and safety. Finally, *Public Recreation policies* are covered in this section including visitor services information, litter control, Town Hall availability for community events, trail maintenance and the provisioning of public restroom facilities with the overarching goal of providing maximum access to and along the coastline for the public.

Circulation, Public Services and Energy

As the California General Plan Guidelines state: "*The circulation element is not simply a transportation plan, but rather a strategy addressing infrastructure needs for the circulation of people, goods, energy, water, sewage, storm drainage, and communications.*"

This chapter highlights transportation related policies: Traffic and Parking, Public Transportation and other Alternate Modes of Transportation. Also, because CO2 emissions in Trinidad are largely tied to traffic patterns, this chapter includes sections on Energy Policy, Air Quality and Greenhouse Gases. Finally, Public Services such as *water, solid waste* and *utilities* are also included in this substantive chapter. It is important

to note that, in support of the City's Strategic Goals, a Climate Action Plan has been developed to provide measures and recommendations for reducing Greenhouse Gas (GHG) to ~~help achieve~~demonstrate progress towards meeting State requirements and the goal of becoming Net Carbon Neutral and Solid Waste Reduction and Recycling Zero Waste. ~~supporting a Zero Waste mindset is addressed in the Public Services section.~~

Noise and Public Safety

The Noise section identifies and evaluates community noise sources and problems, with policies and programs keyed to ensuring that development is compatible with established noise standards, though Trinidad is generally a very quiet community. The Public Safety section focuses on the protection of the community from unreasonable risks associated with the effects of earthquake, ground shaking, tsunamis and seiches, slope instability, landslides, surface rupture, erosion and flooding. Other hazards or potential hazards such as fire hazards and hazardous materials are also covered in this chapter. The City's plans to mitigate the effects of disasters and emergencies begins with assessing and reducing risk. However, should an event occur, the City has adopted a City Emergency Plan. The purpose of this plan is to ensure that the City will be prepared to respond effectively in the event of emergencies to save lives, restore and protect property, repair and restore essential public services, and provide for the storage and distribution of medical, food, water, shelter sites, and other vital supplies to maintain the continuity of government.

Housing

The Housing Chapter is an extension of the Residential section of the Land Use ~~e~~Element of the General Plan and focuses on neighborhood preservation and *provision of housing for all segments of the community*. The State requires communities to provide their fair share of housing based on a Regional Housing Needs Assessment, and the Housing Element is intended to help the State meet its housing goals. This is the one element where there are repercussions for the City if it is not in compliance with State goals and requirements. It is noted here, however, that there are constraints in Trinidad that limit provisioning of housing across segments due to the small city footprint, proximity to open space and areas of environmental and cultural sensitivity, lack of a municipal sewer system and relative high property values. The successful development of an Accessory Dwelling Units (ADUs) policy as part of the Housing five-year plan is a highlight.

Cultural and Historic Resources

Trinidad has a rich cultural history, and cultural and historic resources abound. This Element discusses the purpose and importance of preserving archeological and historical resources, describes methods for protecting these resources and provides local policies to guide the implementation of cultural resource preservation, beyond the projections afforded by applicable federal, State and local laws. The Cultural & Historic Resources Element identifies important local cultural, archaeological, and historic resources and establishes goals, policies, and actions for the protection and preservation of those resources. Though this is not one of the seven elements required by state planning law,

Trinidad has a rich history and contains significant cultural resources deserving of intentional on-going robust protections.

Community Design

The Community Design Element is primarily concerned with the aesthetic quality of the City, and what residents and visitors see. The City's appearance is essential to the quality of life in Trinidad. The Community Design Element establishes goals, policies, and programs to preserve and enhance Trinidad's authentic, small town, coastal character. The community is defined in part by its isolated location on the magnificent coastline of Humboldt County. As the economy evolves to a more tourism and service-based economy, the community has acknowledged the importance of maintaining the cultural and scenic identity of the town and the integrity of the residential neighborhoods, while enhancing views and access to the coastline and planning for managed growth and development. This element contains sections addressing design review, view protection, lighting, signs and other aspects that contribute to the aesthetic setting of the community.

2. General Plan Update Process and Public Input

The Trinidad General Plan update process has occurred over many years and involved several steps and iterations. As in the 1978 General Plan, steps were taken to ensure that property owners and residents would be involved in the planning process. This update originally started in the late 1990's with a series of Town Hall meetings. The update was suspended in 2002 due to a lack of funds, and was resumed again in 2007. And it has been put on hold several times since then to focus on other priorities. Therefore, this General Plan has been reviewed by several different Planning Commissions, City Councils and members public over those years.

The development of the update to the General Plan included several community "Visioning" meetings to obtain early public input. In October 1997, the Center for Economic Development (CEED) facilitated Town Hall Meeting #1 and created a verbatim record of participants' responses as well as a shared community vision statement. This document was given considerable weight in the efforts to determine appropriate recommendations for amending the General Plan. A second Town Hall meeting in October 1998 discussed a few of the issues of top concern from Meeting #1, including septic systems and community design. A third town hall meeting in November 1998 resulted in an action plan where several small groups were formed to implement the goals developed from the first meeting.

To include more recent community input, ideas, statements and issues from a community meeting sponsored by the City Council in November 2007 as well as from a community goals meeting and survey in spring 2015 were also incorporated into this update. In addition, public input from several other types of community and public meetings, such as those associated with the development of the Trinidad-Westhaven Coastal Watershed Management Plan between 2006 and 2008, was also included. Additional community input was gathered from an information booth at the 2009 Trinidad Fish Festival. The

update to this General Plan also included numerous public hearings before the City Planning Commission and the City Council where concerned parties were able to voice their concerns and opinions. Additional opportunities for public input were also provided during the California Coastal Commission's certification process for the City's LUP.

3. Vision Statement

~~The following Vision Statement was originally drafted by the Center for Environmental Economic Development (CEED), who facilitated Town Hall Meeting #1, using the input from the public as a guide. It has since been significantly revised and updated by the Planning Commission and City Council based on current knowledge and community sentiment.~~ The Vision is a statement of what Trinidad looks and feels like 20 years in the future, and the General Plan is the road map to achieve this Vision. This vision statement, along with the supporting Strategic Goals, should be considered when interpreting policies contained herein.

Vision

Our community is situated in an area of unique natural beauty among redwood forests and a magnificent coastal expanse of the Pacific Ocean, beaches and offshore rocks. These natural riches, coupled with a quiet village atmosphere, engaged community, safe and family-friendly streets and trails, rich cultural and historical heritage and a sharp focus on environmental protection and sustainability makes Trinidad, California a welcoming, healthy and vibrant place to live.

