

Filed: September 23, 2011
Staff: Trever Parker
Staff Report: October 7, 2011
Commission Hearing Date: October 19, 2011
Commission Recommendation:
City Council Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2011-05

APPLICANT (S): Susan Golledge-Rotwein

PROPERTY OWNER: Zach & Susan Rotwein

PROJECT LOCATION: 54 North Westhaven Dr.

PROJECT DESCRIPTION: Design Review, Use Permit, Height Variance and Coastal Development Permit to construct a 2,992 sq. ft., 28 ft. tall pole barn / gear shed for a commercial fishing business on a 1.7 acre lot that is currently developed with 2 single-family residences. The Variance is required to exceed the zone's 25 ft. height limit.

ASSESSOR'S PARCEL NUMBER: 515-331-11

ZONING: PD – Planned Development

GENERAL PLAN DESIGNATION: PD – Planned Development

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15303 of the CEQA Guidelines exempting new construction of small structures.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project is ~~is~~ / **is not** X appealable to the Coastal Commission per the City's certified LCP, but may be appealable per Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The property is located on the northern end of North Westhaven Drive, the third parcel east of the intersection of U.S. Highway 101 and North Westhaven Drive. Access to the property is from North Westhaven Drive through a fence and up a northbound driveway. The parcels to the east and west are also zoned PD-Planned Development with existing residences. Directly behind, and uphill from, the property are SR-Suburban Residential parcels. The parcel across the street is zoned VS-Visitor Services and contains an RV park. At present, the 1.67 acre lot accommodates a 728 ft² house on the southeastern quadrangle of the property and two-story 1650 ft² house on an approximately 800 ft² footprint northeast of the other residence. Six off-street parking spaces are provided on the site – three allocated for each residence. The southwest portion of the property provides a staging area for a commercial crabbing operation. The northern and majority portion of the property has a 6% slope; where the building is proposed is approximately 2% slope. There is an existing septic system on the property located on the northwester portion of the property that serves both residences.

STAFF COMMENTS:

All uses in the Planned Development (PD) Zone require a Use Permit, including any change in use or new structures (§17.36.020). Further, §17.36.080 requires all uses in the PD Zone to be approved by the City Council. Therefore the Planning Commission approval of this use permit should be in the form of a recommendation to the Council as worded in the sample motion towards the end of this document. However, only the use permit portion of the project requires City Council approval, and so Planning Commission approval on the Variance and Design Review is final (unless an appeal is filed). Because a new structure is proposed, Zoning Ordinance §17.56.160 requires Design Review approval. Because the proposed structure exceeds the zone's maximum height limit, a Variance is also required. The application materials show the project location, the site plan and an elevation of the proposed structure.

I was not familiar with the term 'pole barn', so in case you are not either, here is what Wikipedia has to say: *"A pole barn in North America is a barn that is essentially a roof extended over a series of poles. They are generally rectangular and do not require exterior walls. The roof is supported by the poles, which make up the perimeter of the barn. Walls may be added to pole barns but are not required for structural integrity. The roof can be gabled or hooped. Pole barns are often used for hay storage or livestock shelter, and larger structures are also used for indoor horse stables and riding arenas. This type of barn is not only very common in modern agriculture but is also used for other applications where large spaces are needed, including boat and truck storage, warehouses, strip malls, retail stores, public exhibit buildings at a fairgrounds, and related uses. Residential garages are also built as pole barns because of their quick construction time and efficient use of materials."*

Potential Conflicts of Interest

Commissioner Rotwein resides on the property and is related to the applicant, so there would be an assumed conflict of interest in accordance with the Fair Political Practices Act. She will need to recuse herself from the discussion and will not be able to vote on the project.

ZONING ORDINANCE/GENERAL PLAN CONSISTENCY

The property where the project is located is zoned PD – Planned Development. The purpose of this Zone is to provide flexibility when considering what type of development should be permitted. These sites are suitable for one or more types of uses so long as the design of new development is particularly sensitive to the surrounding area. This zone allows for the development of personal services, professional offices and some limited commercial uses. The proposed use of the site as a residence (or two) with a commercial crabbing gear shed is consistent with these allowable uses.

