

**MINUTES OF THE REGULARLY SCHEDULED MONTHLY MEETING OF THE**  
**TRINIDAD PLANNING COMMISSION**  
**WEDNESDAY, JULY 20, 2011**

**I. CALL TO ORDER/ROLL CALL (6:04pm)**

Commissioners Present: Becker, Johnson, Pinske, Vanderpool, Rotwein  
Commissioners Absent:  
Staff: Planner Parker, Caldwell

Commissioner Johnson introduces two new Planning Commissioners: Mike Pinske & Grace Rotwein.

Commissioner Johnson also publicly thanks Jennifer Fraser for her 2 ½ years of public service on the Trinidad Planning Commission.

**II. APPROVAL OF MINUTES**

*June 6, 2011*

Page 4/4: Change sentences to:

“Planner Parker will find research methods to *address that issue*, such as signage.”

“The City Council *would like* the fish banner to be placed on light poles...”

Page 2/4: Modify sentence to: “M. Reinman would like noise and quiet hours *specified*.”

Page 4/4: Commissioner Johnson notes that the City Council did not have the first reading to *appoint* more than one Planning Commissioner that lives outside City limits.

Three Planning Commissioners or a majority present at the recorded meeting are needed to vote to approve minutes. Note that with the change of persons on the Commission, the June 2011 minutes will never have a quorum.

**III. APPROVAL OF AGENDA**

***Motion (Becker/Pinske) to approve.***

***Passed unanimously.***

**IV. ITEMS FROM THE FLOOR**

S. Binnie (487 View Ave) requests an update on the tsunami siren.

Planner Parker reports that the Building Inspector and City Staff were at the siren test. The siren's decibel level is too loud for its proximity to the vacation rentals, Seascape Restaurant and trails, so they're looking into solutions.

**V. AGENDA ITEMS**

1. **Comments on the Trinidad Rancheria draft Comprehensive Community-based Plan and Integrated Development Standards:** Consideration of input and comments to provide to the Rancheria during the comment period for these draft documents.

Commissioner Johnson makes a disclosure statement stating that he lives outside City limits and borders the Rancheria property, and his comments should be treated as those from the public.

Staff introduces the Trinidad Rancheria draft Comprehensive Community-based Plan and Integrated Development Standards. She is not sure if the City Council will have time to comment. She surmises that this is being presented now because the Rancheria got a grant to do a planning study.

The Commission and Planner Parker discuss the enormity and complexity of the project, with the main limitation being the interchange. Planner Parker states that probably the Bureau of Indian Affairs, CalTrans and federal money will fund the interchange, but that it's too early to say.

The Commission is concerned with the short comment period and is disappointed that a Trinidad Rancheria representative is not present to answer questions.

#### *Public Comment*

- Several people spoke to the fact that they live in Trinidad due to its existing uncrowded atmosphere and that the large-scale developments proposed in these documents would have potentially significant impacts on the character of the community
- Developments are out of scale with the existing and surrounding community
- The proposed new development will not enhance and is not in harmony with existing development
- Problem with public tax dollars being spent to fund (or pave the way for) commercial development projects like the interchange
- Clarification about the procedural and regulatory requirements was requested
- Should some of these projects be implemented, it may open the door for additional development in the future
- Concern existed over the short amount of time provided to review such important documents
- Rancheria should give more consideration to the surrounding community and residents in its planning
- Several comments addressed the lack of analysis, science and feasibility studies for the proposals in these documents
- There needs to be mutual respect in both directions, and this does not seem to give neighboring jurisdictions due consideration
- Request additional information regarding the status and timeline of the development projects proposed in the plan and what procedural steps will have to be taken to get them approved; it would be helpful to have an assumed starting point and provide a timeline from that initial milestone
- How were / are other agencies involved in the Rancheria planning (e.g. CalTrans)
- Rancheria is trying to capitalize and promote Trinidad because it is popular for its character, but the developments proposed will materially alter that character
- This process did not adequately include the general public outside the Rancheria and community meetings were not well publicized
- Request to obtain copies and review the final report for the Hwy 101 interchange design fair held from May 17 to May 21, 2009

