

**MINUTES OF THE 16 MAY 2007
TRINIDAD PLANNING COMMISSION MEETING**

I. ROLL CALL

Chairman Morgan called the meeting to order. Commissioners in attendance were Johnson, Lake, and Morgan. Kenny and Rowe were absent. Council Liaison Bhardwaj was in attendance. Parker and Bedard represented staff in attendance.

II. APPROVAL OF MINUTES – April 18, 2007

Johnson clarified that the OWTS Ordinance and Appendices were to be revised as the Planning Commission suggested and then transmitted to the City Council. Commissioner Johnson made the motion to accept the minutes as amended. Lake seconded. Motion approved 3-0.

III. APPROVAL OF AGENDA

No changes were made to the agenda.

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

PLANNING COMMISSION DISCUSSION / ACTION / PUBLIC HEARING ITEMS

1. Humboldt County Public Works 2007-02: Design Review, Grading Permit and Coastal Development Permit for safety improvements along Scenic Drive, including resurfacing, realignment, bank stabilization and stormwater runoff improvements. Located within Scenic Drive right-of-way, from approx. 400 feet north of McConnahas Mill Creek, south to the City limits (approx. 900 feet). (Note that the project continues south for another 1,200 feet outside of City limits.)

Parker began by summarizing the project. The purposes of the project are to rehabilitate Scenic Drive to improve drainage, bank stabilization and improve road conditions. The goals propose to improve road safety, reduce erosion and sediment runoff to the coast. The project primarily consists of engineering aspects as opposed to design review. The project requires a grading and encroachment permit. The project will take place at a few different site locations all within the Scenic Drive right-of-way; the first three sites are within the City limits. Parker noted that in the staff report under proposed conditions (page 7), number one should be removed, because government agencies are exempt from permit fees.

Commissioner Johnson had a few questions of staff for clarification. Johnson asked if the recommendation by the City Engineer to have the County include in their plans to replace 650 feet of the City's water main serving the Rancheria (page 3 of the staff report) has been agreed to in the plan. Parker stated that it is unclear as it was made as a recommendation and not a requirement. Johnson requested for follow up

as to whether this recommendation will take place as part of the project. Parker stated that the City Engineer will follow up on that request. Johnson requested staff to briefly review the April 16 memo from the City Engineer. Johnson stated that this project will involve working on the road prism within the creek corridor and asked Parker to clarify the condition regarding the preservation of riparian habitats within 100 feet of a creek (page 8). Parker stated the area to be protected includes riparian areas that are outside of the road right-of-way and that this clarification would be added to the condition.

Johnson stated that when reading through the project description the size and specific location of the retaining walls are unclear. Upon first reviewing one might think that the retaining wall will be located above the grade level on the ocean side of the road. Parker clarified that the retaining wall is to be located on the upslope side and will not interfere with the ocean views.

Motion: Lake made the following motion: Based on the information submitted in the application included in the staff report and public testimony, I move to adopt the information and findings in this staff report and recommend approval of the project as conditioned. Johnson seconded. Motion carried unanimously 3-0.

2. Chevron 2007-01: Design Review and Coastal Development Permit to repaint building, install new sign faces, new canopy fascias, one with backlighting, install new pump valances, remove existing 'flag' price sign and install a new 'monument' price sign in a different location. In addition, review of several existing signs placed without approval will occur. Trinidad Chevron Station (at the intersection of Patrick's Point Drive and Main Street); APN: 042-051-30 **Continued from the March and April meetings. As the applicant can not be at this May meeting, the hearing will be again continued to the next (June) meeting.**

Per the previous request by the Planning Commission Parker, submitted additional documents regarding prior Planning Commission discussions regarding the Chevron Station. Parker briefly summarized the additional materials she provided to the Planning Commission. The materials only included official documents (as opposed to letters written by individual citizens). They included reports by the Gateway Committee and staff, minutes from Planning Commission hearings and discussions and letters written by the Planning Commission. Parker mentioned that the owner had submitted an additional proposal as part of the current application that included the replacement of the large sign with a smaller and shorter sign, but that it would still require a variance and would not be done at the applicant's expense. Morgan stated that as the City originally approved this particular sign that the City should help pay the cost to satisfy the desire to have it removed and/or changed.