The Zoning Ordinance (§17.36.020) defines the established purpose of the planned development (PD) zone as *“either residential areas where limited commercial activity may be appropriate, subject to special integrating design, or they are areas where design flexibility is needed to adapt appropriate uses to the site and to surrounding uses. Limited commercial uses, including visitor accommodations, visitor services, recreational uses, offices, gift shops and personal services may be appropriate.”*

The project area is used as residential property and the applicants plan on building a pole-barn storage structure. The proposed structure could be considered an (§17.08.690) accessory structure, because it is accessory to a commercial business. An accessory structure means a detached building or structure, other than a sign, the use of which is accessory to the use of the lot. The primary use of the lot is for residential purposes. This barn will be used for gear storage, and the use will be incidental to the primary use of the premises, and not alter or change the character of the premises. The support of a commercial crabbing business by providing storage would also meet the requirements of a Home Occupation per §17.56.060. Regardless of the classification of the proposed structure (whether it is accessory or primary), the regulations and standards that apply to it do not change (e.g. setbacks, height requirements, etc.).

PD Zone Requirements

The minimum lot size in the PD zone depends on the type of project, but the largest minimum is 8,000 ft² (§17.36.030) and the lot in question is 72,745 ft². Maximum density is 8,000 sq. ft. per residential unit, not including any areas dedicated to commercial uses. This lot is plenty large enough to meet these requirements.

Required yards in the PD Zone for this type of project are the same as for the UR (Urban Residential) zone (§17.36.050): front – 20 ft.; rear – 15 ft.; and side – 5 ft. The required yards are met by the existing buildings as shown on the site plan of the proposed building. The proposed barn will have front – 20 ft.; rear – 187 ft.; and side – 6 ft. Section 17.36.050 also states that the minimum yard between buildings shall be equal to the height of the

higher building. The distance between the barn and the nearest building on the site—the 728 ft² residence—is 80 ft, which complies, since the two-story barn is 28 feet tall. Architectural features such as eaves are allowed to extend up to 3 ft. into a required side yard, and the proposed structure also meets this requirement.

At 28 feet tall, the building does not comply with the PD zone’s maximum building height of 25 ft and therefore requires a variance.

Zoning Ordinance §17.36.070 deals with open space requirements for lots with dwelling units, and with the available open space to dwelling unit square foot ratio, the project is in compliance. In addition, the applicant has complied with the application requirements set forth in §17.36.080 that are applicable to this project.

Parking in the PD Zone is regulated by Zoning Ordinance §17.56.180.B(8). The project site currently includes two residences with parking that exceeds minimum requirements, and no additional parking is required for the storage barn.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Recommended Design Review / View Preservation Findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: The proposed barn will be located on the flattest area of the property with a 2% grade, which will require a minimal amount of grading. The building will utilize poles for support, which also minimizes the amount of necessary ground disturbance.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project site is not adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building’s natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: The barn will be a ‘natural’ color and composed of T-III siding. The design has been chosen for its simplicity and economy.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in*

developed areas. Attractive vegetation common to the area shall be used. Response: The barn will be positioned next to an existing redwood tree and no trees will be removed with this project. The site is already landscaped, and there will not be changes made to the surrounding structures or existing landscaping.

- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No signs are proposed as part of this project.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: Overhead utilities exist from the street to the southern residence. Underground utilities exist from the street to the northern residence. New overhead utilities are proposed to be routed from the southern residence to the proposed barn. As viewed from the street, the new overhead utilities will be behind and follow a similar line as the existing overhead utilities. Because of the size and orientation of the property, the new overhead lines will not be readily visible.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are proposed as part of this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.* Response: The proposed barn is an accessory structure supporting a commercial business; it is less than the 4,000 sq. ft. maximum guideline for commercial structures at 2,992 ft². Also, the proposed structure will not be readily visible except from immediately adjacent to the site and does not have the potential to block views. The City also uses a 25% floor-to-area ration, which due to the size of the lot, would allow a much larger structure.
 2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.* Response: The property already contains two dwelling units which are relatively small and spaced well apart from each other. Similarly, the proposed barn is a stand-alone structure located away from the other buildings that preserves the open space and character of the lot.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: This project is not visible from open space areas.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The project, due to its location, does not have the potential to significantly block views.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility: and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: The project is not located in an SR or UR zone.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: Although close, the proposed project is not within 100 feet of the Tsurai Study Area, Holy Trinity Church, the Memorial Lighthouse or the Cemetery.