#### *Commissioner Comments*

- The development that is proposed is not consistent with the principals of geo-tourism as quoted in the plan
- Plan made it sound like the freeway cut the Rancheria in half, when their understanding is that the Westhaven parcel became part of the Rancheria after the freeway was in place
- Waste management issue should be addressed and studies that show the present facility can be used to such a larger extent

- Concerns were voiced over moving homes and increasing housing
- The Plan is not a complete document, and is missing three whole elements—Energy Element, Resource Management Plan and Watershed Element—which makes it difficult to assess the entire plan
- Though the Rancheria is a sovereign nation, it still has a zone of influence around it that is impacted by actions within the Rancheria, which should be further acknowledged in the Plan
- Related to the above comment, the Plan is narrowly focused on the Rancheria without enough consideration of the community / neighbors that surround it of which it is a part; more coordination between neighboring jurisdictions (the City, County, Westhaven CSD, etc.) with clear and open dialog was suggested, possibly a working group
- Analysis needed of how this plan fits in with County, City and Regional plans (even if the Rancheria is not subject to them)
- These documents are incomplete due to a lack of technical background info, lack of science, and lack of analysis as to why the policies are proposed and what their impacts area
- From a focus group (p. 11) states that “land acquisition becomes an important issue to accommodate all these things...” A statement on p. 12 also suggests land acquisition to provide housing along with policies 1.03.A-2 and 1.03.A-4. However, there is no discussion or analysis of the feasibility of this, where it might occur and what the impacts to the surrounding community may be. It would be helpful to at least explain the process that would be required to add land to the Rancheria.
- Needs a detailed traffic analysis (and others like water, wastewater, public services, noise)
- Any analysis and / or environmental report needs to consider cumulative impacts
- Concern about how far these documents go towards allowing the proposed projects
- Lacks discussion about public services and impacts to those and potential increases in crime and other issues
- There is a statement on p. 10 that the Chevron gas station in Trinidad closes early which forces casino users to go all the way to McKinleyville for gas. This statement is somewhat incorrect as the gas pumps are open 24 hours for card users
- Addition of the interchange will not only alter traffic, but will also increase noise impacts
- Would like more information regarding the statement on p. 23 that the BIA “gave up right-of-way for the new Highway 101, but did not negotiate for direct access on behalf of the Rancheria”; the reference given for this is unclear whether it is a report and whether it is available for public review
- Note that emergency and homeless shelters have been topics of significant controversy for the County in their general plan update, even though it is required by State law. Policy 1.03.A-6 is not clear whether it applies to Rancheria members only or the general public.
- Goal 1.04.D is good, but requires greater integration with the surrounding community as we all share the geographical assets necessary to support tourism development.
- Correction on p. 26, Hwy 299 is not the Smith River Scenic Byway, should be Hwy 199
- What is the relationship between the IRR Program and the Hwy 101 interchange?
- Unclear of initial development occurs

#### Comments on the Harbor Portions

- Concern that proposed new food vendors in the harbor area would be take-out type vendors that will contribute to the existing litter problem there, particularly with the windy conditions and birds; consider the ASBS and litter pollution
- Concerned about any new impervious surfaces in the harbor area that could result in polluted runoff into the Bay and ASBS
- More commercial structures in the harbor area will alter the existing character
- Land use requirements within the City of Trinidad’s jurisdiction need to be coordinated with the City.