Strategic Goals

The General Plan was developed through an extensive public participation process including a community survey and several public comment sessions at both Planning Commission and City Council meetings. Early public comments created a foundation for the following strategic goals adopted by the City Council. The goals are as follows:

1. Retain the small-town character of Trinidad through sustainable development and the preservation of valuable cultural and historic assets.
2. Preserve, protect and enhance the natural setting and open spaces throughout the community providing recreational opportunities and clear views of coastline for all to enjoy.
3. Promote a strong sense of community identity and overall quality of life through continued community involvement in city government, Town Hall events and activities and the maintenance of community services including the community park, library, museum.
4. Provide for a variety of housing types to accommodate an economically and socially diverse population, while preserving the character of the community.
5. Develop planning and response strategies that help protect the citizens of Trinidad from natural disaster (including the effects of climate change) ~~through emergency response planning and coordination~~.
67. Extend resource preservation and conservation to Trinidad's water resources including the Bay and streams and overall watershed with a goal to eliminate water pollution and to ensure adequate community access to clean and pure drinking water.

- 78. Provide support for a mixed-use small business district (locally made products, bookstores, restaurants, clothing and gift shops) along with a vibrant fishing industry.
- 89. Maintain clean, quiet and safe streets, trails, residences, beaches and public properties and a welcoming entrance for visitors.
- 940. Offer safe and accessible transportation options, adequate parking, and sensible traffic rules to ensure public safety and minimize traffic congestion.
- 106. Embrace the environmental practices and technologies necessary to help offset the negative impact of Climate Change
- 11. Working toward the goal of becoming a Zero Waste, Net Carbon Neutral community.

~~Trinidad is a coastal community nestled in the redwood forests overlooking the rugged Pacific Ocean coast. It is a small town with active community members. The entrance to Trinidad, town hall, school, local residences, surrounding beaches and trails are clean, well maintained, quiet and safe. The City honors and protects its cultural and historic heritage.~~

~~The citizens of Trinidad envision the future with clear views of the coastline enjoyed throughout the community. The view from the top of the bluff includes many boats in the harbor. There is a viable commercial and recreational fishing industry. In addition, there are small shops in a quaint mixed-use business district that includes locally made products, bookstores, restaurants, clothing and gift shops, and other local and visitor related businesses.~~

~~Trinidad intends to maintain the existing small town atmosphere. Scenic and environmental protection are essential to Trinidad's quality of life and economy. Town Hall is a vibrant center for community activities. We take pride in our City and community services including a community park, library, museum and convenient, safe and accessible transportation options. Trinidad Elementary School remains an anchor for both education and community-based gatherings. Citizens are enthusiastic and informed participants in City Government.~~

~~Sustainability is a keystone for all development and a hallmark for daily life and City functions in Trinidad. New environmental technologies are embraced that further protect Trinidad's scenic, natural and cultural resources. Trinidad's water resources, including the Bay and streams are unpolluted. Trinidad maintains a working relationship with the County of Humboldt to monitor and comment on activities within our watershed planning area.~~

4. Planning Outside City Limits

Land use activities outside the City limits affect the City in a variety of ways. Residents and visitors outside City limits may shop, eat, work or send their kids to school in Trinidad. This may affect traffic and City revenues among other things. Development adjacent to the City can affect City services and future annexation potential. Upstream activities also affect downstream resources, such as the coastal creeks that flow through town and the ocean. Development in the Luffenholtz Creek watershed can affect both the quantity and quality of the City's water supply.

There are a variety of mechanisms the City has to affect and plan for land use decisions outside City boundaries. The City has a Sphere of Influence, developed by the Local Agency Formation Commission (LAFCo) that represents the probable future annexation areas. The City's Service Area includes those areas where the City is currently providing water service, or may expand service in the future. An Urban Limit Line in Humboldt County's Trinidad Area Plan defines the intensive growth area near the City. Finally, the City's Planning Area is based on watersheds, and represents the area of interest to the City in land use decisions. All four of these areas outside City limits are within the jurisdiction of Humboldt County, with the exception of Trinidad Rancheria and some State-owned lands. Additional information regarding the status and development of these areas can be found in Section C of the Land Use Element.

5. Relationship to County General Plan

Sections of the Planning area that extend beyond the boundaries of the City will overlap areas covered by Humboldt County plans, including the Trinidad Area Plan (of the Humboldt County Local Coastal Program), and the County General Plan, which includes the Trinidad-Westhaven Community Planning Area. County General Plan and zoning designations are to be considered the "real" designations for areas not incorporated into the City. Any designations in City documents that exist for areas outside the City boundaries serve to recommend changes in County zoning designations as well as suggest designations should the City ever annex the area. However, they are not part of the certified LUP and would only go into effect after an area has been annexed and after certification by the Coastal Commission.

The County recently updated its general plan for areas outside the Coastal Zone, which will, to some extent, change how surrounding lands should be managed. Policies have been included herein that should be used in commenting on referrals from the County since development on affected properties could impact the City. These policies are based on existing known information. To the extent that the County develops new data, more appropriate policies that address this information should be developed by the County. The City should be involved in any County General Plan or Zoning update process and shall encourage the County to adopt the policies herein within the City's Planning Area.

6. General Plan Amendment

An amendment to this General Plan may be initiated by motion of the City Council on its own initiative. The Planning Commission or individuals may submit requests for amendments to the General Plan specifying why such an amendment is necessary. Generally, local governments may not amend any one of the mandatory elements of the general plan more than four times in one calendar year (Government Code § 65358(b)).

Amendments to the General Plan Land Use Map may be initiated by the owner of the subject property or his authorized agent, or by either the Planning Commission or City

Council. The filing of an amendment application, payment of fees, notice of hearing and procedural requirements shall follow the guidelines in the Trinidad Zoning Ordinance for amendments to the General Plan/LUP.

Amendments must follow the noticing and hearing requirements outlined in various sections of the Government Code (e.g. §65091, 65350, 65352) and the Coastal Act and associated regulations (e.g. §30503 and 14 CCR §13515). The County, Local Agency Formation Commission (LAFCO) and other affected agencies must be notified and provided a 45-day comment period. In addition, any amendments must include formal Tribal Consultation in accordance with SB18. Finally, any amendment to the City's Local Coastal Program requires application to and approval from the CA Coastal Commission, and shall only become effective following certification by the Coastal Commission.

CHAPTER 2: LAND USE ELEMENT

A. Introduction

- 1. Purpose**
- 2. Background**

B. Land Use Designations

- 1. Land Use Map and Zoning Designations**
- 2. Residential Land**
- 3. Commercial Land**
- 4. Harbor Area**
- 5. Aquaculture**
- 6. Publically Owned Lands**

C. Development Outside City Limits

- 1. Sphere of Influence**
- 2. City Service Area**
- 3. Planning Area**

A. INTRODUCTION

1. Purpose

The Land Use Element is the heart of the General Plan because it has the broadest scope of the required elements, and it provides an overview of the long-term development and sustainability goals and policies of the City. The Land Use Element provides the primary basis for City decisions on development applications.

The Land Use Element establishes policies and programs to create the general framework for the future pattern of growth, development, and sustainability in Trinidad, CA. These regulations strive to conserve natural resources and the scenic character of the land, protect wildlife habitat and cultural resources, contribute to the character of the community, and adequately serve the health, safety, and needs of the citizens. Land use decisions must take into consideration the relationship of adjacent land uses to fully integrate proposed land uses with existing natural and physical environments.