USE PERMIT FINDINGS:

The property where this project is located is zoned PD – Planned Development. All uses allowed in the PD zone require approval of a use permit by the Planning Commission and City Council. The findings required for issuing a use permit (Section 17.72.040) are included below. Responses are written in a manner to allow approval. However, if

information is presented at the meeting that conflicts with the findings, they should be reworded accordingly.

A. *The proposed use at the site and intensity contemplated and the proposed location will provide a development that is necessary or desirable for and compatible with the neighborhood or the community.* Response: The area where the storage barn will be located is already utilized as a staging area for the commercial crabbing business. The property is zoned for mixed commercial and residential use, and the existing neighborhood already consists of a mix of uses.

B. *Such use, as proposed, will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property improvements or potential development in the vicinity with respect to aspects including but not limited to the following:*

1. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;* Response: The area where the storage barn will be located is already utilized as a staging area for the commercial crabbing business. There is ample room on the property to accommodate the proposed structure. The structure will be built to requirements and standards of the current building code.

2. *The accessibility of the traffic patterns for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;* Response: The area where the storage barn will be located is already utilized as a staging area for the commercial crabbing business. Access to the site is already established. The proposed structure will not generate additional traffic. The arrangement of parking and access will not be altered from previous uses. There is adequate parking on-site.

3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;* Response: The area where the storage barn will be located is already utilized as a staging area for the commercial crabbing business. No proposed activity will emit noise, glare, dust or odor except construction, which will be completed according to applicable codes and regulations. The pole barn may reduce existing occurrence of such emissions by moving equipment inside a building.

4. *Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs.* Response: No changes to the aforementioned categories are proposed.

C. *That such use or feature as proposed will comply with the applicable provisions of this title, will be consistent with the policies and programs of the general plan and will assist in carrying out and be in conformity with the Trinidad coastal program.* Response: As discussed above, under the "Zoning Ordinance / General Plan Consistency" section,

the proposed project can be found to be consistent with the City's Zoning Ordinance, General Plan and Local Coastal Program. The building height will be in compliance with the zoning ordinance requirements, either through the granting of a Variance or an alternate design.

- D. *That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment.* Response: There will be no significant adverse environmental impact. The project is categorically exempt from CEQA per §15303 of the CEQA Guidelines exempting construction of small structures.
- E. *When the subject property is located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:* Response: The property is not located between the sea and the first public road or within 300 ft. of a beach.

VARIANCE FINDINGS

Because the 28-foot height of the proposed barn will not comply with Zoning Ordinance §17.36.060, Variance findings need to be made in order to approve this project. Govt. Code Section 65906 defines certain limitations to granting a variance. One such provision limits consideration to natural, physical conditions of the property where application of the general regulations would be confiscatory or produce unique hardship to the property owner. City staff, State Law and the Courts have all taken a strict interpretation of Variance provisions, generally only recommending them for severely, physically limited properties. In order to avoid setting precedence, staff does not normally recommend approval of variances, regardless of their nature or impact, when the owner has alternative options, even though those options may be less desirable, and when there are viable use(s) available on the lot. The Planning Commission should evaluate whether the required findings can be made to approve this project. Responses to the required findings have mostly been provided by the applicant. The following is an explanation of variances from the *California Planning Guide* put out by the Governor's Office of Planning and Research:

"A variance is a limited waiver of development standards allowed by the zoning ordinance. It may be granted, after a public hearing, in special cases where: (1) strict application of the zoning regulations would deprive property of the uses enjoyed by nearby lands in the same zone; and (2) restrictions have been imposed to ensure that the variance will not be a grant of special privilege.

"A variance does not permit a use that is not otherwise allowed in that zone (for example, a commercial use may not be approved in a residential zone by variance). Economic hardship alone is not sufficient justification for approval of a variance. Typically, variances are considered when the physical characteristics of the

property make it difficult to use. For instance, in a situation where the rear half of a lot is a steep slope, a variance might be approved to allow a house to be built closer to the street than usually allowed.”

