Posted: February 16, 2024

NOTICE AND CALL OF A MEETING OF THE

TRINIDAD PLANNING COMMISSION

The Trinidad Planning Commission will hold a regularly scheduled monthly meeting on
WEDNESDAY FEBRUARY 21ST, 2024, AT 6:00 P.M.

For your convenience, this meeting will be held in person and via videoconference hosted on the Zoom platform.

PUBLIC COMMENT:
Public comment may be submitted via email in advance of the meeting, or in an orderly process during the meeting. You can email comments before the meeting to asouza@trinidad.ca.gov. Or you can deliver hand-written comments to 409 Trinity Street, or mail them to P.O. Box 390, Trinidad CA, by 2:00 p.m. on the day of the meeting for posting on the City website.

HOW TO PARTICIPATE:
You are invited to participate in person at Trinidad Town Hall or by Zoom.
Join from PC, Mac, Linux, iOS or Android:
https://us06web.zoom.us/j/86047874327?pwd=4fdeOMEeCKupd5GggwNFVoxzrxKzad.1
Password: 379623
To phone in, dial 888-278-0296 (toll free); Conference Code: 685171

Please note that live meeting logistics will be prioritized. Connectivity issues on the part of the City may result in the meeting being delayed or rescheduled but technical challenges experienced by individuals will not interrupt or halt progress of the meeting.

The following items will be discussed:

I. ROLL CALL

II. APPROVAL OF MINUTES – January 17, 2024

III. APPROVAL OF AGENDA

IV. ITEMS FROM THE FLOOR

V. AGENDA ITEMS

Public Hearing / Discussion / Decision / Action

1. Trinidad 2023-03: Update on the temporary closure of the ALMT and progress to-date to reopen the trail.

2. Ewald 2023-01: Design Review, Grading Permit, Use Permit, and a Coastal Development Permit to construct a new 2-story, 3-bedroom, 3,229 sq. ft. residence with a 2-car garage on a vacant lot. The project also includes construction of a new driveway, a new 3-bedroom septic system, and removal of 19 trees to reduce hazards, improve solar efficiency, remove diseased trees, and improve views. Located at: XX Langford Road (# not assigned); APN: 042-141-020.

3. ADU Ordinance: Discussion regarding a draft ADU ordinance. *Continued from the November 15, 2023 meeting.*

VI. COMMISSIONER REPORTS

VII. STAFF REPORT

VIII. FUTURE AGENDA ITEMS

The items listed below have been requested to be on a future Planning Commission agenda and will not be discussed at this meeting. Publication of this list is not required by law, and the list's inclusion on this agenda does not constitute, nor substitute for any noticing requirements. Also, please be aware that this list is subject to change.

- Vegetation regulations
- Signage Master Plan/Sign regulations
- Annexation (added 09/20/23)
- Dealing with cultural resources in project reviews (added 10/18/23)

IX. ADJOURNMENT

The meeting packets can be accessed at the following link:
https://www.trinidad.ca.gov/meetings

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD PLANNING COMMISSION WEDNESDAY, JANUARY 17, 2024

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

Commissioners Present: Cole, Hakenen, Hopkins, Johnson, Slay
Commissioners Absent: None
City Planner Staff: Parker
City Staff: Souza

II. APPROVAL OF MINUTES – November 15, 2023

Commissioner Slay clarified that he did not request traffic calming as a future agenda item (page 8), instead he was commenting that they should anticipate it coming up in the future. ***Motion (Slay/Johnson) to approve the minutes as amended. Passed unanimously (5-0).***

III. APPROVAL OF AGENDA

Commissioner Slay suggests swapping discussion items 1 and 2, since most of the people in attendance are there for the Morrison project. ***Motion (Cole/Slay) to approve the agenda as amended. Passed unanimously (5-0).***

IV. ITEMS FROM THE FLOOR

None.

V. AGENDA ITEMS

Public Hearing/ Discussion/ Decision/ Actions

1. Morrison 2023-08: Coastal Development Permit and Lot Line Adjustment between four parcels, ranging from approximately 16,000 sq. ft. to almost 24,000 sq. ft., resulting in three parcels of 13,475 sq. ft., 15,437 sq. ft., and 49,594 sq. ft. The larger of the resulting parcels is developed with a single-family residence. An onsite wastewater treatment evaluation has been prepared for the other two resulting, vacant parcels. Located at: 855 Underwood Drive; APN: 042-031-034. Trinidad 2023-03: Update on the temporary closure of the ALMT and progress to-date to reopen the trail.

Commissioner Slay recused himself for this item due to living and owning property within 500 feet of the project and the resulting presumption of a financial conflict.

Staff Report

City Planner Parker provided an overview of the project. She elaborated on the City's Subdivision and Zoning Ordinances and noted that the project meets all applicable requirements. She explained that although the property will be going from four parcels to three, the two smaller ones have been designed to be sold. Parker noted that several

neighbors had expressed concern about their views being negatively impacted by future development. She explained that Design Review will come later when development is actually proposed, and she did not recommend putting any conditions on the lot line adjustment limiting future development. She recommended the Planning Commission approve the project as conditioned in the staff report.

Commissioner Comments and Questions
Commissioner Johnson began the discussion with questions about the terms "a basis of bearing" and "California coordinates." Michael O'Hearn, the Surveyor who drew the tentative map for the project, explained these terms to the Commission.

Commissioner Cole asked about the purpose of including the Attorney General's determination regarding conditions. Parker responded that it was in the previous staff report that she used as a template, and she thought it might be helpful if there is a discussion about placing conditions on future development.

Commissioner Hakenen asked for clarification regarding parcel two not having large enough setbacks and whether future development would require a variance. Parker explained that the building envelope is still plenty large enough to accommodate future development and therefore a variance would not be required.

Commissioner Johnson confirmed that, with the current lot configuration, lot 12 (the northernmost of the four) could be sold as-is, and lot 9 (the southernmost) could be sold if the leachfield were moved or an easement granted. Parker confirmed that was true.

Public Comments
Michael O'Hearn (agent) spoke on behalf of the applicant. He provided a little history about the project and that the lot configuration was primarily based on the septic soils testing. He assured the Commission no development is currently planned but suggested that neighbors reach out to whoever buys the properties regarding their view concerns.

Gary Wagner, Trinidad Resident, shared his concerns about possible future development and the potential for view obstruction. He provided photos showing that a single-story home would have fewer impacts than a two-story home. His written comments, including photos, were included with the packet. He wants to make sure the record reflects the neighbors' concerns and comments.

Taylor Lefevre, Trinidad Resident, had similar concerns about view obstruction and potential future development. He noted several important landmarks, including offshore rocks, that are visible from his home. He hopes future development is respectful of the neighbors' views.

Jolene Hassenfritz, the Trustee of the property, explained that the property is in a trust and that the project is designed to provide some value to the trustees, which still keeping the majority of the property in the family. She notes that the family has been a part of the community for many years, and desires to maintain the community character.

Commissioner Discussion
Commissioner Johnson stated that the Planning Commission is sympathetic to view issues and provides examples. He points out that two lots could be sold off even without the Lot Line Adjustment. He assures the public that the Planning Commission will be able to fairly consider and accommodate all the various viewpoints as part of any future Design Review process.

Hopkins suggested that J. Hassenfritz consider putting limits on future development as part of the sale of the lots to help avoid problems in the future.

Cole agrees with the previous comments. He suggested eliminating condition #2 as being too specific. Referencing the recent Lot Line Adjustment at 740 Edwards, Hakenen suggested using the same condition that "recommendations of the City Engineer shall be required to be met prior to certification of the lot line adjustment map and then responsibility goes to the City Engineer" and adding that to condition #3 (#2 after deleting previous #2). After some discussion, all the Commissioners agreed.

Motion (Hakenen/Johnson): 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 findings in this staff report and approve the lot line adjustment as submitted and as conditioned in the staff report with the elimination of condition #2 and modification of condition #3 (now #2)to add that all recommendations of the City Engineer shall be required to be met. Passed unanimously (4-0).

2. Trinidad 2023-03: Update on the temporary closure of the ALMT and progress to-date to reopen the trail.

Staff Report
City Planner Parker provided some background on the closure and presented the Commission with tentative recommendations provided by GHD for short-term repair and reopening of the ALMT. She also elaborated on a recent cease and desist letter issued from the Tsurai Ancestral Society (TAS) and the City's response, which could impact the ability of the City to move forward with repairs. She clarified that tonight's report is simply a progress update and no action is proposed.

Commissioner Comments and Questions
Cole requested a non-confidential synopsis of the City's litigation with the TAS.

Johnson asked about the status of the GHD feasibility report for rerouting the trail. Hakenen clarified that the City has not yet received a copy of the report.

Slay asked about erosion and the feasibility of repairs to the toe of the bluff.

Public Comments
Attorney Paul Gallegos spoke on behalf of the Tsurai Ancestral Society (TAS). He provided a packet that included correspondence between the City and TAS, and provided a summary of the history of litigation between the City and TAS. He stressed that there has been some misunderstanding that there has been no effort on the part of the TAS to cease communication or progress regarding management of the Tsurai Study Area, it just needs to go through the Tsurai Management Team (TMT). He pointed out that the litigation can't last forever, because there is a 5-year limit, and the TAS are currently working on a proposal for the ALMT to present to the TMT.

Commissioner Discussion
Johnson asked if the Management Plan is still guiding management of the Tsurai Study Area. P. Gallegos confirmed that is the case.

Slay stressed the City's eagerness to see the GHD report and asked for a timeline. P. Gallegos responded that there is no timeline, but recognized the importance of having deadlines and keeping partners informed. He assured the Commission that the goal of the TAS is to have the ALMT open. Slay expressed his worry that there could be impacts that are going unnoticed while the trail is closed.

No action was taken.

3. Policies for After-the-Fact Planning Permits: Discussion/decision regarding modification of the policies for considering and approving after-the-fact planning permits as set forth in the policy adopted by the Planning Commission on February 17, 2021. *Continued from the November 15, 2023 meeting.*

Staff Report
City Planner Parker provided background on the After-The-Fact Permit processing policy noting that a recent experience with a second ATF permit prompted the Commission to review and modify the policy. She spoke with the Building Inspector, Dan Dimmick, who had no recommended changes to the policy. She recommended the Commission discuss the policy and approve the change if desired.

Commissioner Comments and Questions
Hakenen clarified that there have not been changes to the existing policy. Parker explained that the policy has been updated since adoption in February 2021, but she has

not updated the policy since the November 2023 discussion. These additions are underlined and have not officially been adopted.

Public Comments
None.

Commissioner Discussion
No further discussion.

Motion (Cole/Johnson) to adopt the changes to the after-the-fact permit policy. Passed unanimously (5-0).

4. Introduction to Annexation: Discussion/presentation of general information regarding the laws and procedures governing annexations and the role of Local Agency Formation Commissions (LAFCo).

Staff Report
City Planner Parker provided an overview of the annexation process in general. She noted that the City has some grant funding to do some preliminary feasibility and outreach to water service subarea A (Langford Road) for possible future annexation.

Commissioner Comments and Questions
Cole asked about the Coastal Commission's role. Parker explained that LAFCo is not subject to the Coastal Commission. However, the Coastal Commission does have authority over the zoning destinations of annexed properties.

Johnson appreciated the "tips" provided in the guidance document and asked for clarification about island annexation. Hakenen asked about special districts (CSA 4 and Westhaven CSD) and pre-zoning.

Cole stressed the usual difficulty in obtaining public interest in annexation. Parker will draft some "pros and cons" of annexation for the City and the public. Cole also asked about Disadvantaged Unincorporated Communities. Parker responded that Westhaven and other surrounding areas have been designated as disadvantaged communities, but the related LAFCo policies would not be applicable to the small areas Trinidad would consider annexing.

Public Comments
None.

Commissioner Discussion
No further discussion.

No action was taken.

VI. COMMISSIONER REPORTS

Hakenen informed the Commission that he will not be able to attend the February Planning Commission Meeting. Hopkins will try to join remotely.

Cole will not be able to attend the joint CC/PC/STR Committee meeting.

VII. STAFF REPORT

There was a discussion about upcoming meetings.

City Planner Parker informed the Commissioners that City staff continue to meet with Coastal Commission staff to discuss the Van Wycke Trail closure. She is currently working on permit applications, the annexation study, FAQs on permitting for the website, and revamping application forms. She is also continuing to work on the OPC coastal resiliency project and hazards planning and LCP grant tasks.

VIII. FUTURE AGENDA ITEMS

- Vegetation regulations
- Signage Master Plan
- Annexation
- Dealing with cultural resources in project reviews

IX. ADJOURNMENT

Adjourned at 7:56 P.M. The next regularly scheduled meeting is February 21, 2024.

Submitted by:

Anton J. Souza
Administrative Assistant

Approved by:

Aaron Hakenen
Planning Commission Chair

DRAFT

DISCUSSION AGENDA ITEM #1 SUPPORTING INFORMATION

1. Trinidad 2023-03: Update on the temporary closure of the ALMT and progress to-date to reopen the trail.

Supporting documentation follows with: 2 pages

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DISCUSSION / ACTION AGENDA ITEM

Wednesday, February 21, 2024

Item: Trinidad 2023-03: Update on the temporary closure of the ALMT and progress to-date to reopen the trail.

Background
At the April 19, 2023, meeting, the Planning Commission approved an emergency CDP (2023-03) to temporarily close the ALMT and Parker Creek Trails to protect sensitive areas and public safety due to erosion along the toe of the bluff. The Planning Commission approved the closures on the condition that monthly reports are provided at the regular Planning Commission meetings for as long as the trail(s) are still closed.

The Parker Creek Trail was reopened on May 26, 2023; the ALMT remains closed. An extension for the temporary closure of the ALMT was approved at the October 18 meeting where the Planning Commission made it clear to staff that they expect to see progress made towards a short-term repair to allow reopening of the trail by Memorial Day weekend 2024 while longer-term rerouting of the trail is considered and planned.

Update
The City has sent a request to the Tsurai Management Team to schedule a meeting to discuss short-term, light touch trail repair options for both the ALMT and the Van Wycke Trail (VWT). Tentative repair plans were included in the email for consideration and discussion. For the ALMT, this was the same as was presented at the January Planning Commission meeting. The TAS have not responded to the request thus far.

Per Trinidad General Plan Policy 69 and TMC § 17.16.080, no soil disturbance is allowed within the OS zoned portions of the Tsurai Study Area without approval from the lineal descendants of Tsurai, Trinidad Rancheria, City Council, and the State Historic Preservation Officer.

The closure of the ALMT will expire on March 6, 2024, and the fencing at the top and bottom of the trail that was approved under permit Trinidad 2023-05 needs to be removed within two weeks of the expiration of the closure. However, as noted in the January update, the trail cannot be reopened in its current condition, particularly during the rainy season when pedestrian traffic would likely exacerbate erosion.

City staff will be seeking an additional extension of the trail closure at the March Planning Commission meeting. We hope to have additional information and planned next steps to present at that time. City staff will continue to reach out to the TMT to schedule a meeting. City staff will also be meeting with Coastal Commission staff next

week (2/20) to discuss both the ALMT and VWT closures and next steps. Note that the VWT closure also expires on March 6, and another temporary closure for that trail will also likely be on the March agenda.

Staff Recommendation/Suggested Action(s):
No action needed. Accept the staff report and ask questions or request additional information as needed.

Attachments:
- None

DISCUSSION AGENDA ITEM #2 SUPPORTING INFORMATION

2. Ewald 2023-01: Design Review, Grading Permit, Use Permit, and a Coastal Development Permit to construct a new 2-story, 3-bedroom, 3,229 sq. ft. residence with a 2-car garage on a vacant lot. The project also includes construction of a new driveway, a new 3-bedroom septic system, and removal of 19 trees to reduce hazards, improve solar efficiency, remove diseased trees, and improve views. Located at: XX Langford Road (# not assigned); APN: 042-141-020.

Supporting documentation follows with: 35 pages

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Filed:	November 8, 2023
Staff:	Trever Parker
Staff Report:	February 6, 2024
Commission Hearing Date:	February 21, 2024
Commission Action:	

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO:	2023-01
APPLICANT (S):	Neal Ewald
AGENT:	Julian Berg
PROJECT LOCATION:	Langford/Lanford Road

PROJECT DESCRIPTION:
Design Review, Grading Permit, Use Permit, and a Coastal Development Permit (CDP) to construct a new 2-story, 3-bedroom, 3,229 sq. ft. residence with a 2-car garage on a vacant lot. The project also includes construction of a new, driveway, a new 3-bedroom septic system, and removal of 19 trees to reduce hazards, improve solar efficiency, remove diseased trees, and improve views.

ASSESSOR'S PARCEL NUMBER:	042-141-020 (City) & 515-151-067 (County)
ZONING:	SR – Suburban Residential (City)
GENERAL PLAN DESIGNATION:	SR – Suburban Residential (City)
ENVIRONMENTAL REVIEW:	Categorically Exempt from CEQA per § 15303 of the CEQA Guidelines exempting new construction of small structures, including single-family homes on residentially zoned property.

APPEAL STATUS:
Planning Commission action on a Coastal Development Permit, Conditional Use Permit, Variance, and/or Design Review approval 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** _**X**_ / ~~is not~~ ___ appealable to the Coastal Commission per the City's certified LCP, and may be appealable per Section 30603 of the Coastal Act. Final action by the City on an appealable Coastal Development Permit will not become effective until 10 working days after the local appeal period has run out and no valid appeal has been filed with the Coastal Commission within that time.

SITE CHARACTERISTICS:
The project is located on an approximately 2.5-acre vacant lot that is located on the east side of Scenic Drive, and on the south side of Langford Road. The majority of the property (~2 acres), and where most of the development is proposed, is within City limits (APN 042-141-020), and the northern portion (~0.5 acres) is within County jurisdiction (APN 515-151-067). The portion of the property within City limits is zoned SR – Suburban Residential. Site access is from Langford Road within the County. An unimproved driveway, which is proposed to be paved, provides access to the site.

The interior of the property is primarily mowed grassland, with abundant trees surrounding the boundary of the site. Mostly smaller trees and shrubs occur adjacent to Langford and Scenic, with more mature trees along the eastern property line and interior of the site. Most of the eastern half of the lot slopes towards the west, and most of the western half of the lot slopes towards the south. The northwest portion of the lot is relatively flat, with gentle slopes in other areas except for the steep embankment above Scenic Drive on the southern edge of the property. This southern portion of the property, at or below the break in slope above Scenic Drive is mapped as being of 'questionable stability' on plate 3 of the General Plan. Surrounding parcels are developed with rural residential uses and most are served with City water.

STAFF COMMENTS:
This parcel was part of a Minor Subdivision (lot split) that was completed in 2007. As part of the subdivision process, hazards, environmental impacts, and development suitability were assessed. A development plan for the parcel was approved that included building sites and septic system layouts. While the proposed project layout is not exactly as in the development plan, the key concerns were access, geologic hazards, setbacks from the break in slope, stability of soils, and leachfield suitability. The applicant has submitted supplemental information to update the existing information and support the proposed changes in the development plan. As conditioned, the proposed project complies with all current requirements and the conditions outlined in the development plan.

A note on conflicting information regarding the street name. Langford Road was named after Frank and/or Carl Langford, a father-son engineering duo who worked to develop mining claims and projects on the Klamath River in the early 20th century. They homesteaded land in the Trinidad area hoping to develop a deep-sea port to transport gold and other ore. Eighty acres of those properties included the area of southeast Trinidad (including a portion of the Tsurai Village) and what is now the Langford Road area. Although the street sign and history indicate it should be Langford Road, all of the addresses are currently listed by the Assessor as Lanford Road. This may have happened as an error in a past record of survey that occurred when the properties were subdivided. I have sent an email to the Assessor to see if they have any additional

information. (The historical information was obtained from Patti Fleschner and two Museum Society newsletters.)

Project Summary
The proposed project is a new 2-story, 3-bedroom, 3.5-bath residence of 3,229 sq. ft. in size with a 2-car partial basement garage of 797 sq. ft. The project also includes another 1,153 sq. ft. of covered outdoor areas (porches, including the outdoor kitchen, walkway, work area) and 1,024 sq. ft. of uncovered decks and balconies. A proposed 7,095 sq. ft. asphalt driveway, with a 350 sq. ft. concrete apron in front of the garage, and an electric gate on Langford would provide access to the homesite from Langford Road. An on-site sewage disposal system (OWTS), including a suitable reserve area, has been designated and is shown on the site plan. Other than the driveway and gate, all of the proposed improvements will be located on the southern end of the property within the City's jurisdiction. Although a potential future Accessory Dwelling Unit (ADU), garage, and ADU septic system are indicated on the site plan for context, they are not proposed at this time and will need separate permits if formally proposed in the future.

Additionally, as part of the project, there is some tree removal proposed to remove existing diseased and/or dying trees, trees that would pose a hazard to the house and roadways, trees blocking southern exposure for the solar system, and trees to improve views. The exterior materials and colors will be of natural tones that have been chosen to be harmonious with the coastal setting. All exterior lighting will be night-sky friendly and downward directed. The proposed residence utilizes passive solar design strategies with significant south facing windows and a large solar PV array intended to create a net-zero energy house.

Referral Responses
Referrals for this project were sent to the Building Inspector, City Engineer, Public Works, Humboldt County Division of Environmental Health, California Coastal Commission, Trinidad Rancheria, Yurok Tribe, and the Tsurai Ancestral Society. DEH responded that they are satisfied with the OWTS design and have approved the OWTS construction application. DEH noted that future construction of an ADU would require a separate OWTS permit (see more below in the OWTS section of the staff report).

The City Engineer requested additional drainage information. In response, the applicant prepared a drainage and erosion control plan in consultation with the City Engineer's office. It has not received final approval, but GHD is comfortable addressing this issue through a condition of approval. Standard conditions of approval have been included that all requirements of the City Engineer and Building Inspector and Public Works staff must be met prior to building permit issuance and that any utilities, grading, drainage and street improvement requirements will be addressed as part of the building permit application.

