

DRAFT
MINUTES OF THE REGULAR MEETING OF THE TRINIDAD PLANNING
COMMISSION
WEDNESDAY, SEPTEMBER 19, 2018 AT TRINIDAD TOWN HALL, 409 TRINITY
STREET

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

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

II. APPROVAL OF MINUTES

August 29, 2018

Edits:

Page 2 of 7 – “**Commissioner Johnson** explains he had ex parte communication with P. Flesher of the Trinidad Civic Club.” This was changed from **Commissioner Graves**.

Page 2 of 7 – “A. Lindgren (130 Lindgren) explains she would like to see a peace park built at the former site of the TML consisting of benches and flowers. She notes the Axel Lindgren Trail is in poor condition and would offer **financial** help to see the trail restored.” This has been updated to include the word “financial.”

Page 3 of 7 – Commissioner Graves requested clarification of THPO - Tribal Historic Preservation Officer. THPO was spelled out.

Motion (Johnson/Stockness) to approve the minutes with the changes.

Passed unanimously (3-0).

III. APPROVAL OF AGENDA

Motion (Stockness/Johnson) to approve the agenda.

Passed unanimously (3-0).

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

1. WILSON 2018-07: Lot Merger, Design Review, Use Permit and Coastal Development Permit to construct a 532 sq. ft., 1-bedroom, single-story, secondary dwelling unit northeast of the existing residence. The second unit will utilize the existing septic system, which will be expanded. Located at 33: Berry Rd.; APNs: 515-331-048

Staff Report:

Planner Parker summarizes the staff report. Parker explains that the adjacent parcel is currently vacant, thus there is no need to merge the parcels to build another residence on the properties. However, to utilize the same septic system for both residences it will require a lot merger. Parker explains that these properties were also part of a lot line adjustment and an annexation into the city around 1998, so there are some conditions put on that lot line adjustment that still apply and have been incorporated into the project. Parker explained that Public Works had concerns about some

redwoods that have been planted within the undeveloped portion of the City right-of-way. In addition, Public Works will need to determine whether a new water connection is required (likely). Additionally, they are paving the driveway apron to minimize dust on Berry Rd and building permits will be required at that time. Furthermore, grading, drainage and erosion control will be addressed.

Parker describes the existing site conditions and the proposed project. The septic design is not final, but a condition has been included that a Health Department permit is required. The project is modest in size and all the zoning standards such as setbacks, height and parking are met. Views are not likely to be impacted.

Due to the fact that there is a lot of fill on the site, from the construction of Hwy 101, and due to steep slopes on the northern part of the parcels, a soils study was required in 1998, and the project will be required to incorporate all the recommendations from that report. The City Building Inspector may require updated information as well. A biological report was not required for the project, because the rare species that was noted to possibly occur in the area is no longer in the rare plant database.

Parker explains that in terms of the lot merger/lot line adjustment, the city does not have a specific process for a simple lot merger, so it is being brought to the Planning Commission to discuss. The findings required for a lot line adjustment can be made, as it will not create any violations by merging the parcels. All utilities can be accessed and parking is off Berry Road. Parker explained that the city engineer had no comment on the merger. Staff recommendation is for approval. The project can be found to meet the requirements of the City's zoning ordinance, other municipal codes, and general plan policies.

Commissioner Comments/Questions

Commissioner Stockness states that she is concerned about the gravel driveway and whether the two parking spaces will be paved. Parker clarified that only the driveway apron, approximately 12 to 15 feet from the Berry Road pavement, is going to be paved.

Stockness states that she is concerned about the redwood trees, as they can have a negative impact on the pavement and thinks they should be taken out. She also advised that she is concerned about the 20 year old geological report by Walter, as geologic changes occur over time. Graves notes that he had the same concern.

Commissioner Johnson requested clarification on which condition addressed the Building Inspector's request for a R2 soils report. Parker advised that the Inspector has yet to review the 1998 soils report for conformance, but condition number 3 allows him to require additional information as needed.

Johnson explaining that on the surface this project appears fairly simple, but there are a number of site limitations and conditions that need to be met. The Planning Commission does not receive follow-up information as to whether all conditions on projects were met. He wants to ensure that they are met for this project.