Section 17.72.030 of the Trinidad Zoning Ordinance allows that: *A variance may be granted only upon adoption of written findings showing that all of the following conditions are present:”* (emphasis added). The responses below have mostly been provided by the applicant:

A. *That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other properties or uses in the same class or district.* Response: Our Proposed project presents an exceptional and extraordinary circumstance for several reasons. First our property is unique in size and location. Further, the property is located on the eastern side of the 101 freeway. The area is zoned for planned development, intended for commercial, recreational, and other mixed uses, similar to surrounding properties. The property bordering this site on the west side is a duplex, and on the east side is a 2 bedroom home with a large detached barn of similar size and height to our proposed structure. Across the street is a trailer/RV park with structures of various sizes.

The size and location of the property is unique within the city limits, it is almost 2 acres fronting on Westhaven drive. The proposed floor to area ratio, including the proposed development is less than 10% of the property. We have been operating our commercial fishing business on the property for the past 20 years and the proposed development will actually improve the appearance of the property to neighbors and the public by bringing the equipment inside a building.

B. *That owing to such exceptional or extraordinary circumstances the literal enforcement of specific provision of this title would result in the practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property.* Response: Enforcement of the height limitation will constitute a hardship as our intended use is for our commercial fishing business. Practically we intend to store equipment, tools, and other materials for our business. The height is necessary to accommodate a 2 story structure. We believe it is more aesthetically pleasing as well as consistent with other development in our neighborhood to build a 2-story structure rather than increase the overall footprint of the building.

C. *That such variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties.* Response: Granting a variance will not constitute a special privilege as it is necessary for our commercial fishing business and will not impact any view sheds. Additionally the property bordering ours to the east is currently is developed with a barn structure similar in height and scope to our proposed project. Greater building heights are allowed in the Commercial (C) zone without the need for a variance, and this is a commercial structure. These pole barns come in certain sizes, not custom built, which will save significant expense, but the height can not be easily changed.

- D. *That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class or district.* Response: Granting a variance is necessary for our commercial fishing business and will not impact any view sheds. Additionally the property bordering ours to the east is currently is developed with a barn structure similar in height and scope to our proposed project.
- E. *That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvement in the vicinity.* Response: The proposed 3ft. increase in height will not be materially detrimental to the public welfare and will actually improve the appearance of our property to the public as well as adjoining neighbors, as storage of equipment will be consolidated into the proposed 2-story structure rather than a larger, lower one.
- F. *That the granting of such variance will be consistent with the general purpose and intent of this title and will be in conformity with the policies and programs of the general plan and the Trinidad coastal program.* Response: The granting of this variance is consistent with the general purpose and intent of this ordinance and is in conformity with the policies and programs of the General Plan.
- G. *That the variance will not permit a use other than a use permitted in the applicable zoning district.* Response: Granting of a variance will not permit a use other than what is already permitted and allowed for in the general plan and zoning ordinance. Granting of a variance is consistent with the purpose and intent of the general plan in the planned development zone.
- H. *That either the variance will have no significant adverse environmental impact or there are not feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the variance may have on the environment.* Response: Granting of a variance will not cause any adverse environmental effects nor loss of view shed to any surrounding properties. Actually granting of a variance will allow us to enjoy the same level of development as the adjoining properties and the height allows a smaller footprint structure for the same amount of storage.
- I. *When the subject property is located between the sea and the first public road paralleling the sea...* Response: Not applicable.

SLOPE STABILITY:

The project site is not mapped as being unstable or of questionable stability on Plate 3 of the General Plan. The project is located outside of the City's slope stability map for areas mapped "unstable" or "questionable stability" and is also located at the edge but outside of

the Alquist-Priolo Fault Zone. Therefore, the finding can be made that no geologic study is required by the Zoning Ordinance.

SEWAGE DISPOSAL:

The proposed structure will not affect the existing system and will not increase sewage flows or require connection to a septic system.

LANDSCAPING AND FENCING:

This project does not involve any new landscaping or fencing. It is proposed to retain all existing trees on site.

STAFF RECOMMENDATION

The approval of this project requires several different motions. Because approval of the Variance can affect the ability to approve the other aspects of this project tonight or the required conditions, I have listed that one first.