2. Background

The City of Trinidad is located in Humboldt County, approximately 25 miles north of Eureka, and 300 miles north of San Francisco. The City was founded in the 1850's as a supply center for the gold rush and, being incorporated in 1870, is one of California's oldest cities; it is also one of the State's westernmost Cities. Trinidad has only about one square mile of land area and a year-round population of 367 residents (2010 census) and 200 residences making it one of California's smallest cities as well. Though small in area, the City of Trinidad provides commercial services to surrounding rural areas, in particular the Westhaven area, which has a population of around 1,200

people. The closest towns to Trinidad are McKinleyville, six miles to the south and Orick, sixteen miles to the north.

The City of Trinidad falls within the ancestral territory of the Yurok People. The Tsurai village site (perched on the ocean bluffs on the south side of the City) dates as far back as 800 A.D. and was occupied until the early 1900's. In 1775, the Spanish "discovered" and named Trinidad. Visitors were mainly limited to fur traders until the Gold Rush. In the 1850's, Trinidad became a supply port for the inland gold rush and at one point may have had 3,000 people living there; the population plummeted when other inland routes to the gold camps were established. After gold, the logging industry sustained settlers and thrived, especially while the railroad operated in Trinidad from 1911-1948. Salmon fishing also became an important industry during this time.

The area's physical setting, regional and national economic and social changes, and individual and governmental agency development have blended to create the community we see today. The original street pattern, laid out by a ship captain in 1850, remains today, though only a few original buildings exist as a result of large fires in 1911 and 1928. Although fishing and lumber remain important to the local economy, Trinidad is now a quaint seaside town that thrives on tourism and recreation, including sportfishing.

B. LAND USE DESIGNATIONS:

1. Land Use Map Designations and Zoning.

Figure 1 shows the land use designations for all properties in the City. The goals, policies and programs in this element are to be considered in relation to this map. The Trinidad General Plan has defined development options based on finite space and environmental constraints. The City is mostly built-out unless surrounding areas are annexed into City limits or in the unlikely event that a sewer system is constructed. There are still a number of vacant parcels in town, and development needs to be carefully reviewed and controlled to ensure sustainability and compatibility with the community. The purpose of the following land use categories are described relative to the development density or intensity, and the types of activities or land uses permitted, primarily within the Trinidad City limits. State law requires that maximum densities for residential uses be specified for each designation. Overlay zones that include additional requirements beyond these base zones in certain areas may be utilized in the City's Zoning Ordinance improve implementation of the General Plan.

Goal LU-1a: To provide a compatible mix of land uses that provide for the needs of residents, businesses and visitors.

Suburban Residential (SR)

The Suburban Residential Designation is intended to provide for single-family residential development at low-densities suited to the physical capacity of the land and consistent with the density of nearby development. These areas are generally located

east of the freeway or along Scenic Drive, where public water systems are available or could be made available upon annexation. There may be soil limitations for foundations and sewage disposal systems in these areas. SR parcels generally have larger lots and maintain a rural feel with large setbacks, low lighting and no curbs or sidewalks. An accessory dwelling on a lot may be appropriate if the development design is consistent with neighborhood character and the lot has sufficient area to meet the sewage disposal requirements for each dwelling.

Maximum Density: One single-family dwelling per 20,000 square feet, with up to one accessory dwelling as appropriate and if all applicable regulations can be met, or up to 8.5 persons per acre. Maximum lot coverage of 20% allowed.

Urban Residential (UR)

The Urban Residential Designation provides areas for moderate residential development and encapsulates the central portion of town that is most densely developed. This area allows the highest density of residential use (not including mixed use), taking into consideration neighborhood characteristics, community design policies, and soil capacity for individual septic systems. Although this is the most densely developed zone, development will not be allowed to impact the small-town character of Trinidad. There is little potential for more subdivision in the UR Zone based on current regulations. A limited number of accessory dwelling units may be allowed if carefully reviewed for OWTS compliance and neighborhood compatibility.

Maximum Density: One single-family dwelling per 8,000 square feet with up to one accessory dwelling unit if all applicable regulations can be met, or up to 21 persons per acre. Maximum lot coverage of 40% allowed.

Commercial (C)

The Commercial Zone provides for the commercial services that meet the convenience and retail needs of residents and visitors. Uses serving the commercial fishing industry are also appropriate. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Signage is not to be designed to be seen from the freeway. Off-premise signs are limited to non-advertising directional signs and public informational signs. High wastewater producing uses are limited based on septic system capability.

Maximum Density: No new residential dwelling units allowed. Maximum lot coverage of 65% allowed.

Visitor Services (VS)

The Visitor Services Zone is intended to provide areas for camping, recreational vehicle parks, motels, restaurants, lounges, and similar visitor services and accommodations. Such visitor services and accommodations have direct access to a primary collector street. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Development does not create conflicts with nearby residential areas and is located near

convenience shopping facilities and / or recreational destinations. Limitations that might apply to uses of a site include sewage disposal and off-street parking.

Maximum Density: One caretaker dwelling per existing parcel. Maximum lot coverage of 65% allowed.

Mixed Use (MU)

The Mixed Use designation is applied to either primarily residential areas along main streets where limited commercial activity may be appropriate, subject to special integrating design, or they are areas where design flexibility is needed to adapt an appropriate mix of commercial and/or residential uses to the site and to surrounding uses. This includes residential and commercial establishments along Trinity and Main Streets and three large, vacant parcels with some limitations. This designation replaces the previous 'Planned Development' designation. The intent of the designation is that limited commercial uses, including visitor accommodations and services, recreational uses, offices, gift shops, food establishments, and personal services may be appropriate when such uses are designed to minimize conflicts with adjacent residentially designated properties. Uses allowed in the Public and Community (PC) designation are also appropriate if they are consistent with the intent of the MU designation. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Residential uses can be individual structures, clustered multifamily building(s) with up to four dwelling units each, or mixed with commercial uses. Limitations that might apply to uses of a site include sewage disposal, riparian setbacks, off-street parking, lighting, noise, and mixed use densities. The MU designation is not intended for campgrounds or R.V. parks.

Maximum Density: One residential dwelling unit per 8,000 square feet of lot area whether combined with a business or not. Commercial and visitor accommodations are allowed to the extent that they can be adequately served by an OWTS. Maximum lot coverage of 65% allowed.

Harbor (H)

The Harbor category is intended to provide an area in which a mixture of limited commercial, industrial and recreational uses can occur in the existing Trinidad Harbor area. This is a new designation, not part of the previous General Plan. The intent is to provide for the continuation of a mix of activities which support the Harbor's function as a commercial and recreational fishing port and to protect and reserve parcels on, or adjacent to, the sea for coastal-dependent and coastal-related uses. Incidental and appurtenant commercial activities are intended to be subordinate to the coastal-dependent uses.

Maximum density: No new residential dwelling units allowed other than a caretaker unit.

Open Space (OS)

Open Space lands include public agency open space lands, parklands, the Tsurai Management Area, Trinidad Head, beaches, and near and off-shore rocks. This designation also applies to areas lying seawards of the mean high tide line. The purpose of the OS designation is to preserve the natural and scenic character of these lands, including protecting wildlife habitat and cultural resources. Limited recreation and land management activities are appropriate uses; commercial timber harvesting is not an appropriate use. Limited development of appropriate technology, (such as micro-hydro power turbines in riparian areas) and cultural and interpretive elements may be allowed as long as they are not detrimental to sensitive coastal resources.