Commissioner Johnson stated that in general he is concerned that the Sign Ordinance is not enforced by the City and feels that it should be known that the City will enforce the Sign Regulations. Johnson clarified that the 70 foot sign was not part of the original permit application (2007-01). Johnson suggested that this issue may

warrant time of the City Attorney to investigate the Sign Ordinance and advise the City of various options. The commission agreed that the newly hired City Attorney should be directed to investigate the sign ordinance and advise the City of the various options available.

3. Discussion regarding Accessory Dwelling Units (ADU) including a review of current City Zoning Ordinance requirements, State Law and a sample ordinance.

Parker summarized the current Trinidad regulations and the newer State regulations regarding second units (accessory dwelling units, or ADUs). She provided Blue Lake's ordinance as an example of one that is strict but meets State requirements. Morgan stated that he is in favor of the preparation and implementation of a second unit ordinance and would like to see second units permitted in an appropriate manner that encourages compliance. Discussion centered on second units and how septic systems will be addressed. Lake questioned how a second unit ordinance would affect small units without area to expand the leachfield and upgrade system. Johnson stated that the new OWTS Ordinance is performance based not design based and so would complement a new ADU ordinance. Johnson and Parker suggested that the OWTS Ordinance and a second unit ordinance remain separate.

Morgan stated that the issue was put on the agenda to start discussion and possible preparation of a supporting ordinance. Morgan asked Parker how to proceed. Parker stated that the Planning Commission should direct staff to study other ordinances as examples and start drafting an ordinance. Council Liaison Bhardwaj added to the discussion that she had recently attended a workshop put on by the CA Dept. of Housing and Community Development. At that workshop, it was presented that money could be available through a community housing fund to draft such an ordinance or help with added infrastructure costs to accommodate the ADUs. The organization encourages housing infill and a staff specialist she spoke with indicated a willingness to work with the City to help with the process. Morgan requested staff to put together a draft ordinance for Council review in a month or two.

4. Discussion regarding planning budget and potential projects for next fiscal year

Parker summarized the draft potential planning projects budget she prepared. She explained that the list includes all the issues and projects that have come up in the past few years that the Planning Commission indicated a desire to work on. Categories included General Plan, Zoning Ordinance, OWTS Ordinance, Enforcement, Miscellaneous Planning, Permit Fees/Full Cost Recovery for Planning Projects, City Projects, the Great Unknown, and Coding System. Parker added that updating the City website is another item that should be budgeted for. Vacation rentals was another issue that was brought up. Morgan recommended to Liaison Bhardwaj that the Council review budget, including vacation rentals and City website. Johnson stated that realistically the budget should be prioritized to include just a few projects. He added that there is little point to outline a budget for all projects if financial and staff resources don't exist. Parker clarified that the proposed

planning projects does not equal real available time and that essentially these are items to prioritize. Brief discussions were held about the general categories and discussing ideas for prioritizing. Commissioner Johnson asked how the time frame of budget money carries out what happens to money not spent during the fiscal year. Parker clarified that money set aside for specific projects and not used during the fiscal year would then be allocated as part of the budget for the next fiscal year. Council Liaison Bhardwaj stated that the next joint budget session is next Monday (May 21) from 2:00 - 4:00 p.m. Further budget discussions will continue through June.

VI. **STAFF REPORT**

None

VII. **LIAISON REPORT**

- Final copies of the Management Plan are available at City Hall.
- The Council is in the process of interviewing and hiring a new City Attorney.

VIII. **ADJOURNMENT**

Commissioner Lake made motion to adjourn. Johnson seconded. The meeting was adjourned at 9:58 p.m.

Respectfully Submitted by: Michelle Bedard, Assistant City Planner
Secretary to the Planning Commission
City of Trinidad