The Tribal Historic Preservation Officer for the Trinidad Rancheria, Rachel Sundberg, commented that the project is located within the Rancheria's Area of Concern. In order to ensure avoidance of potential impacts to cultural and historical resources, the Rancheria requested that a cultural monitor from the Tribe be present during any ground disturbance. This has been included as a condition of approval.

Coastal Commission staff submitted a letter outlining several concerns. They noted (A) that a CDP would be required from Humboldt County for the gate and portion of the driveway within County jurisdiction, and (B) any future ADU would require additional permits. They also requested additional information regarding (1) defensible space clearance setbacks, (2) potential for environmentally sensitive habitat areas (ESHA), (3) geologic hazards and setbacks, (4) impacts of tree removal on remaining trees, and (5) visual impacts. The applicant submitted supplemental information to address these comments, including a letter from a botanical consultant, a supplement/update from the geologist who worked on the original LACO reports in 2006, additional information on defensible space and tree removal, and a visual assessment. The Coastal Commission staff comments and supplemental information are further described in the staff report below and is available for review in the file.

Potential Conflicts of Interest
None known; no Commissioners live or own property within 500 ft. of the project.

ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

The property where the project is located is zoned SR – Suburban Residential. The purpose of this zone is to allow medium-density residential development. Single-family residences are a principally permitted use. The minimum lot size allowed in the SR zone is 20,000 sq. ft. (§17.28.040), and the maximum density is one dwelling per 20,000 sq. ft. (17.28.050). The property on which the project is proposed is approximately 2.45 acres (106,727 sq. ft.).

The SR zone requires minimum yards of front 30 ft., rear 20 ft., and side 10 ft. (§ 17.28.060). The parcel faces Langford Road to the north and the site plan clearly indicates that the yard requirements will be met. Section 17.56.110 allows eaves and overhangs to extend 2.5 ft. into side yards and 4 ft. into front, street-side and rear yards. Decks and stairways, landings, balconies and uncovered porches are allowed to extend up to 8 ft. into front, rear or street-side yards and 3 ft. into side yards. The site plan indicates that all of these setbacks will be met by the proposed project.

The maximum height allowed in the SR zone, by § 17.28.070 (measured from the average ground level elevation covered by the structure to the highest point of the roof), is 25 feet, except that the Commission may require a lesser height in order to protect views. The maximum height of the proposed residence as shown on the plans (sheet A-

10) is 25 ft. Because the ground slopes to the southwest, the height of the structure follows the contour of the average ground elevation covered by the structure.
The Zoning Ordinance (§ 17.56.180) requires 2 off-street parking spaces other than any garage spaces; spaces must measure 8.5 ft. x 18 ft. There is a pull out in the driveway to accommodate parking for two vehicles. And there is ample room in front of the garage to accommodate additional parking. Driveways and parking areas that are required to accommodate less than 4 spaces must be surfaced with an all-weather surface. The driveway is proposed to be paved with asphalt.

The floor area, as defined by § 17.08.310, means the enclosed area of a building measured from exterior surface to exterior surface, excluding covered (but not enclosed) balconies and galleries, uncovered patios and atria, garages, carports and mechanical equipment rooms. The square footages of the floor area and footprint of the residence and other improvements are summarized in Table 1. Based on design criteria H (§ 17.60.040.H) residences of more than 2,000 sq. ft. in floor area shall be considered out of scale with the community unless they are sited and designed in such a way that their bulk is not obtrusive. Another guideline that the Planning Commission uses to consider the context is lot size is 25% (10% in the SR zone*) floor-to-lot area ratio based on a 2,000 sq. ft. house on an 8,000 sq. ft. lot. These ratios are also indicated in Table 1.

TABLE 1 – AREAS (SQ. FT.)

	Proposed
Lot Area	**106,727**
FLOOR AREA	
Main Level	2,764
2nd Story Bedroom	465
Total Residence	**3,229**
Basement Garage	797
Covered Outdoor Areas	1,153
Uncovered Outdoor Areas	1,024
FOOTPRINT	
Residence	3,344
Driveway (asphalt/concrete)	7,445
Total Footprint	**10,789**
FLOOR TO LOT AREA RATIO*	
Residence	**3.0%**
Total Footprint	10.1%

* Note that in the SR zone, the standard FAR would be 10% for a 2,000 sq. ft. house on a 20,000 sq. ft. lot.

The Trinidad General Plan and Zoning Ordinance protect important public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. Design review findings also require structures to blend with their natural and built environment. The project does not appear to be readily visible from any residences located upslope or behind. Neighbors have been notified and have the opportunity to speak at the hearing. The architect has provided a visual assessment indicating that the residence will not be readily visible from public viewpoints. Exterior colors and materials are shown on the north elevation (sheet A-6). They consist of natural wood and stone and similar matte colors in mostly greys that will blend in with the surrounding environment. The roof material will be galvanized matte black metal.

GRADING / DRAINAGE / STORMWATER:

The project is not within the MS4 area that drains to the City's stormwater system or the Trinidad Head ASBS, therefore, even though the project is creating more than 2,500 sq. ft. of new impervious surfaces, it is not subject to the post-construction requirements of the City's stormwater ordinance. The applicant has been working with the City Engineer's office to develop a drainage plan for permeant control of stormwater that will not negatively impact the steep slope above Scenic Drive. The draft plan is included in as Sheet A-1.3.

A Grading Permit is required, because the project will disturb more than 1,000 sq. ft. of surface area. The Grading Permit is issued by the Planning Commission, but it is up to the City Engineer to ensure that all the provisions have been met. A number of the grading permit application requirements are more appropriately addressed at the time the building permit is applied for (start date, contractor, etc.). The Grading Ordinance includes a variety of standards and specifications, particularly for things such as excavation, fills and terraces, which this project does not include significant amounts of after construction. In general, it is the responsibility of the City Engineer to ensure the standards are met, both through review of the plans and also through inspections during and after construction. In practice, it is up to the Building Inspector to issue the permit, and the project is conditioned on receiving approval from the City Engineer.

An R1 Engineering Geologic Soils Report was prepared for the subdivision in 2006 to inform the project design and ensure stability of the structure. A drainage and erosion control plan has been included as part of the application. Roof drainage is proposed to be collected and directed to shallow grassy drainage swales for infiltration. The driveway will be graded and sloped to drain away from the leachfield area and steep southern slope, and allowed to sheetflow onto the gently sloped vegetated areas of the property. A small berm will also be constructed and fiber rolls placed to prevent runoff from going over the break in slope. Other erosion control best management practices to be adhered to are listed on the drainage and erosion control plan sheet (A-1.3).

Section 15.16.070 of the City's Grading Ordinance requires the City Engineer to provide recommendations on approval of a Grading Permit. The City Engineer must find that "the proposed grading will not adversely affect the drainage or lateral support of other properties in the area, and will not be detrimental to the public health, safety or the general welfare, or is not in conflict with the provisions of this chapter, TMC Title 17 and the general plan." The City Engineer has concurred that these findings and their comments on the plans can be addressed through a condition of approval requiring their final sign-off on the plans prior to construction, which has been included.

SLOPE STABILITY & EARTHQUAKE HAZARDS:

The entire property is within the Alquist-Priolo Fault Hazard Special Study Zone. Single-family homes up to two stories are exempt from fault hazard evaluations. However, an Evaluation for the Hazard of Surface Fault Rupture report was prepared by LACO Associate in 2007 for the purposes of approval of the subdivision completed in 2007. The recommendations of that report were included as conditions of approval of the subdivision and apply to future development. A buildable area was defined as encompassing most of the western portion of the lot; the buildable zone boundary is shown on the site plan (Sheet A-1). The buildable area only applies to habitable structures, and the proposed residence is within the defined buildable area.

The fault hazard report also recommended that no buildings be constructed across the geologic trench which was backfilled with uncompacted material due to potential for settlement. The R1 Engineering Geologic Report includes more specific recommendations, including further engineering that would be required if a structure is built over the trench. The northern edge of the proposed residence runs along, but just outside the trench except for the front porch. All the recommendations of the 2006 report are still applicable and are included as conditions for this project. The 2024 update to the report found that the project as proposed is consistent with the 2006 and 2007 recommendations.

The southern edge of the property, below the break-in-slope, is mapped as being of questionable stability on Plate 3 of the General Plan. No development is proposed within that area other than tree removal and revegetation. Policy 3 of the City's General Plan states that "*Structures, septic tank systems, and driveways should only be permitted on lands of questionable stability or within 100 feet upslope of unstable lands or lands of questionable stability, if analysis by a registered geologist indicates that the proposed development will not significantly increase erosion, slope instability or sewage system failure.*"

The R1 report and the 2024 update also address slope stability. The 2024 update to the soils report found that "*it is our professional opinion that the proposed new residence, septic systems (including reserve fields), and driveways as proposed on the site appear to the suitably and sufficiently setback from potentially unstable lands to ensure site stability for the anticipated*

useful life of the structure (~70 years)." The report further found that *"it is our opinion that the proposed site developments can be constructed as proposed without being subject to, or exacerbating, existing soils and/or geologic hazards associated with this project location."* Therefore, it can be found that the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the extent feasible as required by Zoning Ordinance § 17.28.090.

SEWAGE DISPOSAL:

The proposed 3-bedroom septic system layout has been shown on the plot plan. Sewage disposal suitability soils testing was performed in 2006 for the subdivision and an engineered design was prepared in 2023 specific to this project. The applicant has obtained an approved OWTS permit for new construction from DEH. The leachfield (and reserve area) has been sized (250 ft. of leachlines) to accommodate both the 3-bedroom primary residence and a future 2-bedroom ADU. However, the ADU will require its own septic tank and an additional permit from DEH if and when it is proposed.

LANDSCAPING, HABITAT, AND FIRE:

An Environmentally Sensitive Habitat Area (ESHA) Assessment was prepared for this property and describes the vegetation as the following: *"The parcel is generally a park-like landscape with an open mowed field/lawn that includes non-native grasses and other herbaceous plants. There are scattered conifers, including Douglas fir, Sitka Spruce, and grand fir, that have a grassy mowed understory. Much of the perimeter of the property along Scenic Drive and Langford road includes hedge-like vegetation with young conifers, red alder, and cotoneaster. There is a small amount of more natural forest habitat along the eastern edge of the parcel."* The trees and vegetated areas are identified on the site plans. Several photos of the project site are also included with the application. The botanist found no ESHA on the site as well as a low potential for any rare plants to occur there.

As part of the project, the applicant proposes to remove 19 trees primarily to allow for solar access, and also to protect the residence, roadways, and electrical poles, to remove diseased trees, and to enhance ocean views. The applicant included an inventory and description of the trees to be removed and justification outlining multiple benefits of the removal of specific trees with the application. The trees proposed for removal include 17 conifer and 2 alder trees; the trees average 23 inches in diameter and comprise approximately 7% of the overall vegetative cover of the property. Several of the trees proposed to be removed are along the southern property boundary, above Scenic Drive, within or adjacent to a steep slope and an area designated as being of "questionable stability." The trees on the slope pose a hazard to Scenic Drive and power lines and the slope stability should they fall. The geologist found there would be no impacts to slope stability from the tree removal.

Several mitigations for the tree removal have been included in the project. The fewest number of trees are proposed to be removed in order to maintain a screen from adjacent roadways. Of the 13 large trees on the property, 12 will be retained, averaging 47 inches in diameter. Except for the footprint of the proposed residence, access road, and drainage areas, the remaining ground cover will be left mostly unchanged. The tree stumps on or within 30 feet of the break in slope will be left in place to reduce the impact of root loss on unstable areas. And to lessen the visual impact, the slope will be planted with a mix of native species that will improve slope stability, including ocean spray (*Holodiscus*) and blue blossom (*Ceanothus*), and possibly wax myrtle, coast silk tassel and salal.

The Coastal Commission staff comment letter requested that CalFire defensible space be identified on the site plan along with related vegetation removal. The 30-foot and 100-foot zones and the requirements for each zone have been shown on Sheet A-1.4. No additional tree and vegetation removal other than that previously described will be needed to meet CalFire requirements.

The Coastal Commission staff letter also recommended that any diseased trees be removed from the site and disposed of at an authorized green waste facility. The applicant, who is a Registered Professional Forester responded that there would be no benefit to removing the trees from the site. Because these diseases are airborne rather than waterborne, once the trees are cut and chipped, the source of the disease will be removed. The applicant plans on utilizing as much of the wood and chips onsite as possible to avoid the need for a forest conversion permit from CalFire.

Finally, Coastal Commission staff requested additional information as to how the tree removal would affect the remaining trees on the site in various ways with an emphasis on wind throw. The applicant responded that the trees being removed are the ones that are most susceptible to strong south winds in the winter. He also asserted that the remaining trees would not be at any additional risk because (1) they do not share interlocked crowns with the trees to be removed, (2) the remaining trees are significantly larger, so were not buffered by the trees to be removed and share interlocking crowns with the remaining trees, and (3) grow with full, large open crowns that have withstood storms for many years.

USE PERMIT FINDINGS:

The Coastal Act requires a CDP for "major vegetation removal," though what is major is not defined. TMC § 17.28.030 allows removal of trees over 12" DBH in the SR zone with a Use Permit. Section 17.72.040 requires written findings to be adopted in approval of a Use Permit. The following findings, as may be revised at the hearing, are required in order to approve the tree removal portion of the project.

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: Much of the surrounding neighborhood is heavily forested. This parcel and the one to the east are larger with more open areas than most of the parcels. Removal of 19 diseased, potentially unstable, and other trees for solar access and viewshed will not have any negative impacts to the neighborhood. Most of the trees and other vegetation will remain on and surrounding the site, and additional native vegetation will be planted on the southern slope above Scenic Drive.

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: Removal of the proposed trees will improve solar access and views for the applicant, will remove diseased trees from the neighborhood, and remove some trees that post a hazard to electrical lines and roads.

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 proposed tree removal will not affect traffic or parking, rather, it will reduce the potential for the trees to cause roadway hazards.

3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;* Response: Removal of the trees will result in some noise during removal, but otherwise will not involve any emissions.

4. *Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs;* Response: The trees proposed to be removed do provide some screening of the proposed homesite. However, the slope above Scenic where the trees will be removed will be replanted with native vegetation.

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 removal of the trees can be found to be consistent with the City's Zoning Ordinance, General Plan and Local Coastal Program.

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: Removal of individual trees is exempt from CEQA per § 15304 of the CEQA Guidelines exempting minor alterations to land, water and/or vegetation except in the case of officially designated scenic trees or trees within an officially designated state scenic highway, which these trees are not.

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 project is not located between the sea and the first public road, therefore the listed findings are **not** applicable.

DESIGN REVIEW/VIEW PROTECTION FINDINGS:

TMC §17.60.030 requires Design Review and View Protection Findings to be made as part of the approval of new structures along with a Coastal Development Permit. Application materials show the project location, elevations and proposed exterior colors and materials. A viewshed analysis for the project was also submitted. Recommended Design Review / View Preservation findings are written in a manner to allow approval, without endorsing the project. However, if 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 residence has been designed to step down with the contours of the site. The garage will be located partially below grade to improve energy efficiency and keep the profile of the home as low as possible. The proposed driveway follows the existing contours of the site in order to minimize 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 is not near any open space areas but may be visible from more distant open space areas. The applicant has provided a visual assessment of the property, including views from prominent coastal vista points in the area. Due to the distance from these viewing locations and vegetation on and around the site, the proposed residence will not be readily visible from any of these locations. In addition, the applicant has designed the project with materials of natural colors and textures that will blend

with the site. Existing and newly planted native vegetation will provide a barrier from views from Scenic Drive.

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: Exterior colors and materials are shown on the north elevation (sheet A-6). They consist of natural wood and stone and similar matte colors in mostly greys that will blend in with the surrounding environment.

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: Although 19 trees are proposed to be removed, most of the existing vegetation will remain, including that along Langford Road and most of Scenic Drive, which screens the site from public view. The southern slope, above Scenic Drive where most trees will be removed will be replanted with native vegetation to screen the site and maintain stability of the slope.

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 on-premise signs are associated with 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: Above ground utilities already exist along Scenic Drive and Langford Road. The nearest utility pole is located on Langford Road adjacent to the existing/proposed driveway. The applicant is proposing an underground connection to the existing junction box serving the property.

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 associated with 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.*

   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.*

The floor area of the proposed residence is 3,229 sq. ft., well over the maximum guideline of 2,000 sq. ft. However, it would have a FAR of only 3.0%, well within the 10% guideline used by the Planning Commission. In addition, the structure, along with the exterior materials and colors, have been designed to blend with the site, and the structure will be minimally visible from both public and private vantage points.

View Protection Criteria

A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: As shown by the visual assessment completed and submitted for the project, the project site is not readily visible from a beach, trail or open space area. In addition, the structure, along with the exterior materials and colors, have been designed to blend with the site, and the structure will be minimally visible from public vantage points.

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: Due to the project's location and surrounding vegetation, the proposed residence will not block any of the described public 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: Due to the project location and design, the proposed residence is not expected to block any private views.

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: The proposed project is not within 100 feet of the Trinidad Cemetery, Holy Trinity Church, Memorial Lighthouse or the Tsurai Study Area.

STAFF RECOMMENDATION

Based on the above analysis, and as conditioned below, the proposed project can be found to meet the Zoning Ordinance requirements, as well as other provisions of the City's Municipal Code and General Plan. If the Planning Commission agrees with staff's analysis, the project may be approved with the following motion:

<u>Based on the information submitted in the application, included in the staff report and public testimony at the hearing, I find that the project is consistent with the City's LCP and other applicable regulations, and I move to adopt the information and Design Review, and Use Permit, and other findings in this staff report and approve the project as submitted and as conditioned in the staff report.</u>

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: City Clerk to verify prior to building permits being issued.*

2. Based on the fact that community values may change in a year's time, project approval is for a two-year period starting at the effective date and expiring thereafter unless an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to building permits being issued.*

3. Recommendations of the City Building Inspector shall be required to be met as part of the building permit application submittal. Grading, drainage, erosion control, foundation design, utilities, and street improvements will need to be specifically addressed at the time of building permit application. *Responsibility: Building Inspector prior to building permits being issued.*

4. Recommendations of the City Engineer shall be required to be met prior to building permits being issued. Grading, drainage, and erosion control need to be reviewed and approved by the City Engineer prior to work commencing. The City Engineer must find that the proposed grading will not adversely affect the drainage or lateral support of other properties in the area and will not be detrimental to the public health, safety, or the general welfare, and is consistent with the Trinidad Municipal Code. *Responsibility: Building Inspector prior to building permits being issued.*

5. All recommendations made in LACOs's October 2, 2006, R1 Engineering Geologic Soils Report for the site shall be complied with to the satisfaction of the City Engineer and/or Building Inspector unless another report is prepared that supersedes it. *Responsibility: Building Inspector to confirm at time permits are issued.*

6. Documentation that the sewage system was installed as per the approved OWTS permit will be indicated by DEH sign-off for construction on the permit after final inspection. *Responsibility: Building Inspector shall verify prior to final inspection.*

7. Construction-related activities shall comply with the approved grading and erosion control plan. *Responsibility: Building Inspector to confirm at time building permits are issued and during construction.*

8. Applicant shall direct driveway drainage away from the septic system tank and leachfield. *Responsibility: Building Inspector to confirm at time building permits are issued.*

9. Applicant shall construct a curb or other barrier to prevent cars from driving off the paved area and onto the septic system (tank and leachfield). *Responsibility: Building Inspector to confirm at time building permits are issued.*

10. The applicant shall contract with a qualified cultural monitor from the Trinidad Rancheria to be present during all ground disturbing activities or as requested by the monitor. *Responsibility: Building Inspector to confirm at time building permits are issued.*

11. The applicant shall obtain all necessary approvals from the County of Humboldt for the electric gate and driveway off Langford by providing an approved encroachment permit from the County. *Responsibility: Building Inspector to confirm prior to building permits being issued.*

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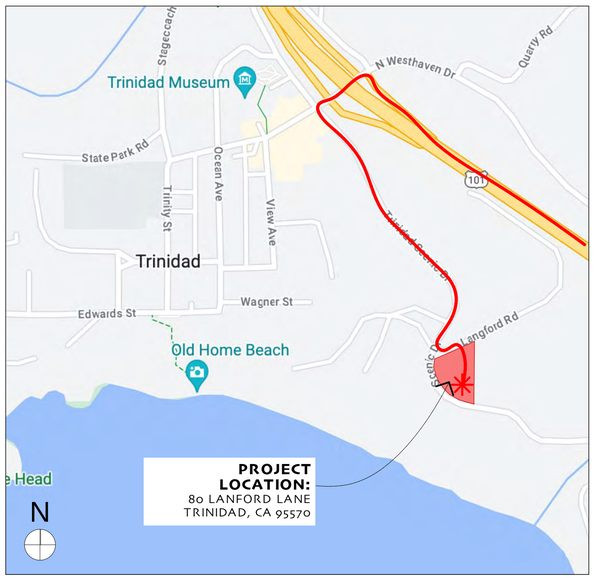
ABBREVIATIONS:

A.B.	ANCHOR BOLT
ACCESS.	ACCESSIBLE
ARCH.	ARCHITECTURAL
ASPH.	ASPHALT
@	AT
BM	BEAM
BLDG.	BUILDING
℄	CENTER LINE
CLR.	CLEAR
CONT.	CONTINUOUS
CONSTR.	CONSTRUCTION
CTR.	CENTER
DBL	DOUBLE
DIM.	DIMENSION
D.F.	DOUGLAS FIR
DN.	DOWN
D.S.	DOWN SPOUT
DWG	DRAWING(S)
(E)	EXISTING
EA	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
E.N.	EDGE NAIL
EQ.	EQUAL
EQUIP.	EQUIPMENT
EXH.	EXHAUST
EXIST.	EXISTING
EXT.	EXTERIOR
EXP.	EXPOSED
EXP. AGG.	EXPOSED AGGREGATE
FIN.	FINISH
FL.	FLOOR
F.O.S.	FACE OF STUD
FOUND.	FOUNDATION
FRMG.	FRAMING
F.R.P.	FIBERGLASS REINFORCED PLASTIC PANELS
GAL.	GALVANIZED
G.B.	GRAB BAR
G.D.	GARBAGE DISPOSAL
GLB	GLUE LAM BEAM
GYP. BD.	GYPSUM BOARD
G.R.	GRADE
H.B.	HOSE BIB
H.C.	HOLLOW CORE
HDWD.	HARDWOOD
HOL. MTL.	HOLLOW METAL
HT.	HEIGHT
H.V.A.C.	HEATING, VENTILATION, AND AIR CONDITIONING
H.W.H.	HOT WATER HEATER
INCL.	INCLUDED
INFO.	INFORMATION
INSUL.	INSULATION
INT.	INTERIOR
JST.	JOIST
JUNC.	JUNCTION
LN.	LINEN
LOUV.	LOUVER (ED)
LTG.	LIGHTING
MANUF.	MANUFACTURER
MAS.	MASONRY
MAX.	MAXIMUM
M.B.	MACHINE BOLT
M.C.	MEDICINE CABINET
MECH.	MECHANICAL
MIN.	MINIMUM
MULL.	MULLION
(N)	NEW
N.I.C.	NOT IN CONTRACT
N.T.S.	NOT TO SCALE
NON-COMB.	NON-COMBUSTIBLE
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
PLY.	PLYWOOD
ℙ	PROPERTY LINE
REQD.	REQUIRED
REF.	REFRIGERATOR
REG.	REGISTER
REINF.	REINFORCED
RWD.	REDWOOD
SECT.	SECTION
SQ.	SQUARE
S.S.	STAINLESS STEEL
STRUCT .	STRUCTURAL
TEMP.	TEMPERED
T&B	TOP & BOTTOM
T.S.	TUBE STEEL
TYP.	TYPICAL
U.N.O.	UNLESS NOTED OTHERWISE
W.C	WATER CLOSET
W/	WITH
W.D.	WOOD



LOCATION MAP N.T.S.