Maximum Density: No residential dwelling units allowed.

Special Environment (SE)

The Special Environment (SE) designation is applied to portions of otherwise developable properties to limit development due to hazards or sensitive resources such as steep slopes and riparian areas. Public and private open space, wildlife habitat, and low intensity recreational uses, including public access to and along the shoreline, are the intended uses. The SE designation restricts alteration of land and vegetation, allowing limited development, based on an appropriate study or report, only if reasonable use of the property would otherwise be prohibited. On parcels where only a portion is designated SE, development shall only occur outside of the SE area if feasible. The SE area shall not be subdivided or utilized in calculating required minimum parcel area or density. It is intended that development not be visible from public viewpoints more than necessary and that it have a natural appearance. Public Access dedications along beaches and trails will be required as appropriate, and open space easements may also be required to protect sensitive resources as conditions of development approvals.

Maximum Density: One residential dwelling unit per lot (only after resolution of all constraints following site-specific analysis).

Public and Community (PC)

The Public and Community (PC) land use designation includes publicly owned lands ,exclusive of those maintained primarily as open space, and lands owned by religious or other non-profit organizations; these properties are used for education, religious worship, community meetings, and related activities. This designation replaces the previous 'Public and Religious' designation. Public agency ownerships include, but are not limited to schools, public parking areas, utility and public service substations, fire stations, public buildings, parks and recreation facilities, and cemeteries. Public or private community facilities shall be compatible with nearby uses and should be located adjacent to streets that offer convenient access.

Maximum Density: No new residential dwelling units allowed other than one caretaker unit per lot.

Goal LU-1b: Promote development and conservation of land in Trinidad according to the pattern shown on the Land Use Designations Map.

Land Use Map Policies

~~LU-1b.1 The Land Use Map (Figure 1) designates specific land use areas. Place all new development into appropriately designated areas so that land use conflicts can be minimized. Implement the Land Use Map by approving development and conservation projects consistent with the land use designations and ensure consistency between the General Plan/LUP and the Implementation Plan.~~

Formatted: Highlight

LU-1b.2 Densities and uses specified under each General Plan designation are further defined by language and regulations included in the corresponding Zoning designation.

Commented [TP1]: This is just a statement, not a policy, goal or program. Should be deleted from policies.

LU-1b.3 Some properties include existing land uses that are nonconforming to their land use designations. Do not allow legally established existing land uses to increase their existing degree of nonconformity.

Program LU-1b.3.1: In deciding on any permit application to alter a nonconforming use, exercise discretion in determining whether a nonconforming use is compatible with a given area, including, but not limited to, the attitudes of the nearby property owners to the nonconforming use.

Commented [TP2]: Though not on the CC comment list, this seems like it governs issuance of permits, and so should be a policy.

LU-1b.4 The Planning Commission will periodically review the Zoning Ordinance and recommend amendments to it, as necessary, to allow adequate response to current or ongoing issues, identified shortcomings or conflicts, and to ensure compliance with State and other applicable laws.

Commented [TP3]: This could be categorized as a program, but there's not policy that it implements. This could be an "Other Initiative," or a policy marked with the City seal.

~~LU-1b.5 Revise the Zoning Ordinance to provide more refined Design Review Guidelines that objectively address the design, size, bulk, and scale of new development and ensure that new and remodeled buildings are compatible with and enhance the character of the neighborhoods in which they are located. Base the revisions on policy guidance contained within the Community Design element of this General Plan.~~

Commented [TP4]: Delete and just revise the zoning ordinance.

Goal LU-1c: Preserve and maintain the natural and community environments by promoting sustainability in development patterns.

Sustainable Land Use Policies

LU-1c.1 Investigate and adopt appropriate policies encouraging green building technologies and uses that reduce negative impacts on the environment from both existing and new development (CD-##).

Commented [TP5]: This seems like it could be an ongoing thing as technologies change. So rather than deleting it in favor of just updating the zoning ordinance, this could be an Other Initiative.

LU-1c.2 Encourage, both inside and around the City, principles of smart growth and mixed-use development concepts where feasible to improve circulation and reduce the need for auto use.

Commented [TP6]: This would be an 'Other Initiative'

LU-1c.3 Incorporate fundamentals of low-impact-development (LID) technologies into the requirements of the City 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. (CONS-1c.1, CD-##)

Commented [TP7]: This first part could be deleted in favor of just updating the zoning or stormwater ordinance.

Commented [TP8]: This is either an 'Other Initiative' or possibly a program under a policy, but I'm not sure which policy.

LU-1c.4 In order to ensure adequate services and infrastructure for development, only approve new or increased buildings if it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development are grounds for denial of the development.

LU-1c.5 In order to minimize impacts on air quality and green house gasses, ensure new ~~and revised~~ development: (1) ~~be is~~ consistent with State reduction targets; (2) ~~be is~~ consistent with any requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development; and (3) minimize energy consumption and vehicle miles traveled to the extent feasible.

LU-1c.6 Encourage, through City implementing ordinances, sustainability and alternative technologies. This includes, but is not limited to, community agriculture, solar wind and micro-hydro power, rainwater collection and LID.

Commented [TP9]: This is either an 'Other Initiative' or possibly a program under a policy, but I'm not sure which policy. Or maybe it is a program under a new, more general 'Other Initiative.'

LU-1c.7 Ensure that all new parcels have adequate area to provide for anticipated uses or structures. Provide adequate setbacks from nearby septic tanks, wells, nearby slopes and streams. Demonstrate sufficient area for adequate sewage disposal requirements prior to any ~~intensification or addition to existing uses~~ new development.

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

Commented [TP10]: This was originally in here as "develop" or "adopt" and OWTS program. Once it was adopted, it was changed to maintain. Maybe it is no longer necessary.

Program LU-1c.8.1: As part of this program, 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 adopt a similar program in the Trinidad-Westhaven area.

Commented [TP11]: This should be a revision in the zoning ordinance and then deleted.

Commented [TP12]: This should probably go with the Planning Area policies.

Goal LU-1d: Assess, plan for, and adapt to the impacts from climate change through appropriate land use controls to maintain community character and resources.

Climate Change Planning Policies

LU-1d.1 Update and continue to reevaluate land use patterns and zoning requirements to minimize risks from climate change effects, including sea level rise, global warming, precipitation patterns, and wildfire risks.

Commented [TP13]: On page 7 of Attachment A of the Coastal Commission comments, there are comments specific to the LU Element. They note that these are taken directly from the Climate Change Vulnerability Report and Adaptation Response (April 2016) and need to be further developed in general.

LU-1d.2 Establish shoreline management plans to address long term sea level rise.

Commented [TP14]: Change to a program (what policy?), or an 'Other Initiative.'

Program LU-1d.2.1 Create policies that require a management plan for priority area that are subject to sea level rise hazards.

Commented [TP15]: Change to a program (what policy?), or an 'Other Initiative.'

LU-1d.3 Limit new development in hazard areas.

