

MINUTES OF THE MONTHLY MEETING OF THE
TRINIDAD PLANNING COMMISSION
Wednesday, December 20, 2017

I. CALL TO ORDER/ROLL CALL (6:07pm)

Commissioners Present: Johnson, Graves, Gregory, Stockness
Commissioners Absent: None
Staff: Parker

II. APPROVAL OF MINUTES

November 15, 2017

Commissioner Johnson asks about the validity of the statement, as an item from the floor during the last meeting, that it is not legal to have someone other than City staff take minutes at the meetings. Planner Parker responded that, to her knowledge, the assertion is incorrect. Johnson also clarifies that he and Commissioner Stockness are not eligible to serve as chair, only as long as there are others on the Commission who have not so served.

Motion (Graves/Johnson) to approve the minutes as corrected.

Passed unanimously (4-0).

III. APPROVAL OF AGENDA

Motion (Graves/Stockness) to approve the agenda.

Passed unanimously (4-0).

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

1. Frame 2017-05: Design Review, Variance and Coastal Development Permit to convert the existing kitchen/dining area, which was originally a garage, back into a garage and therapy room. The project also includes the addition of a new kitchen/dining area to the back of the residence and a small addition to the front of the garage that will encroach into the front yard setback (343 sq. ft. total in additions). The roofline will increase by approximately 12 inches, but the structure will remain single-story. No increase in the number of bedrooms is proposed. Located at: 770 Underwood Drive; APN: 042-031-16.

Parker summarizes the information in the staff report. She explains the scope of the project and its consistency with the City's zoning regulations. It is a fairly modest and straightforward project except for the variance being requested, which is difficult to grant. The variance is needed in order to allow the proposed garage addition at the front of the house to extend into the front yard setback up to three feet. The purpose of the request is to allow space for a therapy room and a garage, which are both

necessary to accommodate a disability of one of the occupants. Planner Parker explains that jurisdictions are required to make "reasonable accommodation" in building and zoning codes for disabilities. Trinidad's ordinance does not have process for allowing exceptions other than a variance.

Commissioner Comments/Questions

Commissioner Graves asks whether the nonconforming lot size affects the proposed development. Planner Parker responds in the negative. She explains that undersized lots are very common in Trinidad, and the zoning regulations allow them to be developed consistent with other requirements. Commissioner Graves also asks Parker to go through the Variance findings in detail, which she does.

Commissioner Johnson requests clarification as to the two issues of nonconformance on the property. Planner Parker responds that in addition to the lot being somewhat under the minimum lot size, the property is also nonconforming as to parking spaces. She explains that, while the driveway is physically long enough to accommodate two vehicles, only one space is actually located on the property. The driveway will be shortened by a few feet, but will still accommodate one legal parking space on the property; therefore, the degree of nonconformity will not be increased, which is the standard of review included in the zoning ordinance. In addition, a garage space is being added.

Commissioner Johnson then asks for additional information regarding compliance of the property's septic system with the City's OWTS regulations. Parker responds that the system is old, and undersized, but is a standard system (tank and leachline) and is functioning fine. Because the project does not increase the number of bedrooms, or encroach on the OWTS, upgrades aren't required other than identification of a suitable reserve area. Commissioner Johnson also gets clarification on some aspects of the site plan, including the property lines and setback lines.

Commissioner Johnson asks the agent, S. Atkins, whether there will be any utilities installed in the therapy room. S. Atkins responds that there will be no sink or fixed equipment and points out that there is no exterior access to that room. The location of the washer and dryer is also discussed.

Commissioner Stockness asks if the sunroom and windows along the front of the house are staying the same. S. Atkins states that the sunroom will remain as is, other than some interior work, but that the windows on the west side will be replaced with a garage door. Stockness compliments the existing landscaping and asks if it will remain. S. Atkins responds that the landscaping was one of the reasons for purchasing the property and that the owner intends to keep, and likely enhance it. Stockness expresses a concern over the lack of parking. Parker notes that if the driveway were widened by four feet, it could accommodate two parking spaces, and

this could be added as a condition of approval if the Commission feels that is warranted.

Commissioner Graves opines that the City's zoning ordinance needs to be amended to codify allowances or exceptions for accessibility in order to eliminate the need for a variance. Commissioner Johnson agrees and requests that staff include that as part of the current Local Coastal Program update that is in progress.

Commissioner Graves wonders if the Commission should include a condition to restrict the conversion of this house to a Short-Term Rental. Commissioner Johnson states that it probably isn't necessary, because the new STR ordinance caps the number of STRs in residential zones.

Public Comment

D. Bruce (780 Underwood) is a next door neighbor, and is in support of the project. He states that the unusual circumstances justify granting of a variance, including the disability and the curvature of the road, which makes adding onto the front of the house difficult.

Commissioner Discussion

Commissioner Graves reiterates his concerns with some of the nonconformance issues on the property, but is in agreement with the findings and conditions of approval presented in the staff report.

Action

Motion (Graves, Gregory) Based on application materials, information and findings in the staff report, and based on public testimony, I move to adopt the information and findings in the staff report and approve the project as submitted in the application, as described in this staff report, and as conditioned therein. Passed unanimously (4-0).

VI. COUNCIL REPORT

Commissioner Johnson, who attended the meeting, reported that a letter from the City to the County regarding development in the Luffenholtz Creek watershed was pulled from the consent calendar, as was a letter regarding cannabis permits within the City's Planning Area. He noted that a new Mayor was chosen—S. Rotwein—and that D. Miller would be Mayor Pro Tem. The City Engineer gave a presentation on street repair priorities. A new contract for the City Manager was approved. And the Civic Club's request for a waiver of fees was pulled from the agenda at the request of the Civic Club.

VII. STAFF REPORT

Planner Parker provided an update as to the current status of the Trinidad Memorial Lighthouse move. She also explained that detached living space policy was not on the

agenda, because she had given priority to getting some work done on the general plan update and the Van Wycke Trail repair CEQA document. Commissioner Graves suggested that Planner Parker contact Cities that regulate detached living spaces to find out how well their regulations were working.

VIII. FUTURE AGENDA ITEMS

There were no future agenda items requested.

IX. ADJOURNMENT

The meeting was adjourned at 7:05

Submitted by:

Trever Parker

Interim Secretary to Planning Commission

Approved by:

Diane Stockness

Acting Planning Commission Chair