Variance

Based on the above analysis, the proposed project can be found to meet the Design Review / View Protection, Use Permit requirements, sewage disposal and other requirements. However, because of the Variance request, the project by definition does not meet all the provisions of the Zoning Ordinance and General Plan. There are not non-man-made physical limitations on this lot that prohibit development. There are existing viable uses on the lot and there are alternatives for meeting the height requirement, which support that a Variance is not necessary and limits the findings that can be made. A condition of approval has been included in this staff report that the building must meet the 25 ft. height limitation, which would eliminate the need for the variance. Because of the legal limitations explained above, staff does not generally recommend approval of variances. Remember that in disapproving a project, it should be documented which of the findings specifically can not be made. If the Planning Commission agrees with staff's analysis, the proposed motion might be similar to the following:

Based on the information submitted in the application included in the staff report and public testimony, I find that Variance findings _____ and / or _____ can not be made because the use is not limited because of the natural, physical characteristics of the property, the owner has other options, and / or has an existing viable use of the property, and I move to deny the variance.

If the Commission does not agree with staff's analysis, feels the findings can be made, or if the public presents evidence that conflicts with the information contained in this staff report, the Commission may choose to approve the Variance. If the Commission does decide to approve the project, the approval should be based on being able to make all the findings, including specific aspects of this project that would not normally apply to other

projects in order to avoid setting precedence. Also if the Variance is approved, the condition requiring the building to meet the 25 ft. height limitation should be removed.

Based on application material, information and findings included in this Staff Report, and based on public testimony, I move to adopt the information and required findings in this staff report and approve the Variance as requested and as conditioned in this staff report.

Design Review

Based on the above analysis, the project can be found to be consistent with the City's Zoning Ordinance and General Plan and other policies and regulations, and the necessary findings for granting approval of the project can be made. If the Planning Commission agrees with staff's analysis, the proposed motion might be similar to the following:

Based on application materials, information and findings included in this Staff Report, and based on public testimony, I move to adopt the information and required Design Review and View Protection findings in this staff report and approve the pole barn as proposed and as conditioned in this staff report.

Use Permit

Based on the above analysis, and as conditioned below, the proposed Use Permit can be found to be consistent with the City's General Plan and Zoning Ordinance. If the Planning Commission agrees with staff's analysis, the proposed motion might be similar to the following:

Based on the information submitted in the application, included in the staff report and public testimony, I move to adopt the information and Conditional Use Permit findings in this staff report and recommend approval of the Use Permit to the City Council as conditioned in this staff report.

PLANNING COMMISSION ALTERNATIVES

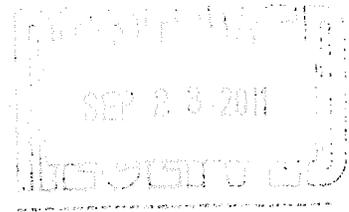
If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

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

CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: Building Official prior to building permits being issued.*
2. Based on the findings that community values may change in a year's time, approval of this Design Review and Use Permit is for a one-year period starting at the effective date and expiring thereafter unless the project has been completed or an extension is requested from the Planning Commission prior to that time. *Responsibility: Building Official prior to building permits being issued.*
3. Construction related activities are to occur in a manner that will not impact the integrity of the septic system. The leachfield area shall be staked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the contractor. If the existing system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The contractor will be required to file a mitigation report for approval by the City and County Health Department prior to permitting additional work to occur. *Responsibility: Building Official to verify prior to building permits being issued and during construction.*
4. Recommended conditions of the City Building Official shall be required to be met as part of the building permit application submittal. Grading, drainage and street improvements will need to be specifically addressed at the time of building permit application. *Responsibility: Building Official prior to building permits being issued.*
5. Construction related activities are to occur in a manner that incorporates storm water runoff and erosion control measures in order to protect water quality considerations near the bluffs. Specific water quality goals include, but are not limited to:
 - a. Limiting sediment loss resulting from construction
 - b. Limiting the extent and duration of land disturbing activities
 - c. Replacing vegetation as soon as possible
 - d. Maintaining natural drainage conditions*Responsibility: Building Official to confirm at time building permits are issued.*
6. The pole-barn / building must not be taller than 25 ft. from the average ground elevation under the building. *Responsibility: Building Official to verify prior to building permits being issued and during construction.*