Commented [TP16]: If that's not what the above policy does, then it should be amended, and this could be deleted.

Program LU-1d.3.1 Restrict or limit construction of new development in zones or overlay areas identified as hazardous.

Commented [TP17]: Coastal Commission suggests moving hazard policies to the safety element, but could be in both places.

LU-1d.4 Develop a plan to remove or relocate structures that become threatened.

Program LU-1d.4.1 Require new development authorized through a CDP that is subject to wave action, erosion, or other hazards to be removed or relocated if it becomes threatened in the future.

Commented [TP18]: Seems like this regulates development, so should be a policy.

LU-1d.5 Plan ahead to replace loss of access and recreation areas.

Program 1.d.5.1 Protect existing open space adjacent to the coast.

Program 1.d.5.2 Plan for removal of structures that limit inland migration of beaches.

LU-1d.6 Foster efforts to better understand impacts of sea level rise.

Program 1.d.6.1 Support research on impacts to recreation and public beach access.

Commented [TP19]: Other Initiative

2. Residential Land (Urban Residential, Suburban Residential)

The residential areas of Trinidad have mostly been built-out, particularly in the UR Zone.. Homes are typically located on local and collector streets rather than on the busier arterial streets (see Circulation Element). Trinidad's residential development is diverse, as further described in the Community Design Element. Residents have expressed a desire to maintain Trinidad's small-town character, continue to protect public and private coastal views, and to embrace green and appropriate technology in both new and existing residences.

Home businesses (Home Occupations) have occurred throughout the City in recent years, especially as a result of personal computers and internet services. The primary

review criteria mandate that they do not impact adjacent residential uses. Short Term Rentals (STRs), or vacation rentals, have also become more numerous in the community, prompting concerns over their impacts on the community. While short-term vacation rentals provide important visitor-serving accommodations and economic benefits to the City, an increase in the number and density of short-term vacation rentals have adversely affected the small-town atmosphere of the City and the character of residential neighborhoods.

Goal LU-2: Provide adequate land to accommodate the housing needs of all income groups while maintaining the character of existing residential areas and keeping the small town feel and coastal views that residents and visitors enjoy.

Residential Land Policies

LU-2.1 Accessory dwelling units (ADUs) are a valuable source of affordable housing in Trinidad. However, they need to be carefully regulated to ensure that sewage disposal and other requirements can be met, and they may not be appropriate on all residential lots.

Program LU-2.1.1: Maintain ADU regulations consistent with State ADU laws, Coastal Act requirements, environmental constraints, service limitations and community character.

LU-2.2 Review Trinidad's View Protection Criteria, and revise them as necessary to provide clearer guidance and reduce community conflicts while still protecting important public and private coastal views (CD-1.2.1).

LU-2.3 Home Occupations are allowed in Residential or Mixed Use areas to the extent that they do not impact the residential character of the neighborhood.

Program LU-2.3.1: Specify limitations and permitting requirements for Home Occupations in the City Zoning Ordinance. Some of the issues that need to be considered include:

- Determining the suitable density of residential and commercial uses;
- Providing sufficient sewage-disposal systems and adequate water services;
- Minimizing nuisance impacts such as noise;
- Limiting traffic and providing off-street parking / loading.

LU-2.4.: Specify limitations and permitting requirements for all short term rentals in the City Zoning Ordinance. Impose conditions on any permit to operate a vacation rental that address the following at a minimum:

- Requirement to maintain a business license and pay transient occupancy taxes;
- Adequacy of the OWTS and notification to guests regarding proper operation;
- Occupancy, parking, traffic, lighting and noise and other standards to minimize nuisances;

- Strong enforcement provisions.

3. Commercial Land (Commercial, Visitor Services, Mixed Use)

Many of the commercial establishments in the City are dispersed near the freeway interchange and along Main, Trinity and Edwards Streets, as well as in the Harbor area. The current businesses in town include restaurants, a gas station, various small retail and service shops and a grocery store. These businesses attract residents and visitors year-round to the City. The sales tax and bed tax revenue generated by businesses in the City is an important component of City revenues.

Additional commercial and visitor-serving areas can be found just outside the City, mostly along Patrick's Point Drive, several campgrounds and R.V. parks as well as Trinidad State Beach and Patrick's Point State Park. The Trinidad Rancheria operates a casino located south of the City on Scenic Drive and owns the Trinidad pier and harbor area, including the boat launch, restaurant and a vacation rental. Based on the Coastal Act, the Harbor Area has been redesignated to a Harbor zone rather than general commercial to better protect coastal-dependent and coastal-related land uses. The summer months brings an influx of tourists to the City to enjoy the many coastal amenities found in Trinidad.

There are no vacant parcels designated as Visitor Services. During the adoption of the existing General Plan, it was determined that these parcels, in conjunction with others outside City limits, were sufficient to accommodate future visitor needs. However, many of the R.V. spaces in the City are now used for long-term tenancy. Trinidad Bay Trailer Courts is now designed by the California Department of Housing and Community Development as purely a mobile home park.

The City encourages tourism and supports the efforts of local businesses to ensure City revenues do not decline and that essential services for residents are provided. Most property owners within the planning area want to maintain the small-town feeling of Trinidad and support only a small increase of businesses that cater to local needs and a small to moderate increase in specialty shops catering to visitors. The City, whenever necessary, attempts to minimize adverse impacts to the small-town atmosphere caused by visitors. This is accomplished, in part, through land use regulations.

There are four large, vacant, MU designated parcels in town. These parcels include the vacant lot behind Murphy's Market, the two lots that make up the horse pasture and one to the southeast of Hidden Creek R.V. Park on the eastern edge of town. These parcels represent the primary development potential remaining in Trinidad.

Goal LU-3: Promote the economic vitality of the commercial district while maintaining the historic, civic, cultural, and commercial core of the community without marring resources, views, or rural characteristics of the area

Commercial Land Policies

LU-3.1 The City's Commercial and Mixed Use designated areas provide for a mix of local as well as tourist-related, goods and services in a manner that is compatible with surrounding land uses.

LU-3.2 Convenience shopping facilities are located near the freeway interchange. Gift shops, smokehouses, tackle shops, restaurants and other visitor related businesses can be located along primary collector streets provided they are compatible with nearby residences. The compatible blending of these types of businesses with the community enhances the seaside character of the town.

LU-3.3 Carefully analyze commercial uses with high-use sewage disposal needs as to adequacy to provide for year-round needs without impacting groundwater or increasing seepage to the bluff area.

LU-3.4 Commercial accommodations need buffers from adjacent residential areas and must have convenient access to a primary collector street.

4. Harbor Area

The Trinidad Harbor Area has had a varied and colorful history in the past, supporting first a Native American population, then furring, gold mining supply, logging, whaling and fishing. It also serves as the last safe harbor north of Humboldt Bay (20 mi. south) until Crescent City (50 mi. north). In 1946 the Hallmark family purchased the lands around the harbor and constructed a fishing pier. The commercial and fishing industry continued to increase for the next 40 years with a peak of up to 150 commercial salmon fishermen and at least 300 sport fishermen during the salmon season. In 2000 the Trinidad Rancheria purchased the property. The decline of commercial salmon fishing in recent years is due to dwindling fish stocks, increased operating costs, added government restrictions and recent listing of several salmon species on the Endangered Species list. Primary activities now are the winter Dungeness crab commercial season and summer sport fishing.