EWALD RESIDENCE:

CLIENT CONTACT:
NEAL EWALD
P.O. BOX 297
TRINIDAD, CA 95570
(707) 845-5759

PROJECT ADDRESS:
80 LANFORD ROAD
TRINIDAD, CA 95570

APN: 042-141-020 + 515-151-067

PARCEL SIZE:
2.47 ACRES

PARCEL ZONING:
SR - SUBURBAN RESIDENTIAL

SHEET INDEX:

A-0 LOCATION MAP, PROJECT INFO, INDEX
A-1 PROPOSED SITE PLAN
A-1.1 SITE PLAN DETAIL
A-1.2 VEGETATION COVERAGE PLAN
A-1.3 DRAINAGE & EROSION CONTROL PLAN
A-1.4 DEFENSIBLE SPACE CLEARANCES PLAN
A-2.1 VISUAL STUDY
A-2.2 VISUAL STUDY
A-2.3 VISUAL STUDY
A-2.4 VISUAL STUDY
A-2 PROPOSED BASEMENT FLOOR PLAN
A-3 PROPOSED FIRST FLOOR PLAN
A-4 PROPOSED SECOND FLOOR PLAN
A-5 PROPOSED ROOF PLAN
A-6 PROPOSED NORTH ELEVATION
A-7 PROPOSED SOUTH ELEVATION
A-8 PROPOSED EAST ELEVATION
A-9 PROPOSED WEST ELEVATION
A-10 PROPOSED NORTH ELEVATION W/ BLDG. HTS.
A-11 EXISTING SITE PHOTOS

PROJECT DESCRIPTION:

We are proposing a new two-story three bedroom, 3.5 bath residence of 3,229 sq ft. with a 2-car basement garage of 797 sq ft. Furthermore, we are constructing a 192 sq ft entry porch and a 1,200 sq ft south porch. We are also planning a new septic system. A future ADU (Accessory Dwelling Unit), garage, and ADU septic system is dashed in to indicate its location on the site plan.

Some work will be done in order to remove existing and / or dying trees, unsafe trees too close to house and roadways, and trees blocking southern exposure for the solar system. The house will not have any view impacts to neighbors and is only slightly visible from Lanford drive and Scenic Drive due to existing vegetation and slopes (Scenic drive 20' +/- down from lower level house pad.

Exterior materials and colors are chosen to be natural toned and harmonious with the coastal setting. All exterior lighting will be night-sky friendly and downward directed. We are using passive solar design strategies with significant south facing windows and a large solar PV array. We are seeking to create a net-zero house.

CONSULTANTS:

R-1 GEOLOGIC SOILS REPORT:
LACO ASSOCIATES
GIOVANNI A. VADURRO, PG 7437
21 WEST 4TH STREET
EUREKA, CA 95501
(707) 443-5054

SEPTIC SYSTEM DESIGN & REPORT:
OMSBERG & PRESTON
KIMBERLY D. PRESTON, CA LIC. NO. RCE 62665, PLS 9153
402 "E" STREET
EUREKA, CA 95501
(707) 443-8651

ENERGY ANALYSIS:
ABBAY TECHNICAL SERVICES
ANTHONY K. McQUEENEY, CEA
1125 16TH STREET, ROOM 216
ARCATA, CA 95521
(707) 826-1433

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

JULIAN BERG DESIGNS
ARCHITECTURE & PLANNING
846 A STREET
ARCATA, CALIFORNIA, 95521
TEL:(707) 407-9870
julianbergdesigns.com

LICENSED ARCHITECT ALBERT JULIAN BERG 2024/01/25 STATE OF CALIFORNIA
PRELIMINARY AND SUBJECT TO CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759
SHEET TITLE: **LOCATION MAP, PROJECT INFORMATION, INDEX**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**
SHEET # : **A-0**

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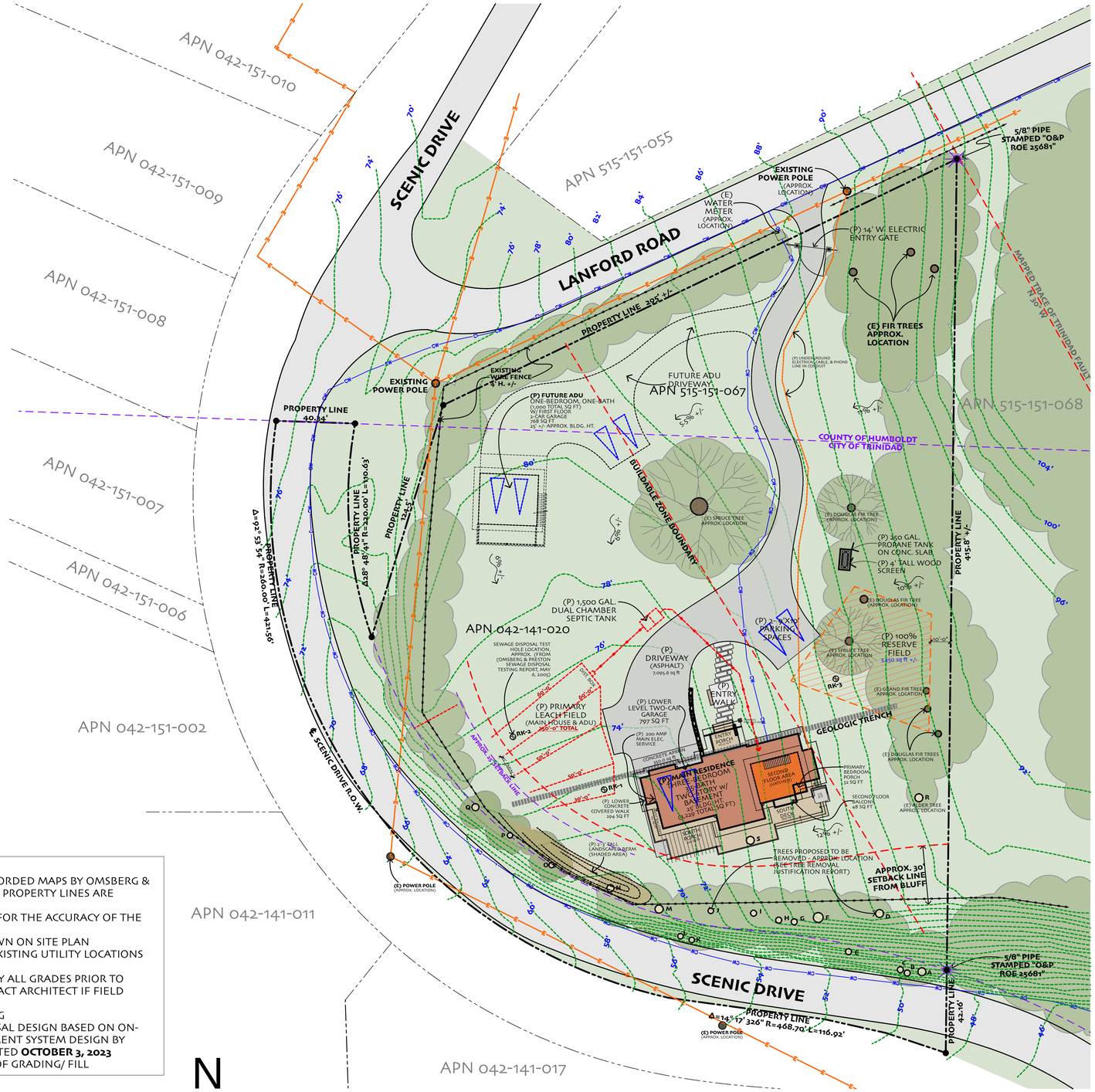

SITE PLAN NOTES:

1. SITE MAP IS BASED ON RECORDED MAPS BY OMSBERG & PRESTON DATED JAN, 2008, PROPERTY LINES ARE APPROXIMATE
2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN
3. KNOWN EASEMENTS SHOWN ON SITE PLAN
4. CONTRACTOR TO VERIFY EXISTING UTILITY LOCATIONS AND CONNECTIONS
5. CONTRACTOR SHALL VERIFY ALL GRADES PRIOR TO CONSTRUCTION AND CONTACT ARCHITECT IF FIELD CONDITIONS DIFFER
6. NOT SUBJECT TO FLOODING
7. PROPOSED SEWAGE DISPOSAL DESIGN BASED ON ON-SITE WASTEWATER TREATMENT SYSTEM DESIGN BY **OMSBERG & PRESTON**, DATED **OCTOBER 3, 2023**
8. ESTIMATED **45** CU. YARDS OF GRADING/ FILL

N
W E
S

PROPOSED OVERALL SITE PLAN

SCALE: 1" = 30' (22" X34" PAPER SIZE)
1" = 60' (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

JULIAN BERG DESIGNS
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TEL:(707) 407-9870
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LICENSED ARCHITECT JULIAN BERG STATE OF CALIFORNIA
PRELIMINARY NOT TO BE ASSUMED TO CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED SITE PLAN**
ASSESSOR'S PARCEL NUMBER : **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-1**

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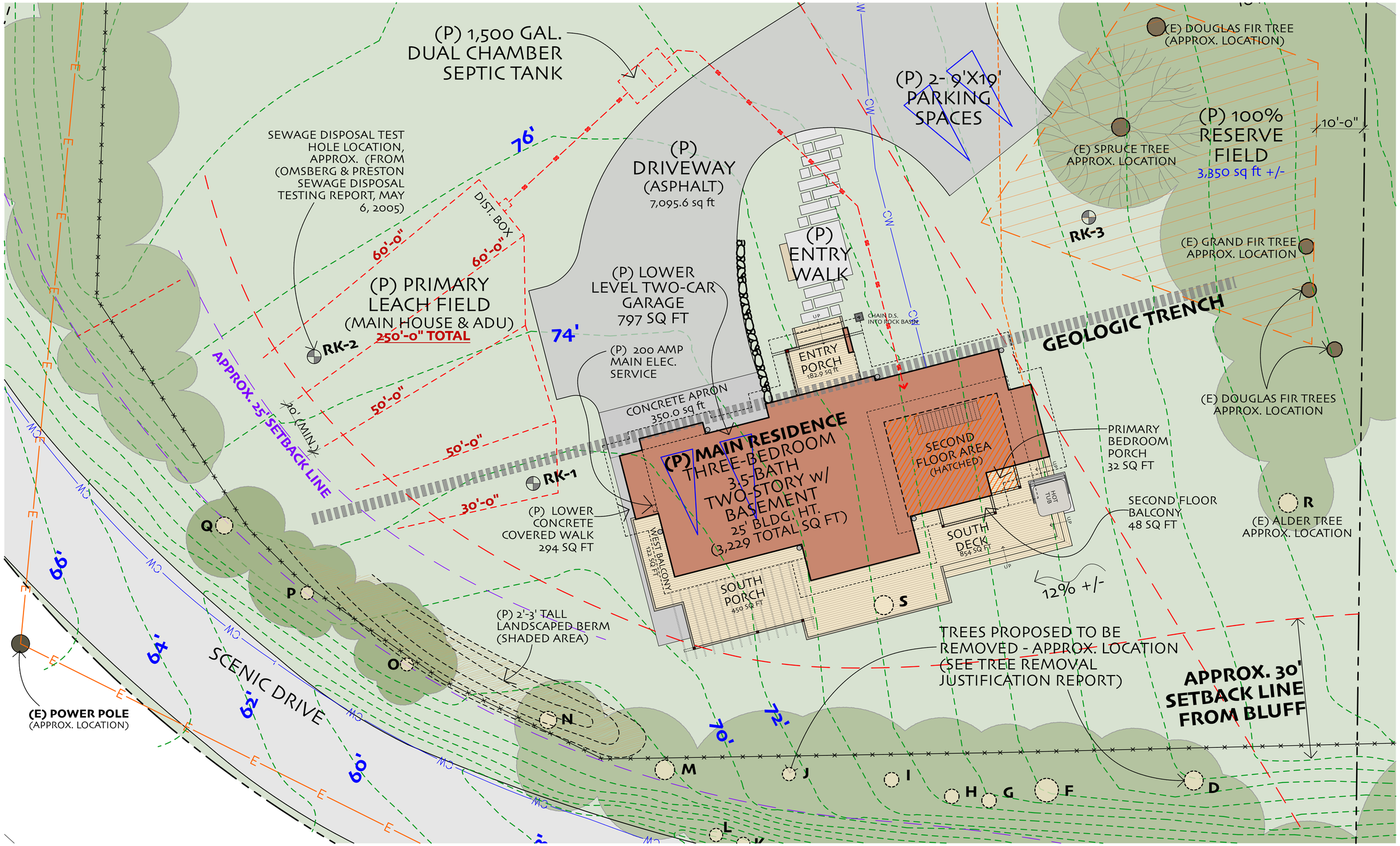

PROPOSED SITE PLAN DETAIL

SCALE: 1" = 10' (22" X34" PAPER SIZE)
1" = 20' (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
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REVISIONS:

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846 A STREET
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LICENSED ARCHITECT JULIAN ALBERT BERG C-21 STATE OF CALIFORNIA

PRELIMINARY ARCHITECTURAL DESIGN CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED SITE PLAN DETAIL**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/15/2024**

SHEET # : **A-1.1**

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ATTACHMENT 1:

LEGEND

LOT AREA:
2.47 ACRES GROSS (INCLUDES SCENIC DRIVE)
1.97 ACRES NET

RETAINED NATURAL VEGETATION
27,300 +/- SQ FT 30%

REMOVED NATURAL VEGETATION
7,000 +/- SQ FT 7%

GRASS
59,500 +/- SQ FT 63%

SITE PLAN WITH VEGETATION COVERAGE AREAS

SCALE: 1" = 30' (22" X34" PAPER SIZE)
1" = 60' (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
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REVISIONS:

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LICENSED ARCHITECT
JULIAN BERG
ALBERT BERG
No. 6364
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY ARCHITECTURAL CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **VEGETATION COVERAGE PLAN**
ASSESSOR'S PARCEL NUMBER : **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-1.2**

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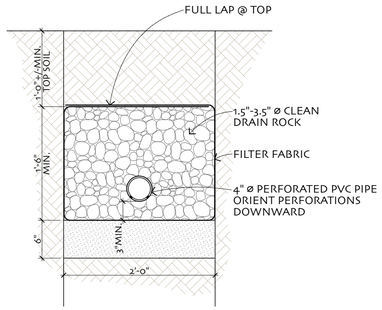
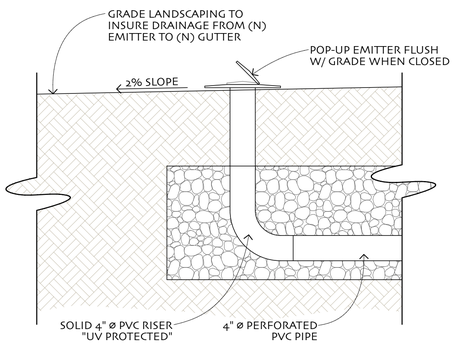


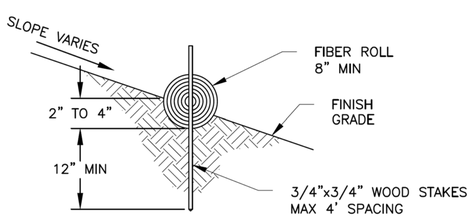
1 INFILTRATION TRENCH DETAIL

SCALE: 1" = 1'-0" (22"X34" PAPER SIZE)
SCALE: 1/2" = 1'-0" (11"X17" PAPER SIZE)



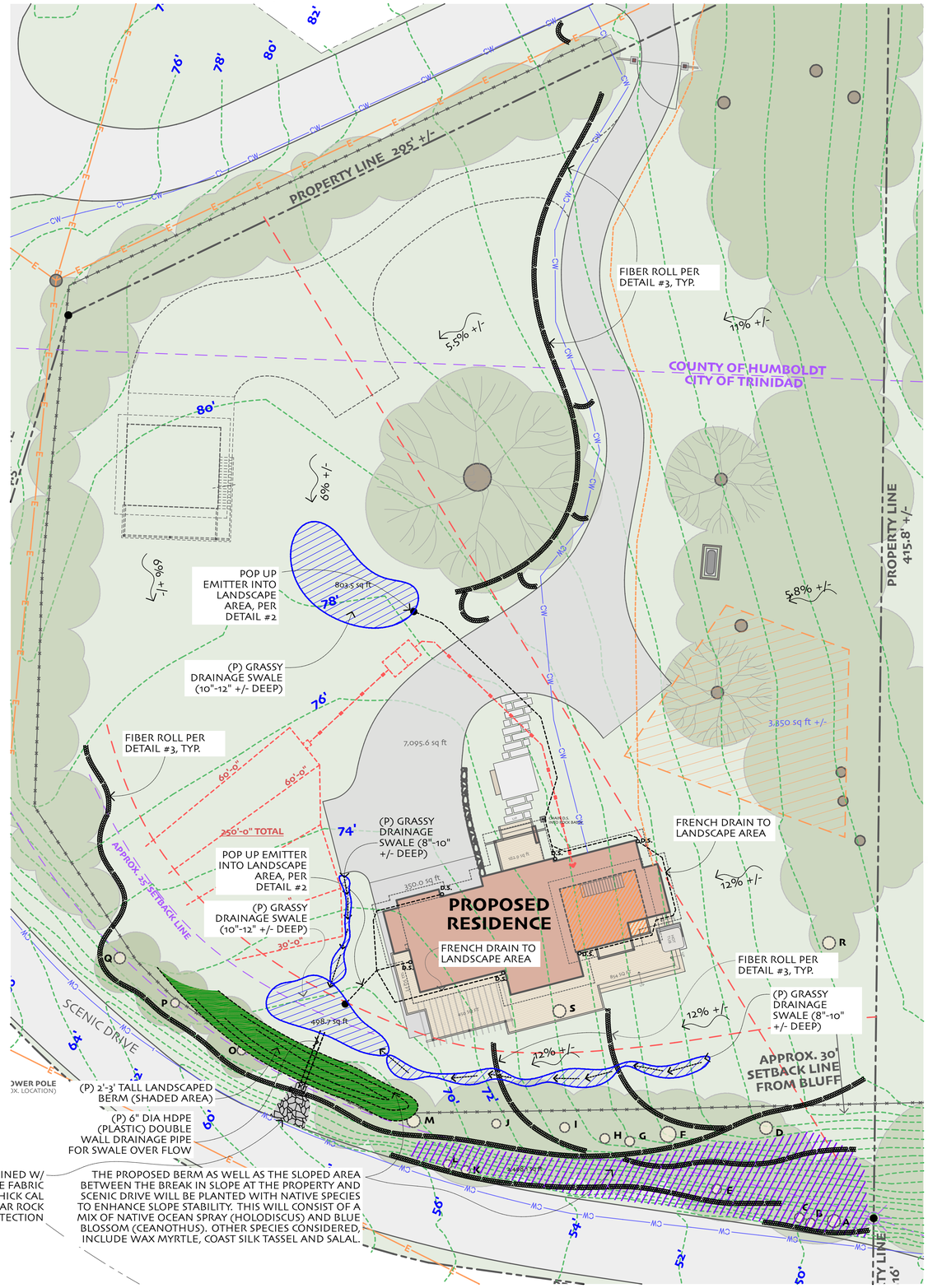
2 POP-UP EMITTER DETAIL

SCALE: 1" = 1'-0" (22"X34" PAPER SIZE)
SCALE: 1/2" = 1'-0" (11"X17" PAPER SIZE)



3 FIBER ROLL DETAIL

N.T.S.