Commissioner Graves requested to know who is the responsible party that determines if all the conditions for approval have been met. Parker explained that she creates a checklist with all the conditions, and each must be initialed by the responsibly party when they are completed. Parker noted that she does not necessarily see the final checklist but works with the Building Inspector on conditions compliance and is confident they are followed through with. Stockness requested a copy of the final checklist.

Johnson notes that there appears to be an error in Table 1 in regards to the “main level” square footage. Parker responded that an update will be made. Johnson also noted an error in the stormwater specifications on page 5: “The project was reviewed under the City’s stormwater ordinance, and it is exempt, because it does create or replace more than 2500 sq. ft. of impervious surface,” Parker clarified that it should be “does not.”

Johnson and Stockness requested clarification on the septic design, which Parker provided, noting that the final design is not available yet.

Public Comment

The architect / agent for the project (Bonnie Oliver) provided further clarification regarding the current septic design. In response to concerns regarding the age of the soils report, Oliver suggests that an update or addendum to the 2015 soils report prepared for the primary, adjacent residence may suffice. She also noted that the number of conditions is not problematic.

Commissioner Discussion

Commissioner Stockness requests clarification as to what permits are being approved. Parker explained that as part of the approval they will be approving a lot merger, use permit, the design review, and the coastal development permit. Parker also clarified that the project is outside the Coastal Commission appeal area.

Motion – (Johnson/Stockness) to approve the project as it is consistent with the city’s LCP and other applicable regulations; moves to adopt the information and design review and use permit findings in the staff report and approves the project as submitted and conditioned therein and revised at the meeting.

Passed unanimously (3-0).

2. GENERAL PLAN UPDATE: Update and discuss of current status, next steps, and review of new draft Conservation and Open Space Element. This will be further discussed at the Special Planning Commission meeting on Tuesday, October 2nd, 2018.

Staff report:

Planner Parker states that the Conservation, Open Space and Recreation Element incorporates two of the seven the State’s required elements: conservation and open space. This is an important element for the city, as conservation covers a lot of key considerations; in addition, recreation is a big part of the coastal element. It has had substantial updates and reorganization since the previous draft from March 2010. Parker advised that sea-level rise considerations have been added along

with recent public input and the Coastal Commission's LCP Update Guide. Parker clarified that the recreation section, in particular, was lacking in regards to ensuring public access.

Parker advised that staff are working to improve the outdated figures in the General Plan, but updating the GIS has taken more time than anticipated. In addition, Parker noted that several of the figures had not previously received much review and comment. Therefore, she included the old figures to the Commission's attention for additional input, prior to making updates and suggests starting the discussion with those.

Commissioner Comments/Questions

Commissioner Johnson questioned why Trinidad's GIS is different from the county. Parker clarified that the only information used from the County is parcel data. The County does not maintain detailed information on City parcels, such as zoning, slope stability, etc. So the City has to have its own GIS.

Commissioner Graves notes that slopes greater than 15% need to be added to the map and would like to know what the 15% is based on. Parker explained that there are new digital elevation models that would be generating this data. It was noted that there are policies in the conservation policies that use 15% as a cut off for any additional development. Parker discussed how the stability designations of Figure 9a are based on the existing Plate 3.

Figure 6 is discussed. Parker notes that the figure is fairly simple, but staff is having trouble with the watershed / planning area boundaries. She explains that for the Prop 50 watershed planning project, the City generated detailed stream and watershed boundary information for the southern half of the planning area. But the northern half of the planning area is still based on the 1978 mapping lines, and reconciling the two is problematic. She requests input from the Commission on whether they want to use old or new data or a combination.

Commissioner Stockness inquired as to what watershed is most at risk. Parker advised that the figure is not risk based. But she noted that Luffenholtz Creek is the most critical, as it is the city's water source and the largest in the planning area; it has been designated as a critical water supply area by the County.

There was a discussion of the layout of the map and whether Driver Road and other areas of Westhaven that are in the Little River watershed should be included in the planning area. The inclusion of Driver Road was agreed upon by the council. The Commission also generally agreed that the figure should reflect the current watershed boundaries.

Johnson requested clarification if there are any ramifications to Westhaven if there are any updates. Parker advised that there are no ramifications as it does not give the city any land use controls. It will just ensure with the County that Trinidad will see referrals from the County for Westhaven projects.

Stockness opined that the City needs to write in the General Plan that Trinidad needs to see the referrals for Westhaven projects (Graves agreed). Parker explained that it is already a policy in the

land use element, but it would be good to write a letter to the County to remind them once the City adopts the new map.