The property area is approximately 10 acres in nine individual parcels with ocean frontage both on the Pacific Ocean and Trinidad Bay. Most of the parcels are owned by the Trinidad Rancheria, but there is also a City-owned parcel as well. The site is improved with: a boat sling launcher, tackle/bait and gift shop, a pier, skiff dock and rental, water taxi service to transport boat owners to boat moorings, a vacation rental, and a restaurant. The City owns the land under the pier and mooring field to hold in trust for the people of the State. These lands were granted to the City by the State; the City leases these tidelands to the Trinidad Rancheria. The Rancheria has applied to transfer their harbor ownership into Tribal Trust. Trinidad Bay is also a State designated Area of Special Biological Significance and State Water Quality Protection Area. As such, it is subject to special discharge prohibitions and high water quality standards.

The primary use for the harbor area is to provide a working harbor for commercial and sport fishing. Recreational boating and public coastal access are also priority uses. Care needs to be taken to ensure that permitted uses do not conflict with each other and do not detract from the primary and historic use of the area as a fishing port. Some of the current recreational uses include sea kayaking, sailing, pleasure boating, and whale watching. Public access to the coast is available throughout the harbor area, providing continued public access and parking to adjacent beaches, trails, the pier, and Trinidad Head, as well as boat launching to Trinidad Bay.

The harbor area experiences significant congestion at times. The congestion is most severe on summer weekends when ocean conditions are favorable for boating, but can occur throughout the year when the weather is nice or special events occur. This indicates that there is not a lot of potential for additional development in the Harbor Area without further impacting parking. The number of people visiting Trinidad Harbor puts a strain on other services that are provided there, including maintenance of the public restrooms and refuse management. The parking, restrooms and public access to the shore and trails are all provided free to users.

People in Trinidad are generally strongly opposed to any kind of offshore energy development as well as onshore support facilities. Opinions regarding aquaculture development are more mixed.

Being the only low-lying area in the City, the Harbor Area is the most at risk from tsunamis and sea-level rise. A tsunami siren has been installed in the Harbor Area as well as signage indicating the tsunami hazard zone. The City and other agencies and organizations provide public educational materials for residents and visitors on what to do if an earthquake or tsunami occurs. Because of uplift occurring in the Trinidad area, sea level rise is not expected to inundate large areas, with a maximum projection of about 30 cm by 2065. Sea level rise is more of a threat to bluff stability through increased wave action and toe erosion. Both sea level rise and tsunamis are also discussed in the Public Safety Element.

Goal LU-4: Encourage a mixture of commercial fishing, recreational boating and fishing, mixed coastal dependant / compatible commercial and visitor-serving uses consistent with coastal access policies while protecting the Trinidad Head ASBS.

Harbor Area Policies

LU-4.1 Coastal-dependent and coastal related uses are given priority in the harbor area.

Program LU-4.1.1 Limit non-coastal-dependent / non-coastal-related uses, including visitor-serving uses, to a total of twenty-five percent (25%) of the developed land in the harbor area.

LU-4.2 Ensure any ~~intensification or addition to existing uses~~ new development proposed in the harbor area is accommodated with adequate sewage disposal, water, parking, access and other public services. The property owner is encouraged to create a long-range plan for the orderly development of the Harbor Area into the future.

Program LU-4.2.1 As part of an application for any intensification or addition to existing uses, require the property owner to identify suitable leach field reserve areas for septic systems for existing and future uses or show proof that the existing system is adequate. Protect existing and reserve leachfield areas from adverse activities and development.

Program LU-4.2.2 Prior to approval of an application for any intensification or addition to existing uses, require the property owner to identify and offer to dedicate areas reserved for public access to the pier, Launcher Beach, Trinidad Beach, Trinidad Head and public trails as necessary and appropriate to protect public access.

Program LU-4.2.3 As part of an application for any intensification or addition to existing uses, require the property owner to identify suitable public parking for public access to all of these areas. Provide a minimum thirty-five public parking spaces overall, in addition to that necessary for on-site uses.

Program LU-4.2.4 The property owner, with coordination of the City, should enter into a water service agreement for the provision of additional services necessary for future coastal-dependent and coastal-related uses as allowed by the general plan designation prior to approval of any intensification or addition to existing uses.

LU-4.3 Develop a parking plan to accommodate all the uses in the harbor area with an emphasis on coastal access. Offsite parking within walking distance and/or shuttle service may be appropriate (CIRC-2.4).

LU-4.3 The Harbor area is intended to be retained and managed under one ownership. ~~Intensification or addition to existing uses~~ New development in the harbor area will require merger of existing lot lines. Subdivision is only allowed for lease purposes or public access dedications.

LU-4.4 Commercial fishing has special needs, and other uses should not detract from these facilities.

LU-4.5 Public launching facilities are recognized as an important aspect of the harbor area. These facilities are to be kept in working order in conjunction with other allowable uses in the Harbor designation.

LU-4.6 The property owner is encouraged to provide an improved, safer, method for refueling boats than the current hand carrying method. The fueling system shall include an emergency response plan in case of a fuel spill.

LU-4.7 The property owner is also encouraged to construct a non-discharging fish-cleaning station.

LU-4.8 Dredging or filling of coastal waters is to be consistent with provisions of Coastal Act 30233 limiting development to, among other requirements, new or expanded commercial fishing facilities, maintenance of previously dredged depths in the harbor, and public recreational piers.

LU-4.9 Ensure new development ~~and additions to existing development~~ within the Harbor Area are evaluated for potential impacts to the Trinidad Head ASBS and that any impacts are mitigated to the maximum extent feasible.

LU-4.10 Onshore support facilities for off-shore energy development are not consistent with commercial and sport fishing, tourism, community residential uses or the environmentally sensitive habitats of Trinidad, and as such, are not allowed. The City also opposes offshore energy development that could interfere with commercial or sport fishing or pose a rise to coastal resources.

LU-4.11 Ensure that any aquaculture facilities proposed within the Harbor Area do not interfere with existing recreational boating facilities and existing coastal-dependent industry, including fishing or with the public's right of access to the sea and that any aquaculture development protects the water quality and ecological integrity of the Trinidad Head ASBS.

Program LU-4.11.1: Most types of aquaculture would not be appropriate in Trinidad due to the discharge prohibition into the ASBS and for the potential to negatively impact fishing and recreation in Trinidad's small harbor. Should aquaculture be proposed, the City will work closely with other regulatory agencies, including the SQRCB and Coastal Commission to review any permits.