EROSION AND SEDIMENT CONTROL NOTES:

GENERAL

1. PERFORM EROSION PREVENTION AND SEDIMENT CONTROL IN ACCORDANCE WITH THE HUMBOLDT COUNTY GRADING ORDINANCE.
2. THE OWNER IS RESPONSIBLE FOR PREVENTING STORM WATER POLLUTION GENERATED FROM THE CONSTRUCTION SITE YEAR ROUND. WORK SITES WITH INADEQUATE EROSION AND SEDIMENT CONTROL MAY BE SUBJECT TO A STOP WORK ORDER.
3. IF DISCREPANCIES OCCUR BETWEEN THESE NOTES, MATERIAL REFERENCED HEREIN OR MANUFACTURER'S RECOMMENDATIONS, THEN THE MOST PROTECTIVE SHALL APPLY.
4. AT ALL TIMES THE OWNER IS RESPONSIBLE FOR OBTAINING AND COMPLYING WITH THE STATE OF CALIFORNIA NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (N.P.D.E.S.) GENERAL PERMIT WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF STORM WATER RUNOFF ASSOCIATED WITH CONSTRUCTION ACTIVITY. CONSTRUCTION ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO, CLEARING, GRADING, EXCAVATION, STOCKPILING AND RECONSTRUCTION OF EXISTING FACILITIES INVOLVING REMOVAL AND REPLACEMENT.

RAINY SEASON OPERATIONS:

1. IF GRADING IS CONDUCTED BETWEEN OCTOBER 15 AND APRIL 15, ALL OF THE FOLLOWING CONDITIONS SHALL BE MET:
   - 1.1. THE GROUND IN THE WORK AREA SHALL NOT BE SATURATED WITH WATER.
   - 1.2. THE WORK SHALL BE CONDUCTED DURING PERIODS OF CLEAR WEATHER.
   - 1.3. THE REQUIRED EROSION CONTROLS, AS SHOWN ON THE GRADING PLAN, OR APPROVED TEMPORARY SUBSTITUTES, SHALL BE PLACED BEFORE THE NEXT RAINFALL. THE SITE SHALL NOT BE LEFT UNATTENDED WITHOUT THE REQUIRED EROSION CONTROLS IN PLACE.
1. THE AREA OF ERODIBLE LAND EXPOSED AT ANY ONE TIME DURING THE WORK SHALL NOT EXCEED ONE ACRE OR 20 PERCENT OF THE PERMITTED WORK AREA, WHICHEVER IS GREATER, AND THE TIME OF EXPOSURE SHALL BE MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE.

YEAR ROUND REQUIREMENTS:

1. DURING THE NON-RAINY SEASON, ON ANY DAY WHEN THE NATIONAL WEATHER SERVICE FORECAST IS A CHANCE OF RAIN OF 30 PERCENT OR GREATER WITHIN THE NEXT 24 HOURS, STORM WATER B.M.P.S REFERENCED OR DETAILED IN P.R.M.D.'S BEST MANAGEMENT PRACTICES GUIDE SHALL BE IMPLEMENTED, INSTALLED AND FUNCTIONAL ON THE SITE TO PREVENT SOIL AND OTHER POLLUTANT DISCHARGES. AT ALL OTHER TIMES, B.M.P.S SHOULD BE STORED ON SITE IN PREPARATION FOR INSTALLATION PRIOR TO RAIN EVENTS.
2. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED BY THE OWNER BEFORE FORECASTED STORM EVENTS AND AFTER STORM EVENTS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES THAT HAVE FAILED OR ARE NO LONGER EFFECTIVE SHALL BE PROMPTLY REPLACED. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED.
3. THE LIMITS OF GRADING SHALL BE DEFINED AND MARKED ON SITE TO PREVENT DAMAGE TO SURROUNDING VEGETATION. PRESERVATION OF EXISTING VEGETATION SHALL OCCUR TO THE MAXIMUM EXTENT PRACTICABLE. ANY EXISTING VEGETATION WITHIN THE LIMITS OF GRADING THAT IS TO REMAIN UNDISTURBED BY THE WORK SHALL BE IDENTIFIED AND PROTECTED FROM DAMAGE BY MARKING, FENCING, OR OTHER MEASURES.
4. CHANGES TO THE EROSION PREVENTION AND SEDIMENT CONTROL PLAN MAY BE MADE TO RESPOND TO FIELD CONDITIONS AND SHALL BE NOTED ON THE PLAN.
5. DISCHARGES OF POTENTIAL POLLUTANTS FROM CONSTRUCTION SITES SHALL BE PREVENTED USING SOURCE CONTROLS TO THE MAXIMUM EXTENT PRACTICABLE. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO SEDIMENT, TRASH, NUTRIENTS, PATHOGENS, PETROLEUM HYDROCARBONS, METALS, CONCRETE, CEMENT, ASPHALT, LIME, PAINT, STAINS, GLUES, WOOD PRODUCTS, PESTICIDES, HERBICIDES, CHEMICALS, HAZARDOUS WASTE, SANITARY WASTE, VEHICLE OR EQUIPMENT WASH WATER AND CHLORINATED WATER.
6. ENTRANCE(S) TO THE CONSTRUCTION SITE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF POTENTIAL POLLUTANTS OFFSITE. POTENTIAL POLLUTANTS DEPOSITED ON PAVED AREAS WITHIN THE COUNTY RIGHT-OF-WAY, SUCH AS ROADWAYS AND SIDEWALKS, SHALL BE PROPERLY DISPOSED OF AT THE END OF EACH WORKING DAY OR MORE FREQUENTLY AS NECESSARY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING CONSTRUCTION VEHICLES LEAVING THE SITE ON A DAILY BASIS TO PREVENT DUST, SILT AND DIRT FROM BEING RELEASED OR TRACKED OFFSITE. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE REMOVED AT THE END OF EACH WORKING DAY OR MORE OFTEN AS NECESSARY.
7. ALL DISTURBED AREAS SHALL BE PROTECTED BY USING EROSION PREVENTION MEASURES TO THE MAXIMUM EXTENT PRACTICABLE, SUCH AS ESTABLISHING VEGETATION COVERAGE, HYDROSEEDING, STRAW MULCH, GEOTEXTILES, PLASTIC COVERS, BLANKETS OR MATS. TEMPORARY OR PERMANENT REVEGETATION SHALL BE INSTALLED AS SOON AS PRACTICAL AFTER VEGETATION REMOVAL BUT IN ALL CASES PRIOR TO OCTOBER 15. PRIOR TO FINAL INSPECTION, ALL DISTURBED AREAS SHALL BE REVEGETATED OR LANDSCAPING SHALL BE INSTALLED.
8. WHENEVER IT IS NOT POSSIBLE TO USE EROSION PREVENTION MEASURES ON EXPOSED SLOPES, SEDIMENT CONTROL DEVICES SUCH AS FIBER ROLLS AND SILT FENCES SHALL BE INSTALLED TO PREVENT SEDIMENT MIGRATION. FIBER ROLLS AND SILT FENCES SHALL BE TRENCHED AND KEYED INTO THE SOIL AND INSTALLED ON CONTOUR. SILT FENCES SHALL BE INSTALLED APPROXIMATELY TWO TO FIVE FEET FROM TOE OF SLOPE.
10. DUST CONTROL SHALL BE PROVIDED BY CONTRACTOR DURING ALL PHASES OF CONSTRUCTION.
11. SOIL, MATERIAL STOCKPILES AND FERTILIZING MATERIAL SHALL BE PROPERLY PROTECTED TO MINIMIZE SEDIMENT AND POLLUTANT TRANSPORT FROM THE CONSTRUCTION SITE.
12. SOLID WASTE, SUCH AS TRASH, DISCARDED BUILDING MATERIALS AND DEBRIS SHALL BE PLACED IN DESIGNATED COLLECTION AREAS OR CONTAINERS. THE CONSTRUCTION SITE SHALL BE CLEARED OF SOLID WASTE DAILY OR AS NECESSARY. REGULAR REMOVAL AND PROPER DISPOSAL SHALL BE COORDINATED BY THE CONTRACTOR.
13. TEMPORARY RESTROOMS AND SANITARY FACILITIES SHALL BE LOCATED AND MAINTAINED DURING CONSTRUCTION ACTIVITIES TO PREVENT THE DISCHARGE OF POLLUTANTS.
14. APPROPRIATE VEHICLE STORAGE, FUELING, MAINTENANCE, AND CLEANING AREAS SHALL BE DESIGNATED AND MAINTAINED TO PREVENT DISCHARGE OF POLLUTANTS.

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GENERAL NOTE:
ANY EXPOSED SOIL EXCEEDING 50 SQ FT WILL BE MULCHED

PROPOSED DRAINAGE & EROSION CONTROL PLAN

SCALE: 1" = 20' (22" X34" PAPER SIZE)
1" = 40' (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
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REVISIONS:

JULIAN BERG DESIGNS
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LICENSED ARCHITECT
JULIAN BERG
ARCHITECT
STATE OF CALIFORNIA
PRELIMINARY NOT TO BE USED FOR CONSTRUCTION

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED DRAINAGE & EROSION CONTROL PLAN**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/16/2024**

SHEET # : **A-1.3**

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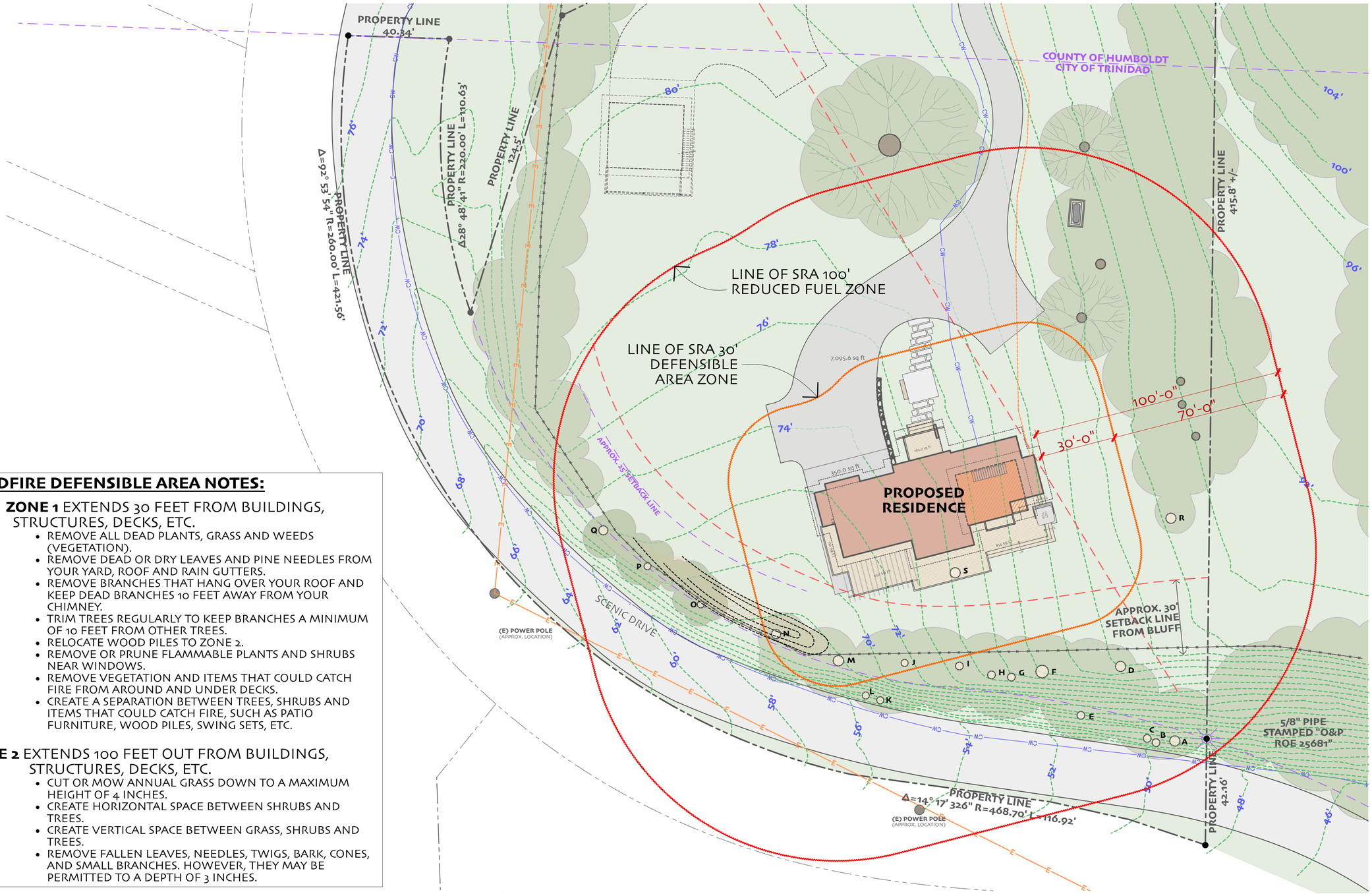

WILDFIRE DEFENSIBLE AREA NOTES:

ZONE 1 EXTENDS 30 FEET FROM BUILDINGS, STRUCTURES, DECKS, ETC.

- REMOVE ALL DEAD PLANTS, GRASS AND WEEDS (VEGETATION).
- REMOVE DEAD OR DRY LEAVES AND PINE NEEDLES FROM YOUR YARD, ROOF AND RAIN GUTTERS.
- REMOVE BRANCHES THAT HANG OVER YOUR ROOF AND KEEP DEAD BRANCHES 10 FEET AWAY FROM YOUR CHIMNEY.
- TRIM TREES REGULARLY TO KEEP BRANCHES A MINIMUM OF 10 FEET FROM OTHER TREES.
- RELOCATE WOOD PILES TO ZONE 2.
- REMOVE OR PRUNE FLAMMABLE PLANTS AND SHRUBS NEAR WINDOWS.
- REMOVE VEGETATION AND ITEMS THAT COULD CATCH FIRE FROM AROUND AND UNDER DECKS.
- CREATE A SEPARATION BETWEEN TREES, SHRUBS AND ITEMS THAT COULD CATCH FIRE, SUCH AS PATIO FURNITURE, WOOD PILES, SWING SETS, ETC.

ZONE 2 EXTENDS 100 FEET OUT FROM BUILDINGS, STRUCTURES, DECKS, ETC.

- CUT OR MOW ANNUAL GRASS DOWN TO A MAXIMUM HEIGHT OF 4 INCHES.
- CREATE HORIZONTAL SPACE BETWEEN SHRUBS AND TREES.
- CREATE VERTICAL SPACE BETWEEN GRASS, SHRUBS AND TREES.
- REMOVE FALLEN LEAVES, NEEDLES, TWIGS, BARK, CONES, AND SMALL BRANCHES. HOWEVER, THEY MAY BE PERMITTED TO A DEPTH OF 3 INCHES.

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PROPOSED SRA DEFENSIBLE SPACE CLEARANCES PLAN

SCALE: 1" = 20' (22" X34" PAPER SIZE)
1" = 40' (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

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LICENSED ARCHITECT
JULIAN BERG
ALBERT
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Exp. 12/31/25
STATE OF CALIFORNIA

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PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED SRA DEFENSIBLE SPACE CLEARANCES PLAN**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-1.4**

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IMAGE #1: MAP VIEW - WESTHAVEN TO TRINIDAD HEAD

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

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LICENSED ARCHITECT ALBERT JULIAN BERG 2/5/24 STATE OF CALIFORNIA

PRELIMINARY AND SUBJECT TO CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **VISUAL STUDY**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-2.1**

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IMAGE #2: MAP VIEW - TRINIDAD HARBOR

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

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LICENSED ARCHITECT JULIAN BERG STATE OF CALIFORNIA

PRELIMINARY NOT TO BE USED FOR CONSTRUCTION

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **VISUAL STUDY**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-2.2**

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IMAGE #3: FROM PROJECT SITE LOOKING NORTHWEST

IMAGE #4: FROM "TRINIDAD HEAD" VISTA TRAIL LOOKING SOUTHEAST

IMAGE #5: FROM "OLD HOME BEACH" LOOKING NORTHEAST TO PROJECT SITE

IMAGE #6: FROM "LUFFENHOLTZ BEACH" LOOKING NORTHEAST TO SITE

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

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STATE OF CALIFORNIA

PRELIMINARY AND SUBJECT TO CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **VISUAL STUDY**
ASSESSOR'S PARCEL NUMBER : **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # :
A-2.3

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IMAGE #7: FROM "HOUDA POINT" TRAIL LOOKING NORTHEAST TO PROJECT SITE

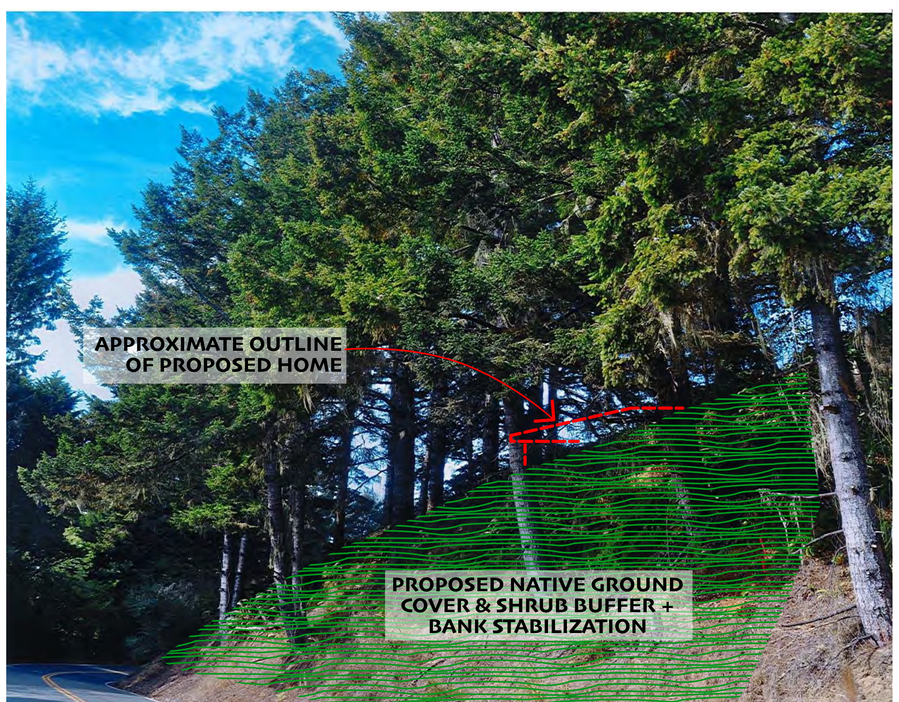

IMAGE #8: FROM SCENIC DRIVE LOOKING NORTHWEST TO PROJECT SITE

IMAGE #9: FROM SCENIC DRIVE LOOKING SOUTHEAST TO PROJECT SITE

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

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No. C-34127
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY AND SUBJECT TO CHANGE

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NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **VISUAL STUDY**
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EXTERIOR LIGHT FIXTURE SCHEDULE

A HALO **SMD4 SERIES** SURFACE MOUNT LED DOWNLIGHT:

- 4" ROUND SURFACE MOUNT
- 690 LUMENS
- 9.5 W
- 90 CRI, 2700K COLOR TEMPERATURE
- TUSCAN BRONZE FINISH

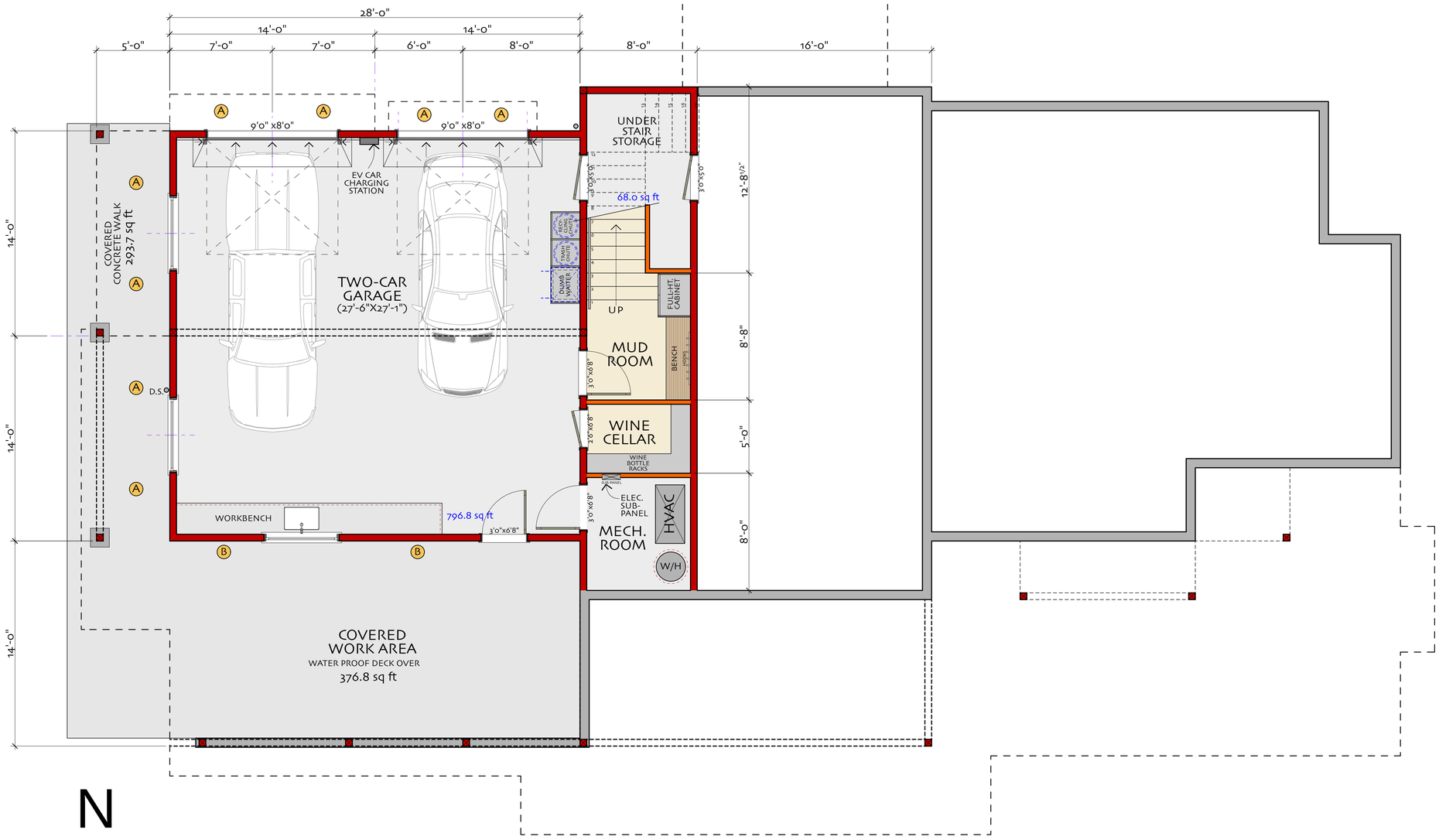
SMD4RTRMTBZ
round, tuscan bronze

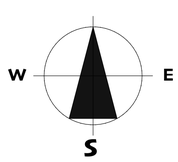
B MINKA LAVERY SKYLINE LED OUTDOOR WALL LIGHT:

- 14 1/2" HIGH X 5" WIDE X EXTENDS 4" FROM THE WALL X BACKPLATE IS 5" WIDE, 5" HIGH
- TWO NON-DIMMABLE INTEGRATED 11 WATT LED MODULES; 2700K COLOR TEMPERATURE; 81 CRI; 610 LUMENS SIMILAR TO A 50 WATT INCANDESCENT BULB
- CYLINDER STYLE UP AND DOWN LIGHT DESIGN
- DORIAN BRONZE FINISH METAL CONSTRUCTION
- DARK SKY COMPLIANT
- CA TITLE 24 COMPLIANT
- ADA COMPLIANT
- WET LOCATION OUTDOOR RATED

C KICHLER BRONZE 3-LED HARDSCAPE STEP LIGHT WITH MOUNTING BRACKET - STYLE # T3437

- DIMMABLE
- 3,000K COLOR TEMP.
- STAINLESS STEEL CONSTRUCTION
- TEXTURED ARCHITECTURAL BRONZE FINISH
- 2.5 TOTAL WATTS
- MOUNT UNDER EACH STEP





PROPOSED BASEMENT FLOOR PLAN

2,670 SQ FT FIRST FLOOR
465 SQ FT SECOND FLOOR
94 SQ FT BASEMENT
3,229 SQ FT TOTAL
797 SQ FT BASEMENT GARAGE

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

WALL LEGEND

- 2x4 WALL (STUDS 16" O.C.)
- 2x6 WALL (STUDS 16" O.C.)