- Increased development in the harbor will impact nearby residential neighborhoods
- Concern over the statement that the development standards will take precedence over Trinidad zoning standards, but in the Harbor, it is legally the City standards that dictate development

#### Comments on Integrated Development Standards

- The proposed projects will result in additional water demand, but there is no scientific report evaluating the feasibility of obtaining that water; how will wells or rainwater catchment (which can reduce groundwater storage) affect neighboring wells
- Wastewater can impact drinking water and the ASBS and there is no analysis or background information included with the plans that would allow a realistic assessment of the impacts, including information regarding the existing treatment plant
- Noise impacts and standards are not discussed thoroughly enough; there are noise abatement procedures for Rancheria land, but needs consideration of noise impacts outside
- The above is also true for air and water and other resources without boundaries
- Clarify what the application review process is when other agency approvals are necessary
- The appeal process is unclear as to how the local community outside the Rancheria fits into it
- An application process is included in the design standards, but it is unclear how these projects will be brought forward and who is responsible
- The exemption for projects that do not require any review is unclear (sewer and water) and the 'minor land development' exemption for projects under 5,000 s.f. is too large – a project of that size would have potentially significant impacts on the community
- The appeal process specified in the Standards is not clear as to who can file an appeal and whether it is limited to Rancheria members or whether the general public or the City could also file an appeal.

In addition to the above comments, two letters were read (one from the Tsurai Ancestral Society and one from Kimberly Tays) and submitted to the City for the record.

The Commission asks that further comments be forwarded to the Planning Commission. Commissioner Johnson requests that Planner Parker collect the comments and submit them to the City. Planner Parker agrees to and if the comment period is not extended to when the City Council can comment on the Plan, she will submit comments to the Rancheria and attach the public comments. The City Council should consider submitting comments even if the comment period closes.

## **2. General Plan Update: Continued discussion of the Draft Circulation Element, Figures, Background Reports, General Plan Update**

Planner Parker explains the General Plan to the new Planning Commissioners.

The Planning Commission states concerns about the effects of an interchange and Rancheria development and incorporating those into the General Plan. The Commission asks Planner Parker to help determine where to inject elements to deal with future Rancheria development and/or interchange impacts.

Commissioner Pinske needs a handbook.

Commissioner Becker offers her corrections:

Page 7 –1<sup>st</sup> paragraph, last sentence: replace “kids” with “children.”

Vol 2 – last paragraph, 1<sup>st</sup> sentence: counts *in* 2009.  
Page 8 – 2<sup>nd</sup> paragraph: “data not provide *entire* years worth”  
Page 19, CIRC 7.1: fix sentence about achieving waste diversion, utilizing following criteria...”  
Page 11, CIRC 2.2: vehicles  
Page 26, Water Services, 3<sup>rd</sup> paragraph: “Water system needs...”

The Public Works Director reviewed the water section and approved the policies.

Planner Parker will plan on getting figures edited, removing the strike-through marks, having Winzler & Kelly review the energy element, and will incorporate some ideas from Fortuna’s General Plan.

The Commissioners would like Planner Parker to provide guidance on where to provide policies re: Rancheria development in the Circulation Element and others. Then they will expect to have a final review of the Circulation Element and figures after this.

**VI. CITY COUNCIL REPORT BY A PLANNING COMMISSIONER**

Commissioner Johnson reviews that a Planning Commissioners should attend City Council meetings on a rotational basis for recognition. Planner Parker will be attending the next meeting to report on the OWTS.

At the last meeting, the VDU Ordinance was passed and two new Planning Commissioners were appointed. The City is seeking community members to compile rules and regulations regarding Trinidad Head maintenance and development. The City Council passed a revised Ordinance regarding qualifications of Planning Commissioners. The City elected to sue the City Park architect to recover funds that were supposed to be grant funded, but are not being paid to the City due to paperwork problems.

Note-Monday, July 25 at 6:30pm at the Trinidad City Hall is an update of the Trinidad Pier Replacement Project.

**VII. STAFF REPORT**

The Planning Commission should consider electing a Chair and a Vice Chair. Planner Parker also checked that a 6pm start time was kosher with everyone.

Commissioner Johnson will not be here for the September meeting.

The tsunami siren test showed decibel levels above safe standards. They dialed down the sound but now sound attenuation reaching the beach is not an option. The City is considering placing it higher. The building inspector will write up a report.

**VIII. ADJOURNMENT**

Meeting adjourned at 8:00pm.

**Submitted by:**

**Sarah Caldwell**

Secretary to Planning Commission

**Approved by:**

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**Richard Johnson**

Planning Commission Chair