5. State and Federally Owned Lands

For Trinidad's small size, it has a high proportion of State and other publicly owned lands. State lands within City Limits include Trinidad Beach State Park, Trinidad School and playing field, the Humboldt State University Telonicher Marine Laboratory and the underwater portion of Trinidad Harbor; CalTrans owns and manages Hwy 101 and the interchange right-of-way. Some of these State properties are still subject to the City's Local Coastal Plan and approval of Coastal Developments Permits by the City (including the State Park, Elementary School and CalTrans right-of-ways). Federal lands include the Coast Guard facility (lighthouse), and National Oceanographic and Atmospheric Administration (NOAA) weather station on Trinidad Head. In addition, the Trinidad Rancheria (Bureau of Indian Affairs) is located adjacent to the City on the

southeast, and the BLM manages the offshore rocks as the California Coastal National Monument. The 13-acre Coast Guard property on the southern end of Trinidad Head was recently transferred to the Bureau of Land Management (BLM). And that land has now been included in the California Coastal National Monument.

State and Federal agencies may acquire, develop, manage, or dispose of land and make land use decisions. Such activities can have a major effect on local development. Local jurisdictions such as Humboldt County, Trinidad Rancheria, and the Trinidad Union School District also manage land and make land use decisions affecting the City. Figure 2 shows where existing governmental facilities and land holdings are located. It is in the City's best interest to work cooperatively with those agencies that manage land in and around the City to further community goals. The City will seek to acquire any land within City Limits that may be disposed of by an agency if such acquisition will benefit the City.

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

Goal LU-5: Ensure that State owned lands are managed such that they are compatible with, and do not detract from Trinidad's coastal village character.

State and Federally Owned Lands Policies

LU-5.1 Development on lands of Trinidad State Beach and Trinidad School playing field, and any other State properties within City Limits, except the Telonicher Marine Lab, are subject to coastal development permit / design review approval from the City as required by the CA Coastal Act and the City's certified Local Coastal Program. In lieu of individual development proposals, the City may approve an appropriate Management Plan addressing specific future development activity on those lands.

LU-5.2 Work with federal agencies owning and managing property within the City to ensure appropriate consultation and coordination with the City.

D. DEVELOPMENT OUTSIDE OF CITY LIMITS

Land use decisions outside City limits affect the City in a variety of ways. Traffic and upstream pollution or disturbance are good examples. Land use designations differ from City designations in the lands under County jurisdiction surrounding the City. Since the City's Planning Area is under Humboldt County jurisdiction, the land use categories shown in Figure 4 correspond to the existing Humboldt County General Plan (~~Framework Plan 1984~~Humboldt 21st Century, October, 2017). ~~Note that these land use designations may change as a result of the current update of the County General Plan.~~ There are ~~four~~three different areas outside the City that have been designated based on their relationship to City Planning.

Formatted: Superscript

The first and the smallest of these designations is the Sphere of Influence, which represents the area where ~~the-it has been determined that the~~ City has the capacity to provide services and that is anticipated to possibly be annexed in the future. The next is the City's Service Area, which is defined as the area that the City currently does and potentially may provide water service. The third, and largest, area is the Planning Area. The Planning Area encompasses those areas that bear a relationship to City land use and planning in terms of resource use, land use, traffic, community, etc. ~~In-addition, there is an Urban Limit Line that limits intensive growth, which some of the following policies are based upon.~~

1. Sphere of Influence

As ~~mandated-defined~~ in Government Code § 56076425, ~~"the Local Agency Formation Commission (LAFCO) shall develop and determine the sphere of influence of each governmental agency within the county. the Sphere of Influence (SOI) "means a plan for the probable ultimate physical boundaries and services area of a local government agency." Spheres of Influence are determined by the Local Agency Formation Commission (LAFCo) based on various studies, including a Master Service Review (MSR). LAFCo also has responsibility for approving boundary changes and service connections with a mandate of fostering orderly growth and development that promotes the efficient delivery of services, and encourages the preservation of open space and agricultural lands. The Sphere of Influence SOI, after adoption, shall be used by the commission LAFCo as a factor in making regular decisions on proposals over which it has jurisdiction." The Sphere of Influence boundary will be determined based on the City's "Master Service Element" that indicates capabilities and management of all services provided by the City (or district).~~ A Municipal Service Review for the City of Trinidad was prepared by LAFCo in 2008 without City review. ~~These elements~~Both the MSR and SOI Report need updating in order to be used to formulate Sphere of Influence SOI boundaries and dictate how and when land is developed around the City. ~~The Sphere of Influence report is to be updated every five years.~~

~~The purpose of the Sphere of Influence is to promote orderly, regulated growth that best represents the desires of the community. It is intended to represent the anticipated physical boundaries and service area of the City for the next twenty years. Trinidad LAFCo adopted an SOI for Trinidad sphere of influence in 1984, but only a very small portion has actually been annexed into City Limits since that time. There has been~~

a strong indicated desire on the part of Trinidad residents to maintain the compact urban form of Trinidad. Some residents outside City limits have also expressed an aversion to being annexed into City limits. Benefits to the City from annexation include additional land use control, and potential increase in property tax revenue. In particular, annexation would allow the City to expand its OWTS program and increase protection of the Trinidad Head ASBS. It has also been suggested that annexation would benefit the City by increasing the population base for running a City government. One of the main advantages to residents of being annexed would be the provision of City services, particularly water. At this time, Trinidad's Sphere of Influence (SOI) is relatively small, only including a small portion of the water Service Area. A minimal population growth projected for the City and the adjacent areas as well as the restrictive nature of the land use policies contained in this Local Coastal Plan will help The policies contained herein are based on the most current data and are intended to preserve the community's character.

Commented [TP20]: Is this still true?

Goal LU-7: To provide and maintain clear boundaries and policies for considering the future expansion of Trinidad

Sphere of Influence Policies

LU-7.1 Depending on service capacity, define the City's Sphere of Influence to include the City's water service connections, as well as all properties adjacent to the City's trunk line and those properties that are not zoned for timber production within the Luffenholtz and Mill Creek watersheds. The watersheds are to be included to provide direction and oversight on land use decisions that affect the City's Water Supply, including OWTS management. (CIRC-12.6)

LU-7.2 Consider expanding City services to areas outside City limits only if it can be done without significantly increasing the costs to residents within City limits, or if it is a public health emergency; annexation is a prerequisite for any service expansions.

LU-7.3 Consider annexations if it can be proven that they are economically, environmentally, politically or otherwise advantageous to the City.

2. City Service Area

The "City Service Area" refers to those areas that do, or may in the future, will receive all, or a major portion of the urban services (water service, police protection, road maintenance, cemetery operation, fire protection, and planning and zoning) that are provided by/from the City. Of the aforesaid services, wWater supply and distribution, and the absence of sewage collection and disposal facilities, are the major determinants of the urban form and density of development in the City Service Area. Luffenholtz Creek is small, and has only limited capacity to provide additional domestic water. The City's water plant also has limited storage and treatment capacity, but is continually being upgraded as funding allows. The Service Area boundary is based on the areas currently connected to City water. In addition, a commercial area to the north has been included

based on potential future need of City water in order to support commercial uses to serve residents of and visitors to Trinidad. The Service Area could become a Service District in the future, with greater powers, and separate governing board. Please see the Public Services section of the Circulation Element for additional information.

Goal LU-8: Manage City services to the maximum efficiency and benefit for residents as well as those outside City limits where appropriate.