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

JULIAN BERG DESIGNS
ARCHITECTURE & PLANNING
846 A STREET
ARCATA, CALIFORNIA, 95521
TEL:(707) 407-9870
julianbergdesigns.com

LICENSED ARCHITECT ALBERT JULIAN BERG 2/5/24 STATE OF CALIFORNIA
PRELIMINARY AND SUBJECT TO CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759
SHEET TITLE: **PROPOSED BASEMENT PLAN**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # :
A-2

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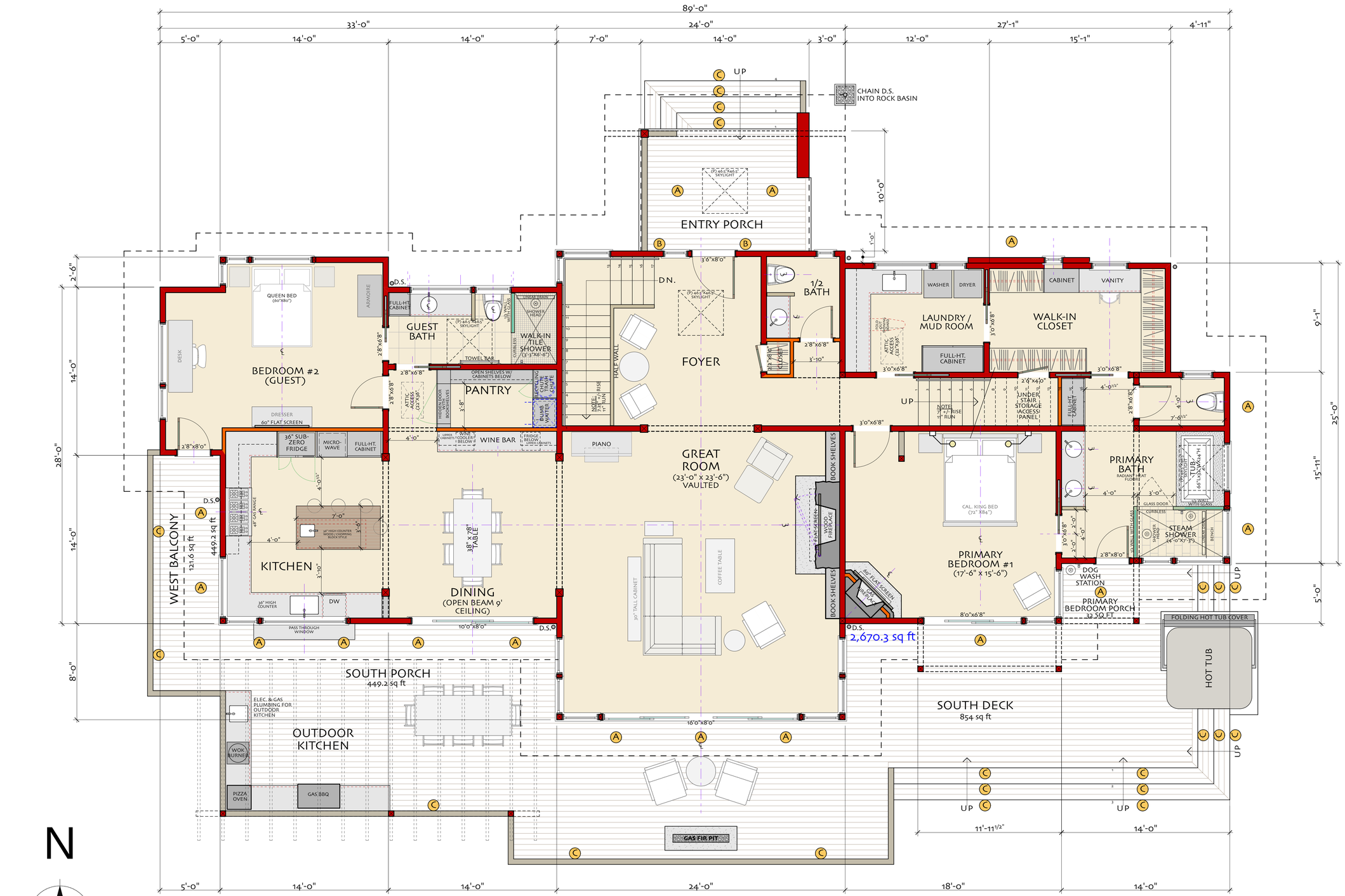

PROPOSED FIRST FLOOR PLAN

2,670 SQ FT FIRST FLOOR
465 SQ FT SECOND FLOOR
94 SQ FT BASEMENT
3,229 SQ FT TOTAL
797 SQ FT BASEMENT GARAGE

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

WALL LEGEND

- 2x4 WALL (STUDS 16" O.C.)
- 2x6 WALL (STUDS 16" O.C.)

GRAPHIC SCALE BAR MEASURES 1 INCH ON FULL SIZE PLANS

DESIGN REVIEW SET
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REVISIONS:

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LICENSED ARCHITECT ALBERT JULIAN BERG C-18759 12/31/25 STATE OF CALIFORNIA
PRELIMINARY AND SUBJECT TO CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED FIRST FLOOR PLAN**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-3**

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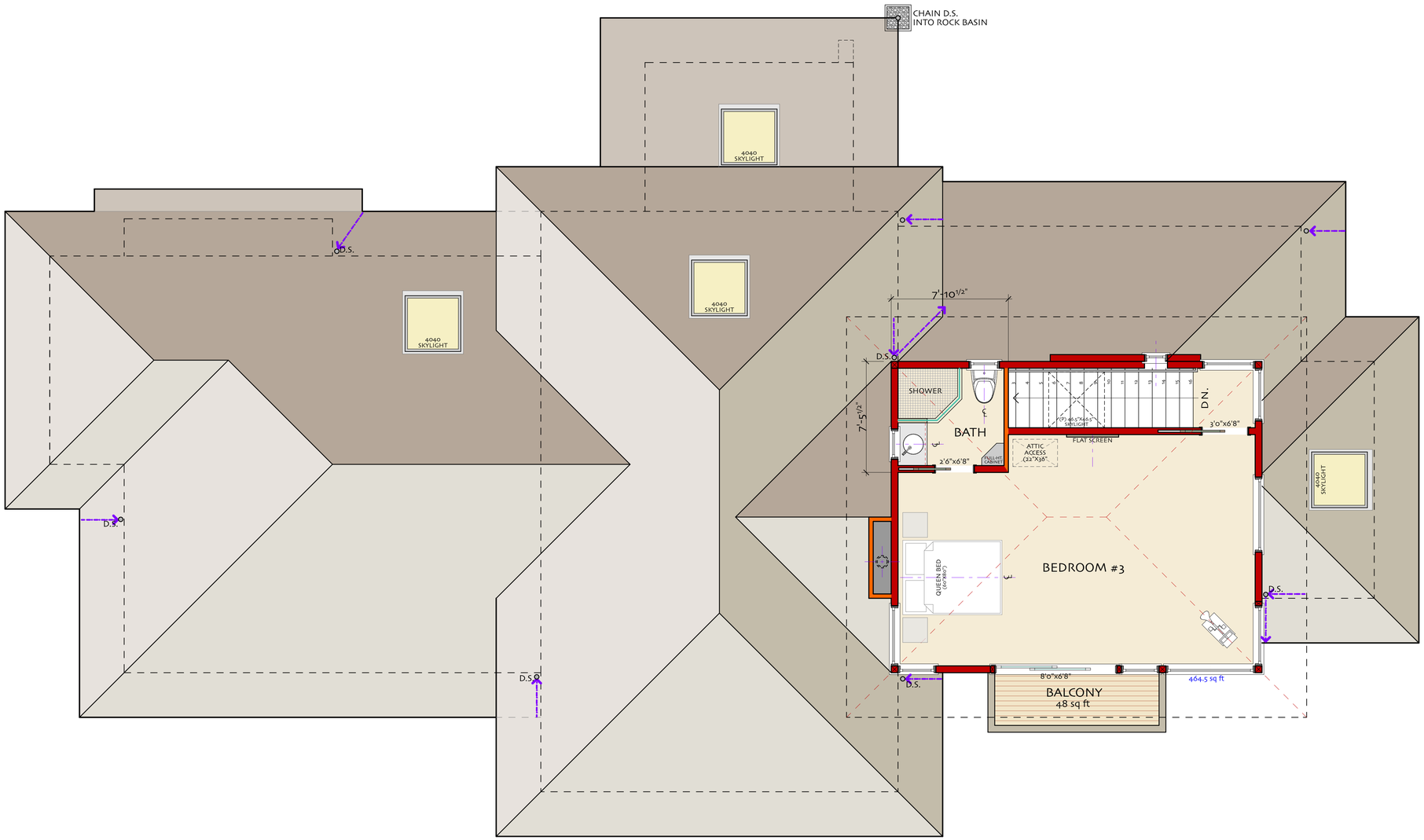

N

W E S

PROPOSED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

WALL LEGEND

- 2x4 WALL (STUDS 16" O.C.)
- 2x6 WALL (STUDS 16" O.C.)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

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LICENSED ARCHITECT
JULIAN BERG
ALBERT
No. 6364
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY
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CONSTRUCTION

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED SECOND FLOOR PLAN**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # :
A-4

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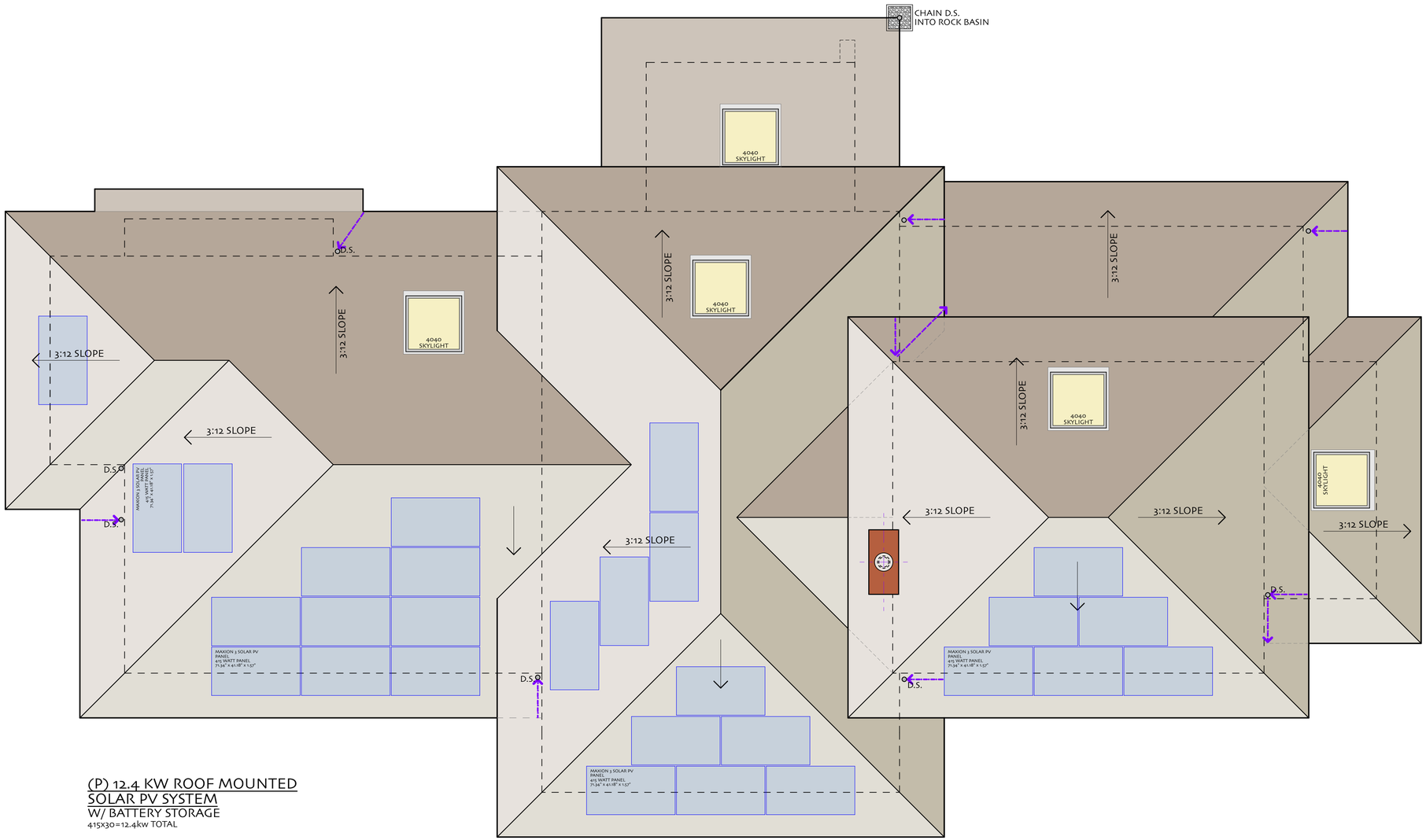

(P) 12.4 KW ROOF MOUNTED
SOLAR PV SYSTEM
W/ BATTERY STORAGE
415X30=12.4kw TOTAL

N

W E S

PROPOSED ROOF PLAN

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

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LICENSED ARCHITECT
JULIAN BERG
ALBERT
No. C-29759
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY
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CONSTRUCTION

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED ROOF PLAN**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # : **A-5**

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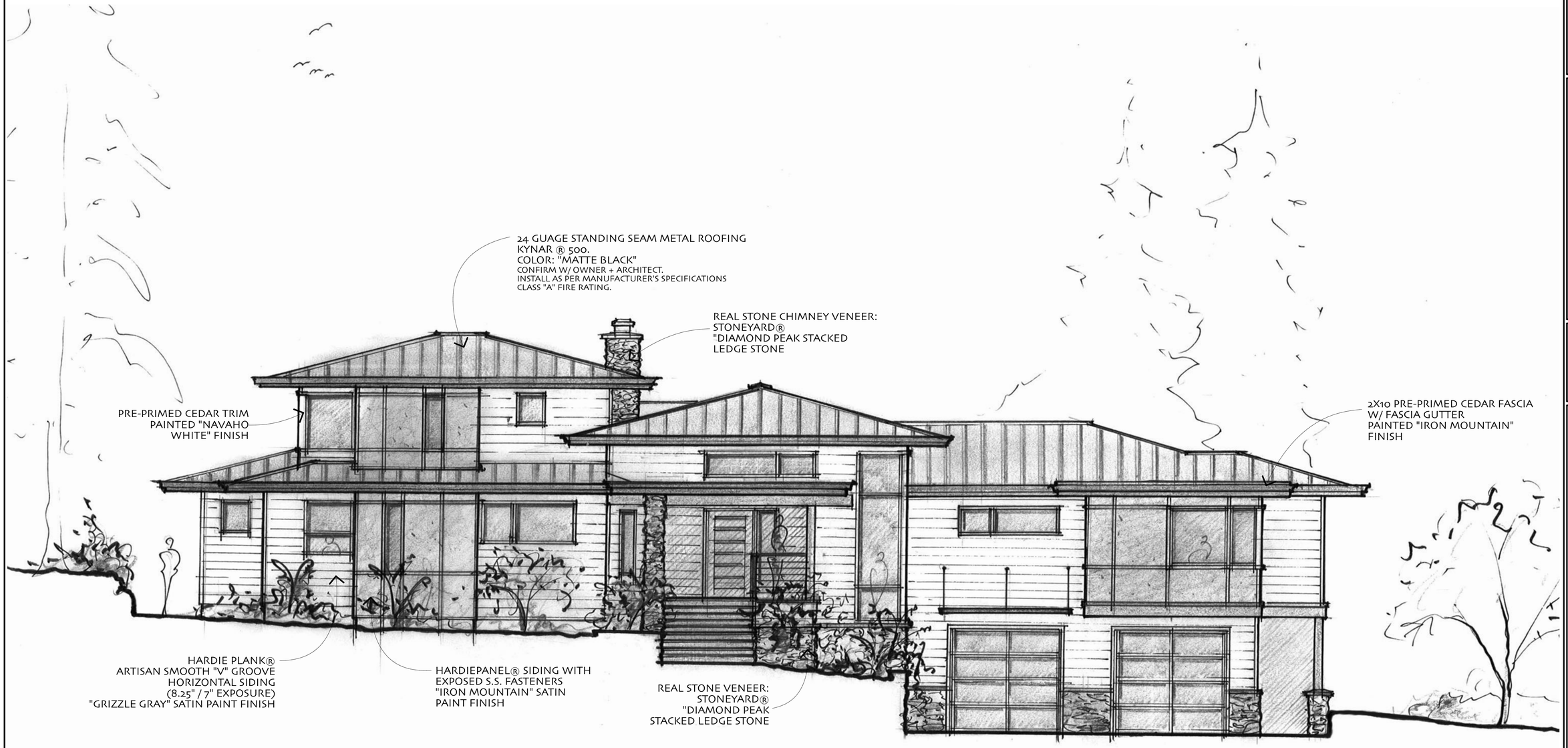

PROPOSED NORTH ELEVATION

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

WINDOWS & PATIO DOORS: MILGARD® ULTRA FIBERGLASS "BLACK BEAN" FRAME FINISH

REAL STONE VENEER: STONEYARD® "DIAMOND PEAK STACKED LEDGE STONE

TRIM COLOR: BENJAMIN MOORE® AURA® EXTERIOR ACRYLIC LATEX PAINT #947 "NAVAJO WHITE" SATIN FINISH

MAIN BASE COLOR: MAGNOLIA® EXTERIOR ACRYLIC LATEX PAINT "1905 GREEN" SATIN FINISH

NATURAL REDWOOD ELEMENTS: "TRANSPARENT REDWOOD" NATURAL STAIN & SEALER BY PENOFIN® PRODUCTS

ACCENT & FASCIA COLOR: BENJAMIN MOORE® AURA® EXTERIOR ACRYLIC LATEX PAINT # 2134-30 "IRON MOUNTAIN" SATIN FINISH

PROPOSED EXTERIOR FINISHES & COLORS

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW
NOT FOR CONSTRUCTION

REVISIONS:

JULIAN BERG DESIGNS
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846 A STREET
ARCATA, CALIFORNIA, 95521
TEL: (707) 407-9870
julianbergdesigns.com

LICENSED ARCHITECT
JULIAN ALBERT BERG
No. C-18724
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY ARCHITECTURAL CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED NORTH ELEVATION**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # :
A-6