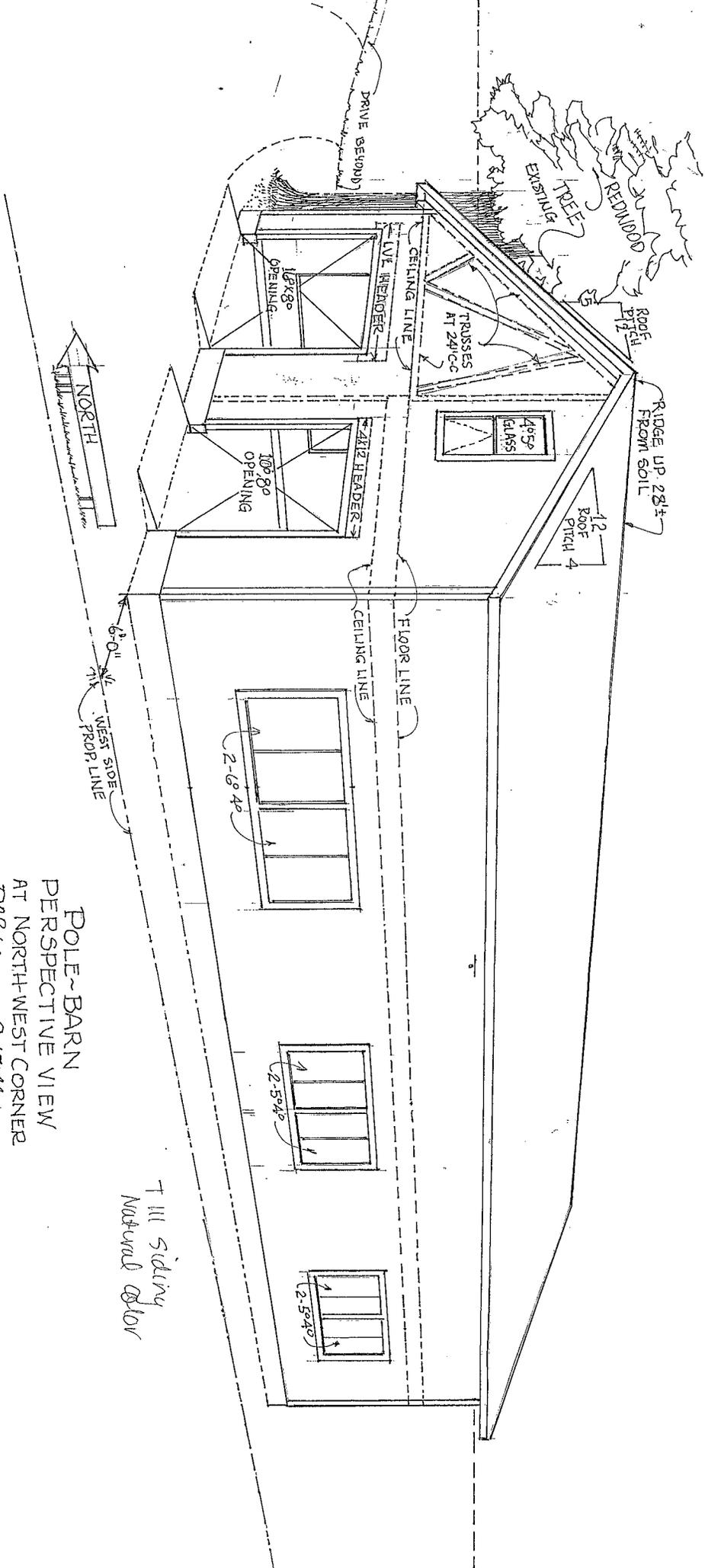
Applicant : Susan Golledge-Rotwein
54 North Westhaven Dr.
Trinidad, CA. 95570



AP#: 515-331-11

Project Description: Construct a Barn/Gear shed
for Commercial Fishing Business.

The project is located on the southwest corner of the property fronting on Westhaven Dr. The total lot size is 1.67 acres, currently developed with 2 homes, one with a foot print of 728 sq ft., the other with a foot print of 800 sq ft.



POLE BARN
 PERSPECTIVE VIEW
 AT NORTH-WEST CORNER
 DAB/bw, 9-17-11

7 1/2" siding
 Natural color

RECEIVED
 SEP 23 2011
 ARCHITECTURAL DEPARTMENT