City Service Area Policies

LU-8.1 The City is responsible for periodically assessing the capacity of Luffenholtz Creek to provide domestic water, including existing and potential riparian rights and groundwater wells. Upgrades to the City's water plant to improve efficiency, water quality and storage capacity will be completed as funding becomes available.

LU-8.2 If capacity and / or storage is adequate, study the feasibility of forming a Water District that includes the area to the east and southeast of the City on either side of the freeway, where some properties are already connected to the system, to allow for additional connections outside the City, as the system allows. Eventual annexation should be considered. An 'annexation agreement' (agreeing not to object to future annexation) with the City is a minimum requirement for providing any new connections outside of City limits. Areas to the north of the City should be part of such a district if services are to be provided there in the future. (CIRC-12.4)

LU-8.3 The existing commercial area on the west side of Patrick's Point Drive south of Anderson Lane and the area on the east side of Patrick's Point Drive north to the CalFire (CDF) station property should be included in the City service area / water district to allow for future consideration of water service. Annexation, or an annexation agreement, is a requirement for water service expansion, unless it is already part of a services district. (CIRC-12.6)

3. Planning Area

Government Code § 65300 provides that a City consider areas outside the City limits that have a bearing on planning for the City. The City of Trinidad has determined that activity affecting twelve coastal watersheds is the area of critical importance; therefore, it is in the interest of Trinidad to play a more active role in the decision-making processes involving land located within these watersheds, and to include them in the planning area. Trinidad has adopted this watershed based approach to planning due to particular concerns about water supply, pollution, and impacts on coastal resources; activities that occur in the upper watershed can affect downstream resources.

The designated Planning Area delineated in the previous General Plan defines an area in which the City has interests outside of its City limits and its Sphere of Influence boundary. The Planning Area might affect the City in ways such as increased circulation, impacts on water quality, or economic provisions. The designation of a

planning area may be in the interest of establishing cooperation efforts with other surrounding jurisdictions, landowners or interest groups, including Humboldt County, State Parks, Trinidad Rancheria, Green Diamond Resource Co. Westhaven Community Services District, etc... This area also includes the area of interest of the Trinidad Bay Watershed Council. By adopting this specific Planning Area, the City defines the area where land use decisions affect Trinidad. Figure 3 shows the existing and proposed Planning Area.

The proposed Planning Area is more centered on the greater Trinidad-Westhaven community. The Luffenholtz Creek drainage basin was included because it is the watershed for the City water supply and serves parcels adjacent to it and along the main line extension. Residential areas west of the freeway up to the Seawood interchange are included because they rely on the Trinidad area for commercial services and include visitor accommodations and facilities that support the local tourist and fishing activity. The forest area east of the freeway is included to ensure consideration of the potential impacts of activities to these coastal watersheds. The entire Planning Area, outside of City limits, is within Humboldt County jurisdiction.

The County has recently revised its General Plan and a revision of the County Zoning Ordinance Map will follow. This will update the County's Framework Plan (1984). The Trinidad Area LCP will also need to be updated for the coastal zone. The current County General Plan provides for specific designations throughout the planning area. Most of the Trinidad General Plan land use recommendations are consistent with present county designations (1984 Framework Plan). The reader is also referred to the County's Current General Plan and LCP for discussion of the Urban / Rural areas and policies or findings that apply for development in the areas outside the City but within the City's Planning Area.

Goal LU-9: Ensure the protection of the coastal watersheds, natural and community resources and the quality of life in and around Trinidad.

Planning Area Policies

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

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

LU-9.2 Comment on relevant projects located within the Trinidad Planning Area that could impact the City based primarily on goals and policies found throughout this General Plan and any specific or unusual circumstances.

Program LU-9.2.1: Provide comments and input during any revisions of the County's General Plan that may affect the Planning Area any future adoption of implementing ordinances, and any other agency's or organization's long range plan for that includes land within the City's Planning Area. Seek to have such plans recognize impacts that could occur to the City as a result of inappropriate changes that occur in the City's Planning Area.

Program LU-9.2.2: Review development projects in the County, including timber harvest plans, that may affect Luffenholtz Creek, Mill Creek and other Planning Area watersheds and provide comments to regulatory agencies emphasizing the need to protect water quality and quantity. Consider consistency with all relevant policies in the City's General Plan, particularly those found under Planning Area, Conservation and Water Quality, and the objectives of the Trinidad-Westhaven Integrated Coastal Watershed Plan.

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

LU-9.3 Encourage coordination efforts between Trinidad officials and surrounding jurisdictions and landowners in order to address concerns about development projects that affect the Trinidad Planning Area and the Trinidad Head Area of Special Biological Significance / State Water Quality Protection Area.

Program LU-9.3.1: Request notification from responsible agencies (CDF for THPs, ACOE for fill or discharge permits, CALFIRE, PG&E, etc.) whenever possible regarding activities that will occur within the City's Planning Area. Inform responsible agencies of the types of projects that could have impacts on the water quality of the water resources of the Planning Area.

Program LU-9.3.2: Maintain open communication with the Trinidad Rancheria, and encourage the Rancheria to keep the City informed of upcoming projects by providing pertinent background information and studies related to such projects and allowing the City to provide early input on development proposals that could impact the City.

LU-9.4 The City designates both the Luffenholtz Creek and Mill Creek watersheds as "Critical Water Supply Areas," recognizing that these watersheds areas are primary water sources and limited in area so that current development makes the streams susceptible to a potential risk of contamination to the water supply from development activities. (see CONS-1e.3)

Program LU-9.4.1: Work with the County to ensure that the County designates Luffenholtz Creek and Mill Creek watersheds as "Critical Water Supply Areas" thereby providing increased scrutiny of and special protections from land use

activities as defined in the Humboldt County Framework Plan and the Trinidad General Plan.

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

LU-9.5 Develop and maintain an open relationship with landowners within the Planning Area, particularly those in Luffenholtz Creek, in order to facilitate landowner awareness of the need for water quality protection.

Program LU-9.5.1: Pursue adoption of a public education program regarding pesticides and other hazardous chemical, and when feasible, enter into a non-binding Memorandum of Understanding, or other agreement with property owners within the “Critical Water Supply Area” to minimize the use of these chemicals and reduce contamination of water supplies.

Program LU-9.5.2: Support the efforts of the Trinidad Bay Watershed Council to improve water quality in the Planning Area. Designate a City representative to participate in the Watershed Council meetings and other activities to the extent practicable.

LU-9.6 Encourage responsible septic system use and installation within the Planning Area.

Program LU-9.6.1: Pursue grant funding to monitor and implement projects within the City’s entire Planning Area to reduce pollution from onsite wastewater treatment systems. Encourage Humboldt County to participate to the maximum extent possible. Project goals include determining what areas and which onsite wastewater treatment systems are contributing the most pollution and offering financial incentives or other assistance to help landowners fix problems. Consider the feasibility and desirability of forming a Septic Maintenance District with the County that encompasses the area from Trinidad to Moonstone. (PUBL-18, CIRC-11.2)

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

LU-9.8 Provide a geographically distributed inventory of mining sites protected from incompatible land uses, permitted and operated to prevent significant

environmental impacts and to satisfy long-term demand for mineral resources and construction materials (Goal CONS-11).