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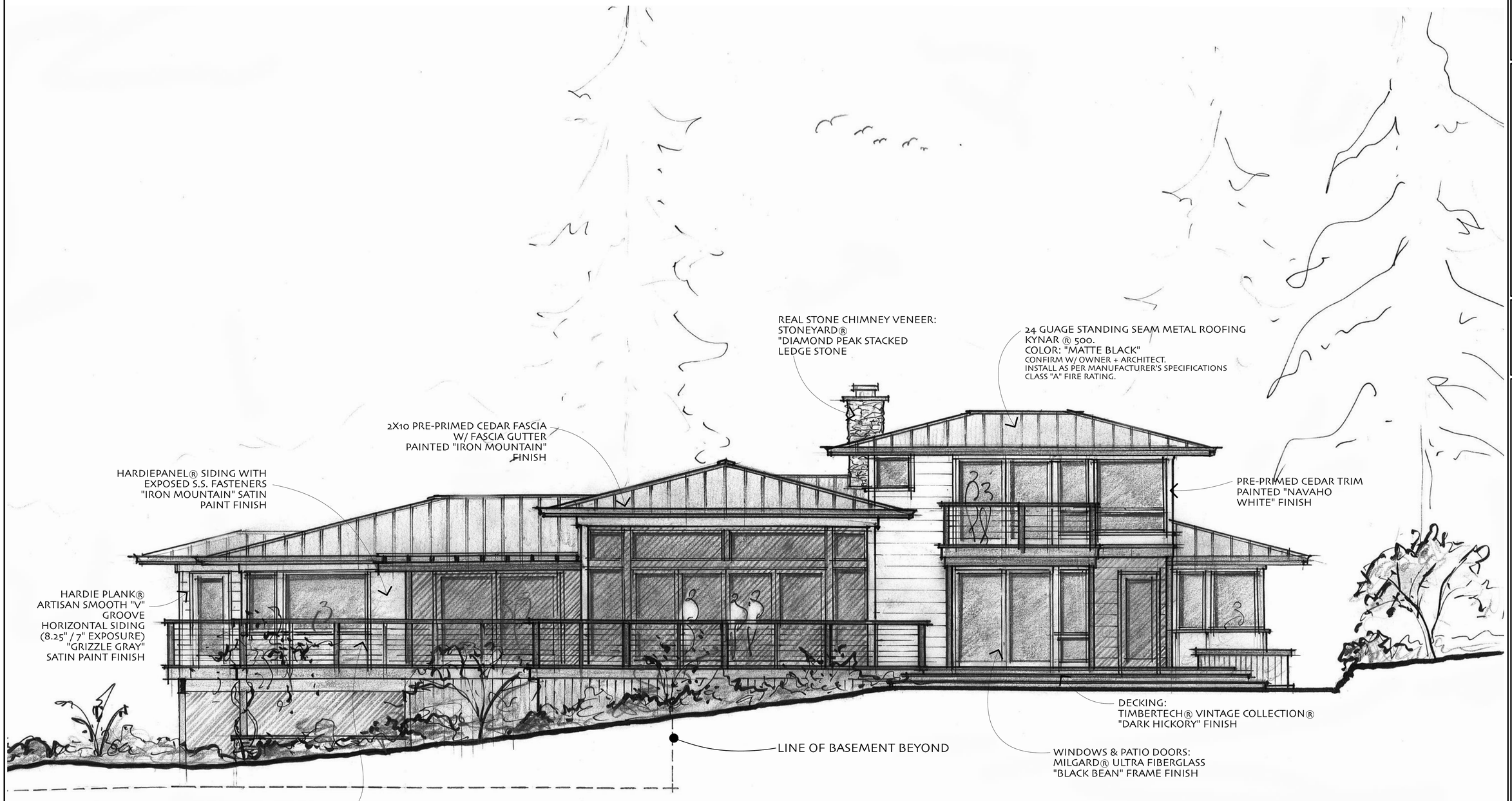

PROPOSED SOUTH ELEVATION

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN RE
NOT FOR CONST

REVISIONS:

JULIAN BERG DESIGNS
ARCHITECTURE & PLANNING
846 A STREET
ARCATA, CALIFORNIA, 95521
TEL:(707)407-9870
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LICENSED ARCHITECT
ALBERT J. BERG
No. 5854
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY
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CONSTRUCTION

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED SOUTH ELEVATION**
ASSESSOR'S PARCEL NUMBER : **042-141-020 + 515-151-067**

DRAWN BY:
JAB
DATE:
2/5/2024

SHEET # :
A-7

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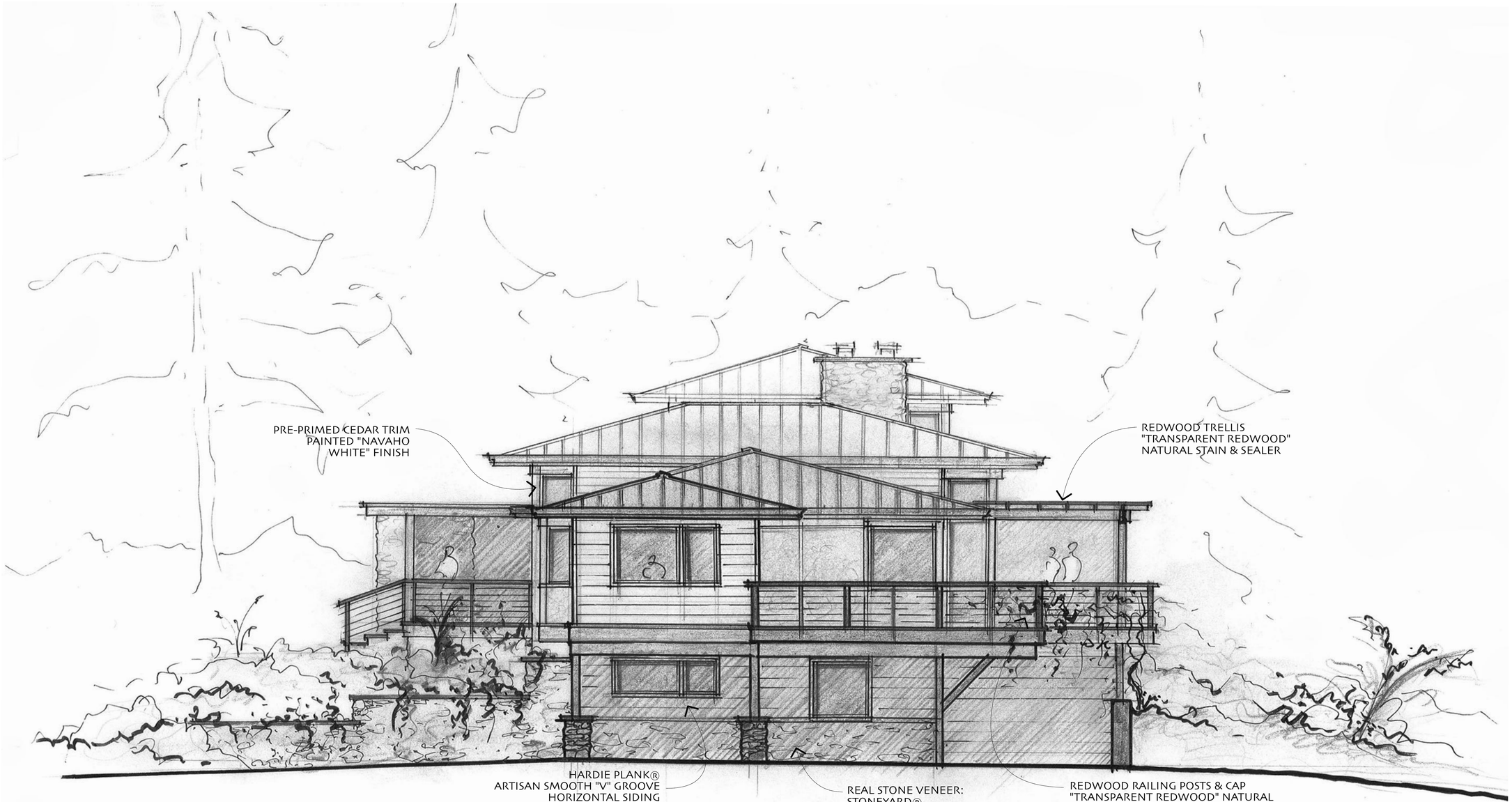

PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

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ALBERT
LICENSE NO. C-29342 EXP. 12/31/25
STATE OF CALIFORNIA

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PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
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SHEET TITLE: **PROPOSED EAST ELEVATION**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # :
A-8

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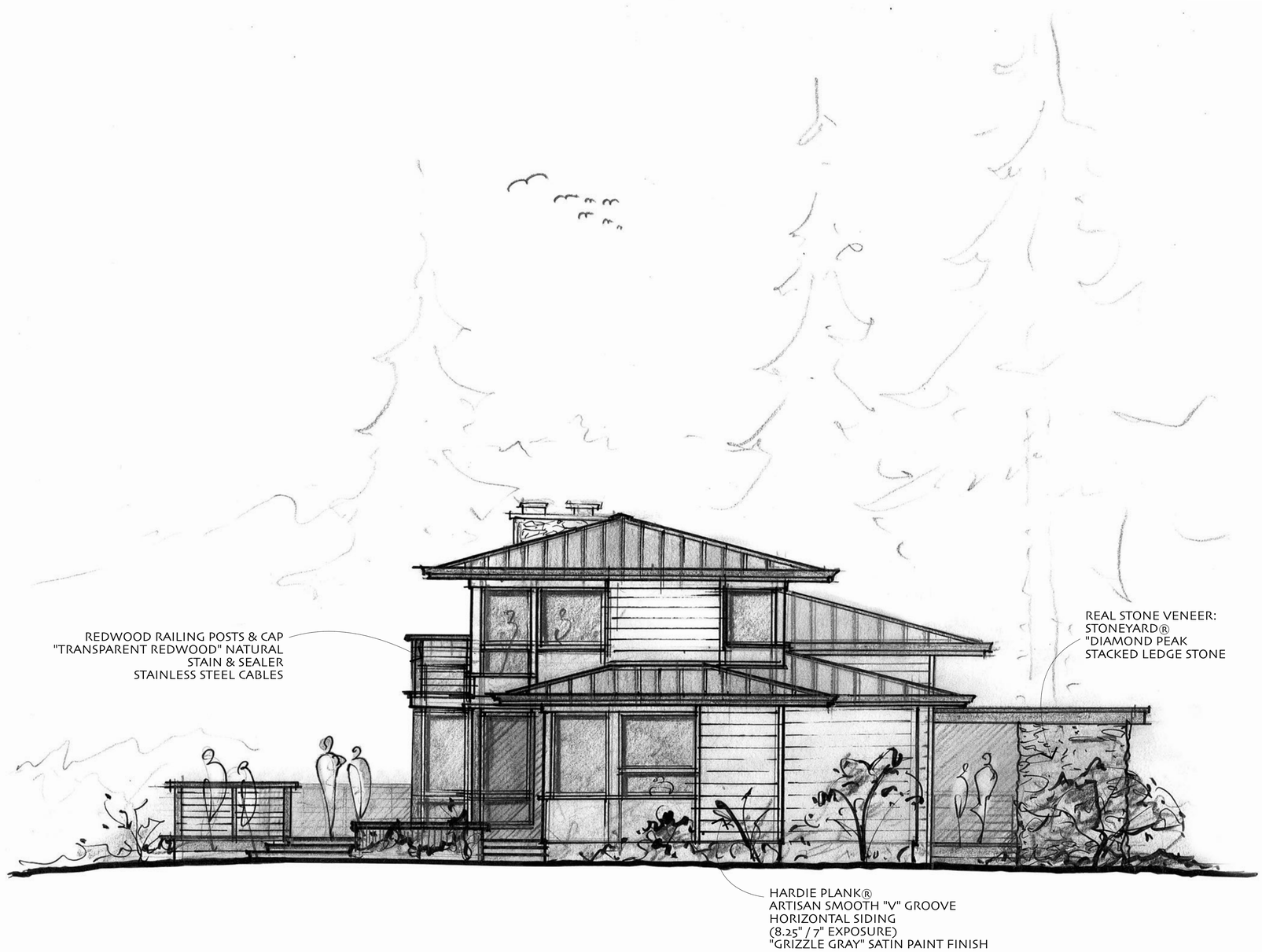

PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW SET
NOT FOR CONSTRUCTION

REVISIONS:

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LICENSED ARCHITECT
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ALBERT
BERG
No. C-29
Exp. 12/31/25
STATE OF CALIFORNIA

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FOR CONSTRUCTION

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED WEST ELEVATION**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY:
JAB
DATE:
2/5/2024

SHEET # :
A-9

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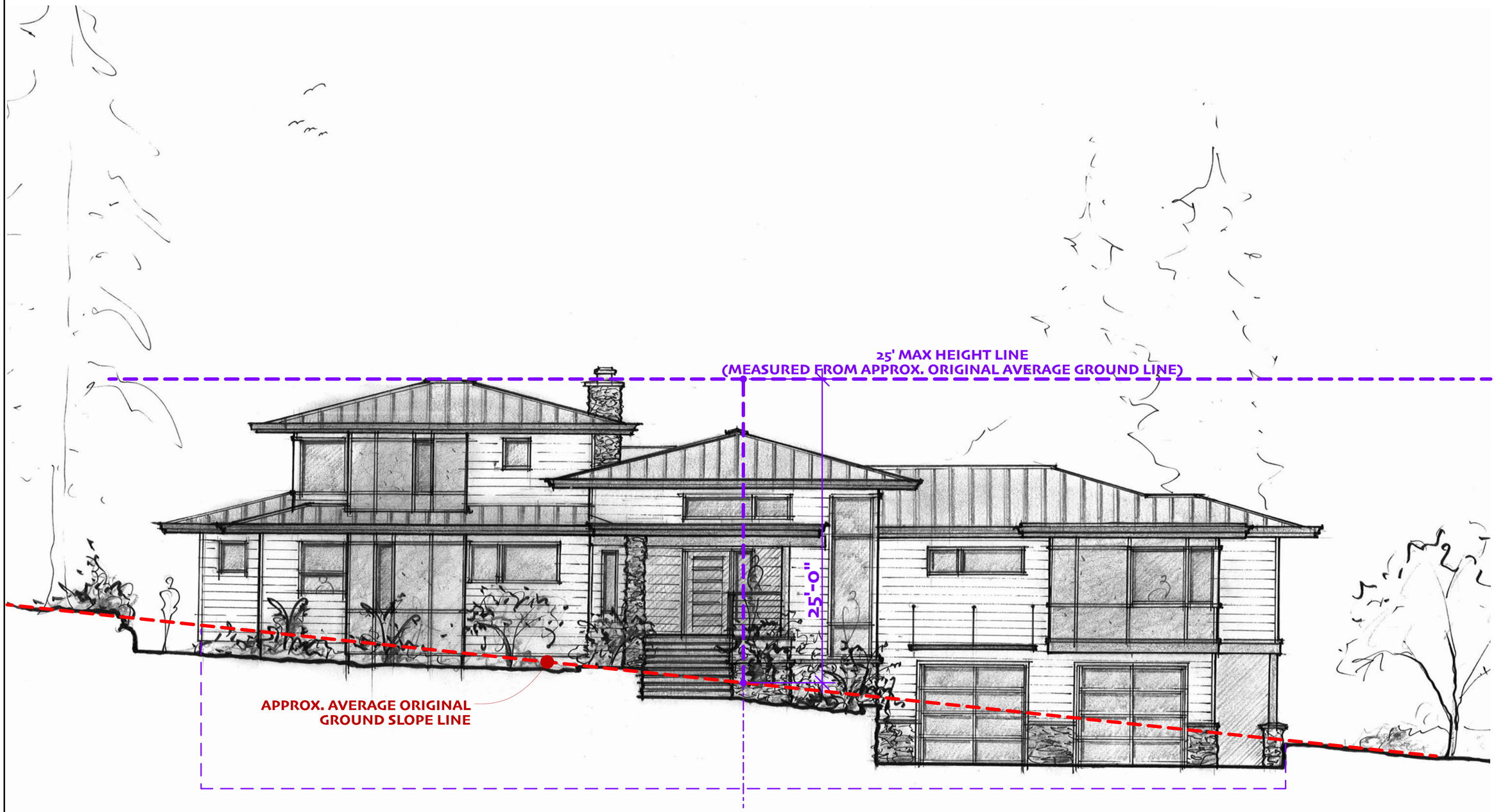

PROPOSED NORTH ELEVATION w/ BUILDING HEIGHT

SCALE: 1/4" = 1'-0" (22" X34" PAPER SIZE)
1/8" = 1'-0" (11" X17" PAPER SIZE)

GRAPHIC SCALE BAR
MEASURES 1 INCH ON
FULL SIZE PLANS

DESIGN REVIEW S
NOT FOR CONSTRUCTION

REVISIONS:

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TEL:(707) 407-9870
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JULIAN BERG
No. C-18634
Exp. 12/31/25
STATE OF CALIFORNIA

PRELIMINARY
AND SUBJECT TO
CHANGE

PROJECT TITLE: **EWALD RESIDENCE - TRINIDAD, CA**
NEAL EWALD • 80 LANFORD ROAD • TRINIDAD, CA 95570 • TEL: (707) 845-5759

SHEET TITLE: **PROPOSED NORTH ELEVATION W/ BLDG. HEIGHT**
ASSESSOR'S PARCEL NUMBER: **042-141-020 + 515-151-067**

DRAWN BY: **JAB**
DATE: **2/5/2024**

SHEET # :
A-10

DISCUSSION AGENDA ITEM #2 SUPPORTING INFORMATION

3. ADU Ordinance: Discussion regarding a draft ADU ordinance. *Continued from the November 15, 2023 meeting.*

Supporting documentation follows with: 25 pages

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DISCUSSION / ACTION AGENDA ITEM

Wednesday, February 21, 2024

Item: Trinidad 2023-03: Update on the temporary closure of the ALMT and progress to-date to reopen the trail.

Note that the background information provided in this report is mostly the same as was presented at the last meeting (November 2023). Skip to the "most recent information" section starting on page three if you are only interested in the new information.

Background
For a number of years, State law has required local jurisdictions to approve Accessory Dwelling Units (ADUs) that meet certain standards. As the State housing crisis continues and housing goals have not been met, the State has further curtailed local jurisdictions' ability to restrict ADUs. Trinidad has been somewhat buffered from these requirements, because the State ADU law does not supersede Local Coastal Programs that have been certified by the Coastal Commission. But ADUs can provide an important source of more affordable housing in the Coastal Zone, and one of the implementation measures in the City's adopted Housing Element is to adopt an ADU ordinance.

History
Trinidad adopted an ADU ordinance in 2012 that was in compliance with the State ADU law in effect at that time. However, upon submittal to the Coastal Commission for certification, the Coastal Commission requested additional information and analysis to ensure that ADUs would not impact coastal resources. The additional information generally fell into three categories: adequacy of water, wastewater, and parking. At the time, the City did not have the information that was being requested, nor the means to obtain it. In addition, the City was also working on certification of its first short-term rental (STR) ordinance (vacation dwelling units (VDUs) at the time) and chose to focus on that ordinance; so the ADU ordinance never went into effect.

Since then, the City completed a Geotech study and groundwater modeling for the stormwater project. In addition, several water studies were completed, including a build-out assessment that included ADUs. And a parking assessment was recently completed. Therefore, City should now have the information needed to show that ADUs, when regulated, will not negatively affect water supply, wastewater treatment capacity, nor parking availability and public access.

With funding from the SB2 housing grant, City staff and the Planning Commission worked on a new ADU ordinance starting in April 2021. After several months of work

with the Planning Commission, a draft was submitted to Coastal Commission staff for review and comment. It took several months to get initial comments, and then several more months for City staff to respond. Since December 2022, City staff have been meeting monthly with Coastal Commission staff regarding LCP update efforts, and the ADU ordinance has been a significant focus of those meetings. Coastal Commission staff have also been corresponding with staff at the CA Dept. of Housing and Community Development (HCD) regarding questions about state housing law and deviations from state standards. HCD now has the authority to review and approve (or reject) local ADU ordinances. It appears that Coastal Commission staff and City staff are generally in agreement on this latest version of the ADU ordinance.

Draft ADU Ordinance

As noted above, State law has become very strict in regards to ADUs, and generally requires local jurisdictions to approve them "by right" ministerially if they meet certain standards (which have tended to expand each year). Ministerial approvals include no discretion on the part of the jurisdiction—if the ADU meets the applicable standards, then it must be approved. Generally, the only deviations from State standards allowed are those necessary to protect sensitive resources, including coastal resources protected by the Coastal Act, or if it can be shown that services are inadequate to accommodate ADUs.

The proposed ordinance is lengthy and complex, but it includes some basic elements. ADUs can be attached to or detached from the primary residence, and/or they can be converted from existing structures. Junior ADUs (JADUs) are small ADUs carved out of existing living space. I believe JADUs may have the most potential in Trinidad, especially if OWTS upgrades are not required or minimal. OWTS requirements will likely be the primary limiting factor for ADUs in Trinidad.

There are different levels of permitting requirements for ADUs depending on what standards they meet, and where they are located. The permitting process will be primarily dictated by the Coastal Development Permit (CDP) requirements.

- Certain JADUs may not be development under the Coastal Act and would only require a ministerial ADU permit, not a CDP.
- J/ADUs that meet all the standards of the ordinance, that are not in or near sensitive areas, and that do not require OWTS upgrades (likely rare), can get a ministerial CDP. Within the areas appealable to the Coastal Commission, a ministerial CDP can be appealed to the Coastal Commission, but not to a City body.
- J/ADUs that require OWTS upgrades, but meet all other standards, can get an administrative CDP if they are not within the area appealable to the Coastal Commission, which includes most of the City (yellow area, Figure 1).

- J/ADUs that do not meet all the standards of the ordinance can get a standard CDP and use permit. Certain standards of the ordinance can be deviated from (such as a larger size), and others cannot. These are specified in the ordinance.

The ordinance contains coastal resource protection standards, public safety standards, standards that apply to both J/ADUs, standards specific to ADUs and standards specific to JADUs. There are also provisions for nonconforming and unpermitted/illegal ADUs. And that is a basic outline of the ordinance. Note that Coastal Commission staff are requiring the addition of six standard conditions for ADUs located near bluffs and unstable areas (§ 17.54.040.G). These will likely be requirements for all development in those areas in the LCP update.

One thing to note is that the area where "by right" ministerial approvals will occur is relatively limited (blue hatching, Figure 1). But even if in the ministerial area, most ADUs will require OWTS improvements, which isn't allowed with a ministerial approval. Administrative permits could apply to ADUs with OWTS improvements, but only in areas that are not appealable to the Coastal Commission (orange area, Figure 1). Recall that administrative permits must be reported to the Planning Commission. It may be possible for someone may to get an administrative permit for just the OWTS improvements, and then get a ministerial permit for the ADU itself once those improvements are done.