Johnson agreed that the City needs to tighten up its coordination with the County. He suggested that the City of Trinidad develop a MOU (memorandum of understanding). Graves agreed that he would like a MOU for all types of project adopted as well, as there is a substantial amount of construction in Westhaven. Rather than make an official recommendation at this time, the Planning Commission requested Planner Parker to bring up the issue with the City Manager and Mayor.

Parker redirected the discussion back to the figures. Figures 7a and 7b reflect environmental sensitive habit areas (ESHAs) and open space. However, Parker advised that she doesn't think they are useful in their current form, as there is not a good data set for ESHAs. Parker suggested a couple of options for moving forward. Graves opined that biological reports should be required on a case by case basis.

Johnson posed the question of whether there would be any ESHAs, other than streams or wetlands. Parker advised that there would be, such as the coastal shrub, the bluffs, etc., but they aren't currently mapped, and it would take an on-site survey to determine them. Johnson advised that the text already requires a biological report on a case-by-case basis. Parker noted that it would be up to staff to determine whether a biologist needs to visit the site. The usefulness of figures 7a and 7b are discussed, and it is generally agreed to keep them, but add a disclaimer that the maps don't show all ESHAs.

Graves recommended that a projector be used at the Planning meetings if there are maps being discussed.

Parker began a discussion regarding Figure 8. She notes that, as it, it is very busy and likely confusing. However, the overall take away from the map is that Trinidad is an extremely biologically diverse area, justifying the need for biological reports. Parker discussed how the determination on whether or not a biologist needs to survey the areas needs to be made.

Johnson and Parker discussed how the figure is difficult to interpret, as there needs to be clarity on what the size of the circles are based on. Graves thinks that it should be used for illustrative purposes, but to put a disclaimer that the data may not be current.

Moving on to figures 9a and 9b Parker explained that 9a is missing some data, and contains other data that is not a topic in the Conservation Element (e.g. faults). Graves notes that it would be beneficial to know the source of the maps. Parker advised that Streamline created the map based on data from the County GIS, and also digitized data from previous Trinidad plans and reports.

Public Comment

Do. Cox (436 Ocean) advised that the online maps are not the same as those that the Commission are reviewing. Cox added that the spelling of McConnahas Mill Creek needs to be updated, because it does not include an 's.'

Commissioner Discussion

Continuing with Figure 9b, Planner Parker advised that this figure is intended to be geared toward representing soil limitations, but it needs updating. Parker noted that the recent NRCS soil survey data was not fully available at the time, and she is not sure where the other dataset came from.

Johnson advised for Figures 9a and 9b, it would be beneficial to be able to zoom in in order to view specific parcels.

Stockness wanted to discuss Figure 10 and trail signage. Johnson suggests keeping the numbering for trail markers, in case one goes missing. Johnson also noted there is no longer a Chamber of Commerce kiosk, so the trail information is no longer readily available. Stockness suggested that the Lighthouse be included on the map; people often look for it. Parker noted that it may not be in its final location.

VI. COUNCIL REPORT

There is a brief discussion regarding the City Manager's staff report stating that flows on Luffenholtz were getting near the point that the City may have to reduce its intake. Parker noted that the gage is new and may need better calibration, since it is not a dry year.

VII. STAFF REPORT

Parker advised that there is not anything new to report, and her current priority is the general plan update. Parker noted that the Coastal Commission approved the CalFire LCP amendment with modifications, thus it will be brought to the Council. Parker also noted that the NEPA Environmental Assessment for the Rancheria hotel is publically available.

Based on comments regarding the number of conditions included on the Wilson project, Parker asked if the Commission would like more of those requirements requirement completed before a project goes to hearing. She noted that it could slow down projects, but Trinidad processes applications much more quickly than most jurisdictions. Graves advised that he just wants assurance that all the conditions are being met after Planning Commission approval.

VIII. FUTURE AGENDA ITEMS

Upcoming permits include raising the tsunami siren and removal of the Fulkerson trees (723 Van Wycke). The general plan will also continue to be on the agenda.

IX. ADJOURNMENT

Meeting was adjourned at 7:45 pm.

Submitted by:
Angela Zetter
Administrative Assistant

Approved by:

Original signed by: _____
John Graves, Chair