If you are interested in further information about State ADU law, you can visit HCD's ADU website here: https://www.hcd.ca.gov/policy-and-research/accessory-dwelling-units, and access their ADU Handbook here (note it has not been updated to include the most recent 2023 additions): https://www.hcd.ca.gov/sites/default/files/2022-07/ADUHandbookUpdate.pdf

Most Recent Updates

The Planning Commission requested input on the issue of STRs in ADUs and primary units from the STR Committee. Background information in relation to ADUs and STRs were provided to the STR Committee at their January 23, 2024 joint meeting with the City Council and Planning Commission along with the questions below. There was no clear consensus at the joint meeting, and the City Council wanted more time to consider the issue. It was discussed again at the City Council meeting on February 13, 2024. The City Council's vote is included after each question. The Planning Commission could make a different recommendation if there is strong agreement and good cause.

1. Should the primary unit be allowed to be a Full-time STR? **Yes (4-1)**

2. Should Full-time STRs be allowed in an ADU subject to approval of a use permit? **No (5-0)**

3. Should Homeshare or Resident STRs be allowed in ADUs **No (5-0)** and/or the primary unit **Yes (based on #1)**, and if so, with or without a use permit? **Without (based on #1)**

Modifications to the ordinance since the November meeting include those based on final Coastal Commission staff comments that were just received as well as Planning Commissioner comments made at the July and November meetings. Some notes and responses to Planning Commissioner and Coastal Commission staff comments are included in comments in the ordinance. After this meeting and after finalizing a few minor details with Coastal Commission staff, the ordinance will be submitted to HCD for review prior to the City adopting the ordinance and sending it to the Coastal Commission for certification.

Staff Recommendation/Suggested Action(s)
Provide comments, questions, and recommendations on the proposed ADU ordinance.

Attachments
- Draft ADU ordinance (20 pages)
- ADU Figure 1 (1 page)

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY OF TRINIDAD

AMENDING CHAPTERS 17.08, 17.28, 17.32, 17.36 AND 17.56 AND ADDING CHAPTER 17.54 TO TITLE 17 OF THE TRINIDAD MUNICIPAL CODE

The City Council of the City of Trinidad does hereby ordain as follows:

ORDINANCE 2022-XX, SECTION 1:

Chapter 17.08 shall be amended as follows:

A new section 17.08.015 is hereby added to the Trinidad Municipal Code as follows:

17.08.015 Accessory dwelling unit

"Accessory dwelling unit" or ADU means an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary dwelling. It shall include permanent provisions for living, sleeping, cooking, eating, and sanitation on the same parcel as the primary dwelling is or will be situated. A detached ADU is not considered an accessory building or accessory use.

A new section 17.08.018 is hereby added to the Trinidad Municipal Code as follows:

17.08.018 ADU permit

"ADU Permit" means a permit issued by the City for either an ADU or JADU pursuant to this section.

A new section 17.08.365 is hereby added to the Trinidad Municipal Code as follows:

17.08.365 Junior accessory dwelling unit

"Junior Accessory Dwelling Unit" or JADU means a dwelling unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family dwelling.

A new section 17.08.34 is hereby added to the Trinidad Municipal Code as follows:

17.08.373 Legally authorized residential structure

"Legally Authorized Residential Structure" is a dwelling unit or accessory structure that has either been constructed with required permits and approvals from the California Coastal Commission and City of Trinidad, or that is a legal, nonconforming structure.

A new section 17.08.377 is hereby added to the Trinidad Municipal Code as follows:

17.08.377 Living area

"Living area" means the interior habitable area of a dwelling unit, including habitable basements and attics, but not including garages or any nonhabitable accessory structures.

Commented [TP1]: This is directly from the state ADU law. The Coastal Commission uses "habitable space" in their guidance memo. I am working with Coastal Commission staff to develop a definition of habitable. In Trinidad, the definition of residential floor area generally coincides with the term "conditioned space" in the building code, which is heated. That seems to make the most sense to me.

A new section 17.08.532 is hereby added to the Trinidad Municipal Code as follows:

17.08.532 OWTS modification

"OWTS Modification" means alterations to an existing onsite wastewater treatment system (OWTS) that do not constitute repair and maintenance pursuant to Public Resources Code § 30610.

A new section 17.08.545 is hereby added to the Trinidad Municipal Code as follows:

17.08.545 Primary dwelling

"Primary dwelling" means the primary, existing legal single-family residential dwelling unit which provides complete independent living facilities for one or more persons.

A new section 17.08.548 is hereby added to the Trinidad Municipal Code as follows:

17.08.548 Proposed dwelling

"Proposed dwelling" means a dwelling that is the subject of a permit application and that meets all the requirements for permitting, including coastal development permit requirements.

A new section 17.08.549 is hereby added to the Trinidad Municipal Code as follows:

17.08.549 Public transit

"Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

A new section 17.08.694 is hereby added to the Trinidad Municipal Code as follows:

17.08.694 Tandem parking

"Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

ORDINANCE 2022-XX, SECTION 2:

There is hereby added to the Trinidad Municipal Code a new Chapter, Chapter 17.54, "City of Trinidad Accessory Dwelling Unit Ordinance," which shall read as follows:

Section 17.54.010 – PURPOSE AND INTENT

The City recognizes the importance of a suitable living environment for all residents. The State Legislature has declared that accessory dwelling units (ADUs) are a valuable form of housing in California. ADUs offer flexibility in housing options and an opportunity for the development of small rental units that provide relatively affordable housing for low- and moderate-income individuals and families, provide economic support for resident property owners, and provide rental units for the elderly or disabled. It is the intent of the City to permit ADUs and Junior ADUs (JADUs), in conformance with state law (Government Code § 65852.2 and § 65852.22), subject to standards that will ensure the units contribute to a safe living environment for all residents. The purpose of this chapter is to maintain the small town, residential character of the City and protect coastal resources when regulating ADUs and JADUs, while complying with the Sections of Government Code § 65852.2 and § 65852.22 to the greatest extent feasible.

Section 17.54.020 – CAP ON THE NUMBER OF ADUS

The City of Trinidad has a limited water supply and no centralized sewage treatment; wastewater is treated via onsite wastewater treatment systems (OWTS). Therefore, in order to protect coastal resources, the number of new ADUs permitted pursuant to this Chapter shall be limited to thirty-six (36). JADUs shall not be subject to this cap. Any change to the cap on the number of ADUs shall require a Local Coastal Program (LCP) amendment, which shall be accompanied by information assessing the potential impact of additional ADUs on coastal resources, including, but not limited to, water quantity and quality. This cap shall be reevaluated if and when: (i) there are any changes to the City's water system that substantially change the amount of water availability, such as the addition of a new water source; or (ii) if the City permits 36 ADUs such that the cap on the number of ADUs is reached.

Section 17.54.030 – PERMITS REQUIRED

A. Establishment of an ADU or JADU requires an ADU Permit from the City.

B. All ADUs and JADUs shall be required to obtain a building permit. Occupancy of an ADU or JADU shall be prohibited until the unit receives a successful final inspection pursuant to a valid building permit and receives a certificate of occupancy or finaled permit card issued by the City on or after the date of the successful final inspection.

C. Ministerial approval: Any application for an ADU or JADU that meets all applicable standards including §§ 17.54.040—17.54.080 of this chapter shall be approved ministerially by the City Planner without a public hearing except as provided in subsections D-F below.

D. Use permit: A use permit shall be required in accordance with this chapter and chapter 17.72 of the Trinidad Zoning Ordinance for establishment of an ADU which does not meet all the standards of § 17.54.070. All other standards and requirements of this chapter and the Trinidad LCP shall apply, including design review approval in accordance with Chapter 17.60 as applicable.

E. Coastal development permits (CDPs): Coastal Development Permits are required for ADUs and JADUs that meet the definition of "development" under Public Resources Code (§ 30106) and that are not excluded from CDP requirements under the California Public Resources Code (§ 30000 and following) or the California Code of Regulations. ADUs or JADUs may be permitted in accordance with one of the following determinations:

1. ADUs and JADUs meeting all applicable standards of the LCP, including §§ 17.54.040—17.54.080 as applicable, and that are entirely contained within the living area of the primary dwelling, including at least one bedroom, are not development and do not require a coastal development permit unless the conversion involves alteration to the size of the dwelling, removal or replacement of major structural components, the placement or erection of any solid material or structure on land, modifications to the OWTS, or if a previously issued CDP requires a CDP or CDP amendment for any development on the lot.

2. ADUs and JADUs not included in subsection 1 above, and that meet all applicable standards of the LCP, including §§ 17.54.040—17.54.080 as applicable, and that do not require OWTS modification(s) shall be issued a ministerial CDP pursuant to § 17.54.100.

3. ADUs and JADUs that meet all applicable standards of the LCP, including §§ 17.54.040—17.54.080 as applicable, and that require OWTS modifications may be issued an administrative CDP (§ 17.72.076), where applicable, consistent with standards established in the LCP.

4. ADUs that do not meet all the standards of § 17.54.070 or ADUs and JADUs that do not meet subsections A-C of § 17.54.040 or ADUs and JADUs that require OWTS modifications within areas appealable to the Coastal Commission pursuant to Public Resources Code § 30603 require a standard CDP through

issuance of a use permit and any other applicable approvals (e.g. design review), and shall be consistent with all applicable standards established in the LCP.

E. ADUs and JADUs that do not meet all applicable standards except as provided herein are not allowed.

Section 17.54.040 – COASTAL RESOURCE PROTECTION STANDARDS

In order to protect coastal resources, unless contained entirely within a legally authorized existing or approved residential structure that will not be repaired to the extent that it constitutes a replacement structure under § 13252 of Title 14, California Administrative Code, ADUs and JADUs, where applicable, shall comply with the following standards for the protection of coastal resources. All new development and improvements associated with an ADU or JADU (e.g. OWTS, parking and driveways, vegetation removal for fire safety, etc.) must also meet these standards.

A. An ADU or JADU and any associated new development shall not be located within 100 feet of the boundary of an Environmentally Sensitive Habitat Area.

B. An ADU or JADU and any associated new development shall not be located within 125 feet of the edge of a coastal bluff.

C. An ADU or JADU and any associated new development shall not be permitted on a property with known archaeological resources.

Commented [TP2]: Not many properties would fall in this category. Maybe include "adjacent to" or "with a high likelihood." We should see if the tribes want the City to create a map of areas of more or less concern.

D. An ADU or JADU and any associated new development shall not be permitted on lands ~~outside of the stable areas~~on or within 100 feet of unstable lands or lands of questionable stability as designated on Plate 3 of the Trinidad General Plan.

E. An ADU or JADU and any associated new development shall not interfere with a public or prescriptive easement for access to the blufftop and/or shoreline.

F. Exceptions to requirements A-D may be granted upon approval of an administrative CDP (§ 17.72.076), where applicable, consistent with standards established in the LCP or a standard CDP through issuance of a use permit in accordance with Chapter 17.72.

G. Prior to issuance of any building permit for an ADU or JADU granted pursuant to subsection F above that is within 125 feet of the bluff edge or ~~outside of the stable areas~~on or within 100 feet of unstable lands or lands of questionable stability as designated on Plate 3 of the Trinidad General Plan, a deed restriction, approved by the City, shall be recorded with the County Recorder's Office, which shall run with the land and be binding upon any future owners, heirs, or assigns, to acknowledge and agree:

1. T~~t~~hat the ADU or JADU is located in a hazardous area, or an area that may become hazardous in the future;
2. T~~t~~o assume the risks of injury and damage from such hazards in connection with the permitted development;
3. T~~t~~hat they have no rights under Coastal Act Section 30235 and related LCP policies to shoreline armoring in the future;
4. T~~t~~hat sea level rise and related coastal hazards could render it difficult or impossible to provide services to the site (e.g., maintenance of roadways, utilities, sewage or water systems), thereby constraining allowed uses of the site or rendering it uninhabitable;
5. T~~t~~hat the structure may be required to be removed or relocated and the site restored if bluff retreat reaches the point where the structure is threatened or the site is uninhabitable; and
6. T~~t~~hat if portions of the subject permitted ADU/JADU, garage, foundations, leach field, septic tank, or other improvements associated with the ADU/JADU fall to the beach or adjacent property before they can be removed from the blufftop, the landowner shall remove all recoverable debris associated with these structures from the beach and ocean and lawfully dispose of the material in an approved disposal site, and the landowner shall bear all costs associated with such removal.

~~6.~~7. That development approvals do not permit any development to be located on lands impressed with a public trust interest, and any development that comes to be located on such lands due to the movement of the mean high tide line must be removed unless the City or Coastal Commission determines, pursuant to a permit amendment, that the development may remain pursuant to the Coastal Act. If the development comes to be located on lands impressed with a public trust interest due to the movement of the mean high tide line, the applicant would also be subject to the State Lands Commission's (or other designated trustee agency's) discretionary leasing approval.

Commented [TP3]: CCC staff wants to add another provision regarding public trust lands should the high tide line move inland. Seems like a stretch for Trinidad, that just so I will discuss it further.

Section 17.54.050 – PUBLIC HEALTH AND SAFETY REQUIREMENTS

A. Building and Fire Standards.

1. Attached ADUs shall be subject to the same building and fire code standards as for any other modifications to a single-family residence. The installation of fire sprinklers shall not be required in an ADU if sprinklers are not required in the primary dwelling.
2. Detached ADUs shall be subject to building and fire code standards for new dwellings in effect at the time they are constructed, except that fire sprinklers

shall not be required for the ADU if they were not required for the primary residence.

3. Newly constructed, detached ADUs shall comply with the California Energy Code requirement to provide solar panels. Solar panels may be installed on the ADU or the primary unit. New electrical lines shall be underground rather than overhead where feasible and if the lines of the primary unit are underground.

B. Onsite Wastewater Treatment System (OWTS):

1. Adequate sewage capacity must be available to serve the proposed new ADU and/or JADU as well as existing dwelling(s) on the property. Prior to approval of a building permit, the applicant shall submit proof, in the form of written approval or verification by the Health Officer and OWTS administrator, that the existing OWTS is of adequate size and condition to support projected sewage flow for all existing and proposed dwellings on the property. For systems that are older than 10 years, or that were not engineered when originally constructed, a new soils suitability analysis, including a percolation test, may be required to verify the capacity of the OWTS.
2. If the capacity or condition of the existing OWTS is found to be inadequate to serve the existing and proposed dwellings on the property, all necessary permits and approvals shall be obtained to replace, modify, or upgrade the OWTS as needed and in conformity with all applicable policies of the certified Trinidad Local Coastal Program and in compliance with all current standards and requirements of the Health Officer.
3. An ADU or JADU involving new construction shall not encroach into the OWTS reserve area or its required setbacks. If no reserve area exists or it is undersized for the existing and proposed use(s), a reserve area shall be designated or expanded in accordance with current standards to serve the existing and proposed use(s).

Section 17.54.060 – GENERAL STANDARDS FOR ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

A. An ADU or JADU may be located on any lot zoned to allow single-family or multifamily residential use (Urban Residential, Suburban Residential, and Planned Development zones) and which either contains an existing or proposed primary dwelling.

B. The ADU or JADU must be located on the same lot as the existing or proposed primary dwelling.

C. An ADU or JADU may be rented separately from the primary dwelling, but may not be sold or otherwise conveyed separately from the primary dwelling except when the primary dwelling and the ADU are built by a qualified non-profit corporation

and the ADU will provide low-income housing in accordance with Government Code § 65852.26 and only if the ADU has its own separate OWTS.

D. ADUs and JADUs are considered a residential use but are not required to meet the density requirements of the General Plan/Land Use Plan or zoning ordinance.

E. ~~A maximum of one ADU and one JADU shall be permitted on any one parcel or lot with a primary or multi-family dwelling.~~ In general, one ADU and one JADU are permitted in association with a single-family dwelling, and two ADUs are permitted in association with a multi-family dwelling. Configurations with more than one ADU are allowed in residential, mixed use, and multi-family development as described in § 17.54.060.1.

F. A certificate of occupancy or final inspection shall not be issued to an ADU or JADU prior to the certificate of occupancy or final inspection for the primary dwelling.

G. Utilities for detached ADUs shall be installed underground if the utility connections for the primary dwelling are underground. Separate utility meters from the primary dwelling shall not be required for JADUs and attached ADUs less than 800 sq. ft. in floor area.

H. Deed Restriction. Prior to issuance of any building permit for an ADU or JADU, a deed restriction, approved by the City, shall be recorded with the County Recorder's Office, which shall run with the land and be binding upon any future owners, heirs, or assigns, and that include the pertinent restrictions and limitations for the ADU or JADU including the following:

1. The prohibition on the conversion of all or a portion of the ADU or JADU to living space of the primary dwelling without prior City approval and applicable permits;
2. The prohibition on the rental of the ADU or JADU for periods of less than 30 days;
3. The prohibition on the sale of the ADU or JADU separately from the primary dwelling consistent with § 17.54.060.C;
4. Restriction on the size and attributes (e.g. number of bedrooms) of the ADU and/or JADU and primary dwelling to what was approved by the City pursuant to this Chapter including limitations to the OWTS.

Commented [TP4]: I was hoping we could get away with this simpler provision as an alternative to the state code requirements, since Trinidad does not have much existing or potential multi-family development. But CCC staff recommended using the state code language, which has been added as 17.54.060.1.

Commented [TP5]: There was a question as to when separate meters would be required. State law just prohibits the requirement for ADUs less than 800 sq. ft. For larger ADUs, it is up to the City. Does the PC want to specify that anything larger requires a new meter, or leave it up to the discretion of the Building Inspector?

Commented [TP6]: Can/should we allow ADUs to be homeshare or resident STRs? Is this something that an exception should be allowed for (through a use permit/standard CDP)? Should the primary unit be allowed to be an STR?

Section 17.54.070.1 – ADU AND JADU CONFIGURATIONS WTIHIN RESIDENITAL AND MIXED USE ZONES

Combinations of ADUs and JADUs may be permitted on the same lot within residential or mixed-use zones in the configurations listed below.

A. One ADU and one JADU per lot with a proposed or existing single-family dwelling if all of the following apply:

1. The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
2. The space has exterior access from the proposed or existing single-family dwelling.
3. The side and rear setbacks are sufficient for fire and safety.
4. The junior accessory dwelling unit complies with the requirements of § 17.54.080.

B. One detached, newly constructed, ADU with minimum four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described in subparagraph 'A' and the detached ADU contains no more than 800 square feet of floor space, and its height is no more than 16 feet.

C. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. At least one ADU shall be allowed within an existing multifamily dwelling and up to 25 percent of the existing multifamily dwelling units may be allowed subject to OWTS requirements and all other applicable standards.

D. Not more than two ADUs that are located on a lot that has an existing or proposed multifamily dwelling but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear and side yard setbacks. If the existing multifamily dwelling has a rear or side setback of less than four feet, no modification of the existing multifamily dwelling shall be required as a condition of approving the application to construct an ADU that satisfies the requirements of this subparagraph.

Commented [TP7]: This is in the state code, but not in the Hum. Co. ordinance.

Section 17.54.070 – DEVELOPMENT STANDARDS SPECIFIC TO ACCESSORY DWELLING UNITS

A ministerial ADU permit will be issued only if the ADU complies with all the following development standards:

A. The ADU may be attached to, or located within, the proposed or existing dwelling, including attached garages, storage areas or similar uses, or within an attached or detached accessory structure, or detached from the proposed or existing dwelling.

B. The total floor area of a detached ADU shall not exceed 1,200 square feet. The floor area of an attached ADU shall not exceed 50% of the floor area of the primary dwelling

or 1,200 sq. ft., except that at least 850 square feet shall be allowed. Maximum lot coverage and floor-to-area ratios shall be observed.

C. The setback requirements for newly constructed ADUs are as follows: front – 20 feet, rear and side – 4 feet, street side – 15 feet. ADUs shall be permitted in legally permitted structures located within required rear and side setbacks. However, if the front setback would preclude creation of an ADU of at least 800 sq. ft., then the setback may be reduced the minimum amount to allow construction of an 800 sq. ft. ADU.

D. In order to protect visual resources and public views of the coast the following height limits shall apply:~~,~~

1. A~~a~~ newly constructed attached or detached ADU shall be no greater than 16 feet in height. An ADU within an existing structure shall not increase the height of that structure by more than 10%.

~~D.~~2. Where applicable, an Administrative CDP may be granted for detached ADUs up to 18 feet in height and attached ADUs up to 25 feet in height.

E. Off-street Parking:

1. Each ADU shall provide one off-street parking space per unit except as provided in (3). The parking space may be covered or uncovered and must be of standard size. Required parking may be located within required setbacks and can be tandem.

2. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those parking spaces shall not be required to be replaced. Uncovered parking spaces for the primary dwelling shall be replaced, but not to exceed two spaces.

3. If the lot on which an ADU is proposed is currently conforming as to parking for the existing or proposed primary dwelling(s), and the ADU is located on a street with on-street parking then no additional parking shall be required for an ADU if:

   a. The ADU is located within one-half mile walking distance of public transit.

   b. Where the ADU is located within an architecturally and historically significant historic district.

   c. The ADU is part of the proposed or existing primary residence or an accessory structure.

   d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

   e. When there is a car share vehicle located within one block of the accessory dwelling unit.

Commented [TP8]: This is newer requirement of the state law that had not made it into the ordinance yet.

Commented [TP9]: This was suggested by Coastal Commission staff as a compromise to bring the ordinance closer to compliance with state law. The area subject to administrative permits is limited, and where views generally aren't much of an issue (orange area on map).

Commented [TP10]: There was a suggestion to map these. Only 'a' applies to Trinidad currently. We may be able to add that to the ADU figure without making it too busy, but our drafter is very busy right now, so it will have to wait.

F. Construction of an ADU shall not require more than 1,000 sq. ft. or 50 cubic yards of grading.

G. A permanent foundation shall be required for all ADUs.

H. ADUs that involve new construction shall incorporate the same or similar architectural features and building materials as the primary dwelling unit or dwellings located on adjacent properties.

I. The entrance to the accessory unit shall face the interior of the lot unless the accessory unit is directly accessible from an alley or a public street, or if it utilizes the same entrance as the primary unit. Windows which face an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping may be used to provide privacy screening.

J. All newly constructed first-floor ADUs shall be adaptable for use by persons with ADA-defined disabilities as follows:

Commented [TP11]: Does this need a definition? Does HCD have a standard definition? (I would expect that it applies to new structures and newly added living space within an existing structure. It should not apply to ADUs within existing living space.)

1. The bathroom shall provide minimum clearances as specified for accessible units per California state accessibility requirements, and grab bar blocking shall be installed in the walls.
2. Entry doors shall have a minimum width of three feet.
3. Interior doors shall have a minimum width of 2 feet 10 inches
4. Thresholds shall meet California state accessibility requirements
5. The kitchen shall meet the minimum clearances specified in the California state accessibility requirements.

K. Occupancy

1. The principal place of residence of the property owner shall be either the ADU or the primary unit for ADUs constructed after January 1, 2025.
2. The ADU shall be rented for terms of at least 30 days and shall not be used as an STR ~~unless the primary dwelling is owner-occupied~~.

Section 17.54.080 – DEVELOPMENT STANDARDS SPECIFIC TO JUNIOR ACCESSORY DWELLING UNITS

A. A JADU shall be constructed within the walls of a proposed or existing, legally authorized single-family dwelling and must include an existing, legally permitted bedroom from the primary dwelling. The residence shall not be part of a duplex, or other multi-family development.

B. A JADU may include separate sanitation facilities or may share sanitation facilities with the primary dwelling.

C. The property owner must reside within either the JADU or the primary dwelling. JADUs shall not be rented for terms less than 30 days.

D. For purposes of setbacks and other zoning regulations, a JADU in new construction shall be considered to be a part of the principal dwelling of subject site and shall be subject to the same requirements of the underlying zoning district. But JADUs shall be allowed within an existing, nonconforming, single-family dwelling.

E. The floor area of a JADU shall not exceed 500 square feet.

F. A JADU shall have a separate exterior entry from the main entrance to the primary dwelling, which shall be provided to serve the JADU only.

G. A JADU shall include an efficiency kitchen that includes a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the JADU. In addition, the efficiency kitchen is limited to the following components:

1. A sink with a maximum area of two square feet and with a maximum drain line diameter of one and one-half inches;
2. Food preparation appliances that do not require electrical service greater than 120 volts nor natural or propane gas;

H. No additional off-street parking is required for a JADU.

Commented [TP12]: There are not specific kitchen requirements for an ADU, except that, by definition, they have to have provisions for cooking and eating. § 17.08.250 of Trinidad's code defines dwelling unit as including a kitchen or kitchenette, which the PC has defined by policy. The first part of this section (not #1 & 2) is directly from the state code. The idea is that ADUs have more flexibility and JADUs are a more limited subset of ADUs. I am hoping that with the smaller kitchen limits, the OWTS requirements will be less onerous when the County updates their regulations.

Commented [TP13]: This could just refer to a "wet bar," which is defined by PC policy, but not part of the certified LCP.

Section 17.54.090 –ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT PERMITTING PROCEDURES

A. Submittal: Applications for ADUs and JADUs shall be submitted to the City Clerk's Office on a City of Trinidad ADU Application. All required information must be submitted before the application is considered complete.

B. Fees: Fees for ADU permits shall be set by resolution of the City Council. Fees shall be based on the costs incurred to issue the permit, including costs for adopting and amending the ADU ordinance commensurate to individual permits.

C. Timing for ADUs and JADUs meeting all the applicable standards of the LCP, including §§ 17.54.040—17.54.080 as applicable and that do not require OWTS modifications:

1. The City shall act on the application for an ADU Permit within 60 days from the date the local agency receives a completed application if there is an existing dwelling on the lot. If the permit application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City shall delay acting on the ADU Permit until the City acts on the permit application to create the new single-family dwelling and all appeal periods have ended, but the ADU Permit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for

the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

2. If the City does not act within the specified time period or extension thereof, the applicant may seek remedy to resolve the undecided permit request as set forth in California Government Code § 65956. The date of the actual filing of the application for the purposes of this Chapter shall be the date of the environmental determination as required by local and state environmental review procedures.
3. Failure to act – notice.
   a. Notification by Applicant. If the City has failed to act on an application within the time limits set forth in Government Code §§ 65950—65957.1, thereby approving the development by operation of law, the person claiming a right to proceed pursuant to Government Code §§ 65950—65957.1 shall notify, in writing, the City and, if a CDP was required, the Coastal Commission of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to be approved.
   b. Notification by City. When the City determines that the time limits established pursuant to Government Code §§ 65950—65957.1 or Government Code § 65852.2 for an ADU or a JADU have expired, the City shall, within seven (7) calendar days of such determination, notify any person entitled to receive notice pursuant to Title 14, California Code of Regulations § 13571(a) that the application has been approved by operation of law pursuant to Government Code §§ 65950—65957.1 and, if applicable, the application may be appealed to the Coastal Commission pursuant to § 17.72.100. This Section shall apply equally to a City determination that the project has been approved by operation of law and to a judicial determination that the project has been approved by operation of law.
4. When an application for a coastal development permit has been deemed approved by failure to act, such approval shall be subject to the notice requirements of § 17.72.130 or, for coastal development ministerial permits, the notice requirements of § 17.54.100.

D. ADU Permits: Permits for ADUs and JADUs that meet all the applicable standards of the LCP, including §§ 17.54.040—17.54.080 as applicable, and that do not require OWTS modification(s), will be granted ministerially by the Zoning Administrator in accordance with § 17.54.100. Other ADUs and JADUs shall be permitted as specified in § 17.54.030.

E. Issuance: An ADU permit shall only be issued for an ADU or JADU if the application conforms to all the applicable standards of the LCP, including the regulations contained in this Chapter, and only after the Zoning Administrator makes the three findings below. If a CDP is required, the ADU Permit will be deemed approved upon issuance of the CDP.

1. The ADU is compatible with the design of the main unit and the surrounding neighborhood in terms of landscaping, scale, height, length, width, bulk, lot coverage, and exterior treatment.
2. The ADU will not have negative impacts on coastal resources or public access.
3. The ADU is consistent with applicable policies and regulations, including this Chapter, and other requirements of the certified LCP.

Section 17.54.100 – MINISTERIAL COASTAL DEVELOPMENT PERMITS

A. Purpose. The purpose of this section is to provide for the ministerial issuance of CDPs for ADUs that meet all of the requirements specified in §§ 17.54.040—17.54.070.

B. Approval. The Zoning Administrator or their designee may approve a ministerial CDP without the requirement of a public hearing. Any ministerial CDP approved by the Zoning Administrator or their designee for an ADU located in an area within the appeal jurisdiction of the California Coastal Commission shall contain a statement that the permit will not be effective until the appeal period to the California Coastal Commission has expired and no appeal has been filed.

C. Appeals. A public hearing is not required for ministerial CDPs, and they are not appealable to the Planning Commission or City Council. For development located within the appeal jurisdiction of the California Coastal Commission, ministerial CDPs are appealable to the Coastal Commission in accordance with Coastal Commission regulations.

D. Noticing.

1. Ten days prior to action on a ministerial CDP, the applicant must post, at a conspicuous place, easily read by the public, and as close as possible to the site of the proposed development, notice using a form provided by the City.
2. Notice that the Zoning Administrator or their designee intends to approve a ministerial CDP shall be posted in three public places within the city and mailed at least ten (10) calendar days prior to issuance by first class mail to:
   a. The applicant;
   b. All property owners within one hundred (100) feet of the property lines of the project site, and to each occupant of property within one hundred (100) feet of the property lines of the project site where it can be reasonably determined.
   c. Any person who specifically requested, in writing, notice of such action; and
   d. The Coastal Commission.

E. Content of Notice. The notice shall contain the following information:

1. A statement that the development is within the coastal zone;
2. The date of filing of the application and the name of the applicant;
3. The file number assigned to the application;
4. A description of the development and its proposed location;
5. The date on which the ministerial coastal development permit will be deemed approved; and
6. If the development is located in an area that is subject to the appeal jurisdiction of the California Coastal Commission, disclosure that the permit is appealable to the California Coastal Commission.

F. Final Action. A decision on a ministerial CDP application shall not be deemed complete until the decision has been made and all required findings have been adopted.

G. Notice of Final Action. Notice shall be mailed within ten (10) calendar days of final action by first class mail to:

1. The applicant;
2. Any person who specifically requested, in writing, notice of such final action;
3. The Coastal Commission; and
4. The County Assessor.

H. Effective Date.

1. Decisions of the approving authority on an application for a development that is appealable to the Coastal Commission shall become final and effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. If the notice of final action is deficient and does not contain information pursuant to § 17.54.100.E, the permit decision will be stayed and shall become final ten (10) working days after a corrected notice of final action meeting the requirements of § 17.54.100.E is received by the Coastal Commission pursuant to § 17.54.100.G and no appeal has been filed.
2. Where an application for a development is not appealable to the Coastal Commission, the decision of the approving authority shall become final and effective following the action of the approving authority to approve or deny the ministerial CDP.

Section 17.54.110 – EXISTING ADU's

A. Nonconforming ADU's

1. Legal, nonconforming (i.e., legally established prior to the certification of the City's Zoning Ordinance in 1980) ADU's shall maintain their nonconforming status and shall be subject to all the nonconforming regulations in chapter 17.64 of the Trinidad Zoning Ordinance, unless an ADU permit is approved for that unit pursuant to this chapter. If such permit is granted, then the ADU shall no longer be considered nonconforming and shall be subject to all the regulations and requirements of this chapter.
2. Legal, nonconforming ADU's are required to maintain their Onsite Wastewater Treatment System at a level of Satisfactory or better according to the City's OWTS Management Program. If the OWTS receives a performance rating of less than Satisfactory, then either modifications to the OWTS or restrictions on water use and occupancy should be required as conditions of the OWTS operating permit subject to any other applicable permit requirements.

B. Illegal ADU's

1. Owners of illegal ADU's, those that were constructed or converted after 1980 without Planning Commission approval of a coastal development permit and any other applicable permits, have a three-year grace period from the date of the certification of this ordinance by the Coastal Commission in which to apply for an ADU permit pursuant to this Chapter without penalty. In addition to meeting the development standards of this chapter or receiving approval of any applicable permits, they must also conform to the following requirements:
   a. The ADU must meet all other applicable regulations and requirements of the Trinidad Municipal Code and Local Coastal Program.
   b. ADUs must be inspected by the City Building Inspector and upgraded for compliance with health and safety requirements as ordered by the Building Inspector, which may require building permits and fees.
2. If an illegal ADU is not registered within the timeframe set forth above, then when discovered, whether by an OWTS inspection or other means, the owner shall apply for an after-the-fact permit in accordance with this Chapter and any other applicable regulations, subject to applicable penalties. Otherwise, the City shall immediately begin Nuisance Abatement against the property.
3. Any illegal ADU that cannot meet the standards of this chapter, the certified LCP and other applicable regulations shall not be utilized as an ADU and remedial or enforcement action shall be taken to bring the property into conformance with the LCP and other applicable regulations.

ORDINANCE 2022-XX, SECTION 3:

Chapter 17.28 shall be amended as follows:

17.28.020 Principal permitted uses.

Principal permitted uses in the SR zone are:

A. Single-family dwelling, subject to the requirements of TMC 17.28.090;

B. Keeping of no more than four household pets on each lot;

C. Placement of one recreational vehicle on a vacant lot for use as a seasonal residence for not more than six months in any 12-month period; provided, that if occupied for more than one month in any 12-month period, a water supply and wastewater disposal system shall be provided;

D. Home occupations as provided in TMC 17.56.060;

E. ADUs and JADUs as provided in Chapter 17.54.

17.28.050 Maximum density.

Maximum density in the SR zone is 20,000 square feet of lot area per dwelling, guesthouse, or servants' quarters plus one ADU and one JADU per lot subject to the requirements of Chapter 17.54.

ORDINANCE 2022-XX, SECTION 4:

Chapter 17.32 shall be amended as follows:

17.32.020 Principal permitted uses.

Principal permitted uses are:

A. Single-family dwelling, subject to the requirements of TMC 17.32.090;

B. Home occupation, as provided in TMC 17.56.060;

C. ADUs and JADUs as provided in Chapter 17.54.

17.32.050 Maximum density.

Maximum density in the UR zone is 8,000 square feet of lot area per dwelling, guesthouse, or servants' quarters plus one ADU and one JADU per lot subject to the requirements of Chapter 17.54.

ORDINANCE 2022-XX, SECTION 5:

Chapter 17.36 shall be amended as follows:

A new section 17.36.015 is hereby added to the Trinidad Municipal Code as follows:

17.36.015 Principal permitted uses.

A. ADUs and JADUs as provided in Chapter 17.54.

Section 17.36.040 of the Trinidad Municipal Code is hereby amended as follows:

17.36.040 Maximum density.

The number of dwelling units permitted shall be determined by dividing the net development area by 8,000 square feet. Regardless of the lot size, one ADU and one JADU shall be allowed per lot subject to the requirements of Chapter 17.54.
Net development area shall be determined by subtracting the area devoted to commercial uses including yards, open space, parking and access roads serving commercial uses, and areas over 30 percent slope. If septic tanks are the intended means of wastewater disposal, density shall be based on soil suitability and the requirements of the city's wastewater disposal regulations.

ORDINANCE 2022-XX, SECTION 6:

Section 17.56.108 shall be amended as follows:

17.56.180 Parking.

Off-street parking and loading space shall be provided in all zones in conformity with the following:

A. Each required parking space shall not be less than eight feet six inches wide, 18 feet long and seven feet high; provided, that where three to four spaces are required, one space may be 16 feet long to accommodate compact cars; where five spaces are required, two may be 16 feet long; and where six or more spaces are required, up to 50 percent of the spaces may be 16 feet long.

B. Parking spaces shall be as follows:

1. Campground, RV park, motel: two spaces plus one space per unit;

2. Single-family dwelling and mobilehome on a lot: two spaces in addition to any garage spaces;

3. Attached dwellings (duplex, townhouse): one and one-half spaces per unit;

4. ADUs and JADs: as provided in Chapter 17.54;

5~~4~~. Offices and retail business: one space per 300 square feet of gross floor area, with a minimum of three spaces. One additional space per employee in a medical or dental office;

6~~5~~. Restaurant, lounge: one space for each four seats or 200 square feet of gross floor area, whichever is the largest;

7~~6~~. Drive-in restaurant: one space per 100 square feet of gross floor area;

8~~7~~. Wholesale, service station, vehicle and equipment repair, day care center, retail sale of bulky items: two spaces plus one space per employee on largest shift;

9~~8~~. Within the PD planned development zone: gift shops, personal services, professional offices, retail sales, visitor services and combined residence and businesses other than a home occupation: a minimum of three spaces for up to 500 square feet of gross floor area of the business; an additional one space per each additional 300 square feet of gross floor area of the business. This provision applies only in PD or planned development zones.

C. Required parking spaces shall be located on the same lot with the use to be served. Required parking shall not be located closer than 20 feet to the intersection of street rights-of-way. Where four or more dwellings are located on the same lot, outdoor parking shall not be closer than five feet to any on-site building and not closer than three feet to any side or rear lot line. Where more than four parking spaces are required, they shall not be located so as to require backing into the public street right-of-way. Where parking spaces or an aisle serving a parking facility is adjacent to the UR or SR zones, a sight-obscuring fence at least four feet high shall be provided.

D. Any parking facility of four or more vehicles, including access driveways and aisles, shall be graded and drained to dispose of surface water to the satisfaction of the city engineer, and shall be surfaced with concrete, asphaltic concrete, bituminous surface treatment or an equivalent satisfactory to the city engineer, and shall be maintained in good condition free of weeds, trash and debris. Individual parking spaces shall be designated by contrasting paint or markers.

E. Driveways providing access to a parking facility shall be at least 12 feet wide for each lane of travel, and aisles providing access to parking spaces shall be as follows:

1. One-way aisle serving angle parking less than 50 degrees, 12 feet wide;

2. One-way aisle serving angle parking 50 to 75 degrees, or two-way aisle serving angle parking less than 50 degrees, 18 feet wide;

3. Two-way aisle serving angle parking 50 degrees or more, or aisle serving more than 75-degree angle parking, 24 feet wide.

F. Parking facilities for nonresidential uses which will be used after dark shall be lighted; provided, that the light source shall be directed away from adjoining residential premises.

G. Required parking for residences and for uses requiring less than four parking spaces shall be graded and surfaced to provide an all-weather surface.

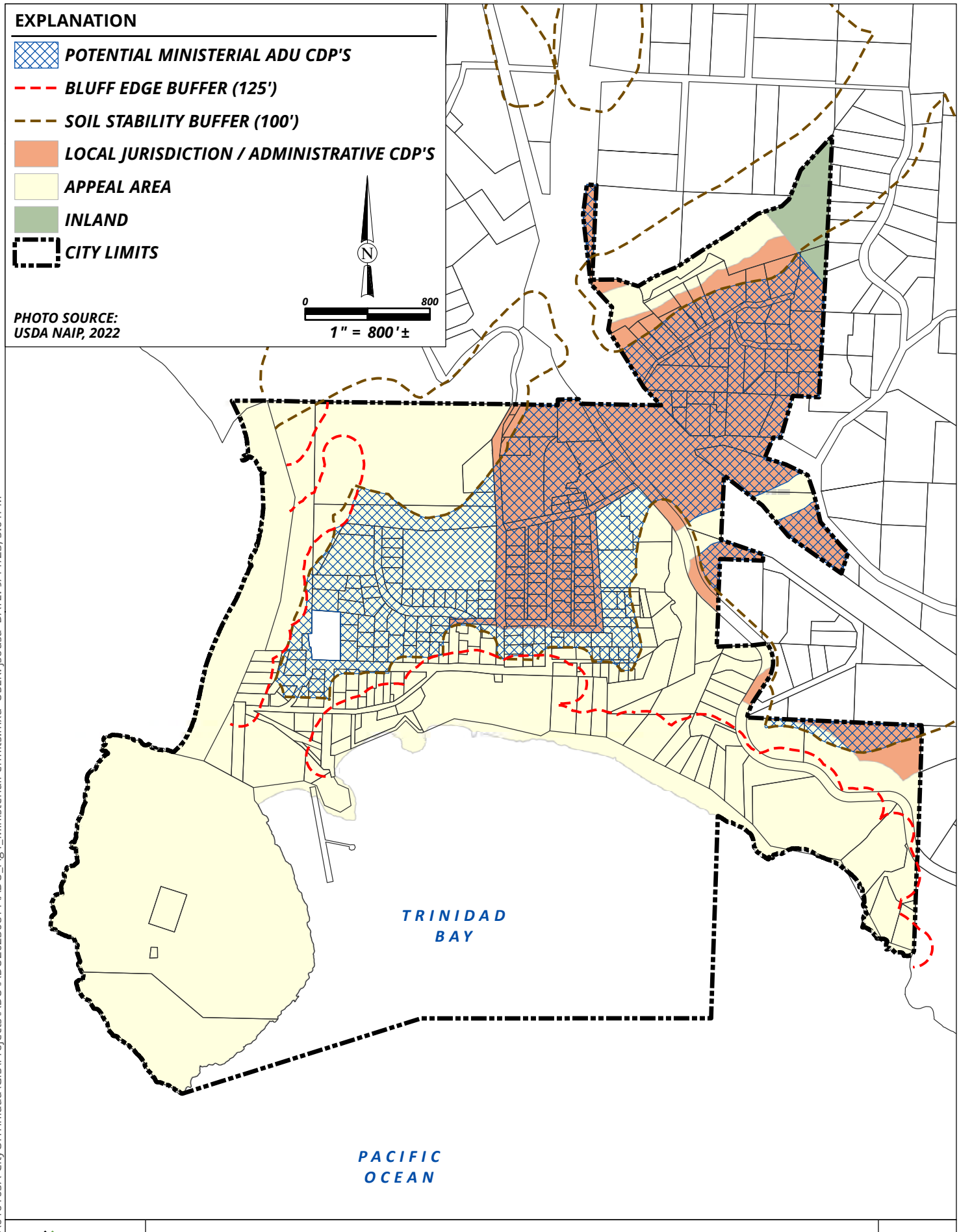
H. In the PD planned development zone, in lieu of providing parking facilities required by the provisions of this section, the requirements may be satisfied by payment to the city, prior to the issuance of the building permit, of an amount per parking space, prescribed by the council, for each parking space required by this section but not provided. The payment shall be deposited with the city in a special fund and shall be used, whenever possible, for the purpose of acquiring, developing, maintaining or enhancing parking facilities located, insofar as practical, in the vicinity of the use for which the payment is made. The council may decline to accept payment in lieu of providing parking facilities.

ORDINANCE 2022-XX, SECTION 6:

Section 17.60.030 shall be amended as follows:

17.60.030 Approval required for construction.

Relocation, construction, remodeling or additions to structures, and alterations of the natural contours of the land shall not be undertaken until approved by the planning commission. Approval need not be obtained for remodeling that does not affect the external profile or appearance of an existing structure. Approval need not be obtained for ADUs and JADUs that meet all applicable standards of TMC §§ 17.54.040—17.54.080. Approval need not be required for exterior painting and maintenance, accessory structures of less than 500 square feet in floor area and not less than 15 feet in height, changes in landscaping, and site excavation or filling more than 100 feet from any perennial stream or the mean high tide line which will not change the existing elevation more than two feet at any point, and if exempt from a coastal development permit as specified in TMC 17.72.070 and pursuant to any applicable categorical exclusions. [Ord. 2001-01 § 8, 2002; Ord. 84-180 § 3, 1984; Ord. 166 § 6.19, 1979].



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City of Trinidad
Accessory Dwelling Units
Trindad, California

ADU Ministerial Permits

September 2023 - 016105.001

Figure

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