

CALIFORNIA COASTAL COMMISSION

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Date Filed: December 22, 1998
 90th Day: March 22, 1999
 Staff: D. Rance
 Staff Report: February 24, 1999
 Hearing Date: March 11, 1999
 Commission Action:

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
 Steven Scholl, Deputy Director
 Robert Merrill, North Coast District Manager
 Darryl Rance, Coastal Planner

SUBJECT: **City of Trinidad LCP Amendment No. 1-98, MAJOR (Twoomey – Land Use Plan Amendment, Zone Reclassification) (Meeting of March 11, 1999, in Monterey.)**

SYNOPSISAmendment Description

The proposed amendment would amend the certified City of Trinidad LCP to apply the Suburban Residential, Open Space and Special Environment Land Use designations and zoning classifications to the recently annexed Berry Road Annexation area. This area consists of six parcels with a total area of 5.78 acres located northeast of the intersection of Berry Road and Frontage Road (approximately 600 feet north of Westhaven Drive and U.S. Highway 101), in the City of Trinidad, Humboldt County (Exhibit Nos. 1 – 3).

Summary of Staff Recommendation

The staff recommends that the Commission, upon completion of a public hearing, **certify the amendment request as submitted.**

The formerly applicable Humboldt County land use designations and zoning classifications were residential designations that would have allowed all six parcels to be developed for some type of single-family residential use.

The proposed amendment would apply the City's Suburban Residential, Open Space and Special Environment Land Use designations and associated zoning classifications to the Berry Road Annexation area. These designations are consistent with the City's historic planned use of the site. Further, the new land use and zoning designations will be coterminous with the new City Limits Boundary as it relates to the subject property. Moreover, municipal water service is currently available along Berry Road to support the full range of uses allowed by the proposed land use and zoning categories, and the soils have been tested as being capable of supporting septic systems.

Given that 1) the site is located within a designated urban services boundary and has adequate services to accommodate the range of future potential uses and densities allowed by the proposed LUP designations and the associated zoning classifications, 2) the site is located within a largely developed area well away from shoreline, and 3) the existing riparian habitat on the site would be protected by the proposed Special Environment designation and existing restrictions of the certified LCP, the proposed LUP amendment would have no significant adverse impacts on coastal resources and is consistent with the Coastal Act. Furthermore, the proposed zoning for the site matches the corresponding LUP designations that are proposed. Therefore, the Implementation Plan, as amended, would conform with and be adequate to carry out the LUP as amended.

The motion and resolution for approval of the LUP amendment portion of the proposed LCP amendment are found on page 3. The motion and resolution for approval of the IP amendment portion of the proposed LCP amendment are found on page 10.

Analysis Criteria

To approve the amendment to the Land Use Plan (LUP), the Commission must find the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act. To approve the amendments to the zoning ordinance, the Commission must find that the Implementation Plan (IP), as amended, will conform with and is adequate to carry out the LUP.

Additional Information

For further information, please contact Darryl Rance at the North Coast District Office (415) 904-5268. Correspondence should be sent to the District Office at the above address.

- I. STAFF RECOMMENDATION, MOTIONS, AND FINDINGS FOR THE LUP AMENDMENT PORTION OF LCP AMENDMENT NO. 1-98, MAJOR, (TWOOMEY)
- A. APPROVAL OF THE LUP AMENDMENT PORTION OF AMENDMENT NO. 1-98, MAJOR AS SUBMITTED

Staff recommends that the Commission adopt the following resolution:

MOTION 1:

"I move that the Commission certify amendment No. 1-98 to the City of Trinidad Land Use Plan as submitted by the City."

Staff recommends a YES vote. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

RESOLUTION NO. 1.

The Commission hereby certifies Amendment No. 1-98 to the Land Use Plan of the City of Trinidad Local Coastal Program for the specific reasons discussed in the following findings on the grounds that, as submitted, this amendment and the LUP as thereby amended meet the requirements of and are consistent with the Chapter 3 policies of the Coastal Act. This amendment is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant environmental effects within the meaning of the California Environmental Quality Act.

- B. FINDINGS FOR APPROVAL OF THE LUP PORTION OF AMENDMENT No. 1-98, MAJOR (TWOOMEY) AS SUBMITTED:

- 1. Amendment Description and Background:

- a. Background.

On November 26, 1997, the Humboldt County Local Agency Formation Commission (LAFCO) conditionally approved Resolution No. 97-05, which annexed the subject property to the City of Trinidad. On January 20, 1998, all conditions of approval were fulfilled and LAFCO certified the Berry Road Annexation as complete. The Berry Road Annexation now places the subject property within the City Limits of the City of Trinidad and takes the property out of the coastal jurisdiction of Humboldt County. As the City of Trinidad LCP was not previously certified for this site, the site is considered to be an uncertified area. As such, any development proposed within the Berry Road Annexation area would require coastal development permit authorization from the California Coastal Commission until such time that the area is effectively "certified" by the Coastal

Commission. The subject LCP amendment request constitutes an effort by the City of Trinidad to have the Coastal Commission certify the Berry Road area as a part of the City's certified LCP.

b. Amendment Description.

The proposed amendment would amend the City's LCP to apply the Suburban Residential, Open Space and Special Environment Land Use designations and associated zoning classifications to the Berry Road Annexation area. The Berry Road Annexation area (subject property) consists of six parcels with a total area of 5.78 acres and is located northeast of the intersection of Berry Road and Frontage Road, approximately 600 feet north of Westhaven Drive and U.S. Highway 101 in the City of Trinidad, Humboldt County. The six parcels are identified, as Assessors Parcel Numbers 515-331-22, 24, 28, 29, 35 and 515-192-33 (Exhibit No. 3). The surrounding property is predominately rural residential in nature, and one of the six parcels is currently developed with a "A-frame" residential structure. The site is located approximately three-quarters of a mile inland from the shoreline of the Pacific Ocean on the east side of U.S. Highway 101.

The applicable LUP portion of the City of Trinidad Local Coastal Program consists of (a) the City of Trinidad General Plan, and (b) the City of Trinidad Land Use Designation and Zoning Classification Maps. The maps are also considered to be part of the Implementation Plan portion of the LCP. The proposed LCP amendment would simply apply LUP designations for the area, which was added to the City Limits pursuant to the Berry Road Annexation certified by the Humboldt County Local Agency Formation Commission (LAFCO Resolution No. 97-05) on January 20, 1997 (Exhibit No. 4). No Changes to the text of the Trinidad General Plan is proposed.

Specifically, the City has proposed that: (1) the area along Berry Road, which is in close proximity to urban services and is suitable for residential development be designated as Suburban Residential; (2) the heavily wooded area along Mill Creek and the northern most strip of land adjacent to Frontage Road and U.S. Highway 101 be designated as Open Space; and (3) the ravine area adjacent to and along the southern alignment of Mill Creek be designated as Special Environment.

The area of the subject property proposed for Suburban Residential land use and zoning designations is within the City Service Limit Line and would be able to accommodate the full range of uses allowed by the Suburban Residential land use and zoning categories. This area is relatively flat and can accommodate residential development without significant alterations to natural landforms (Exhibit Nos. 7 & 8).

The areas to be designated as Open Space contain steep slopes, unstable areas and riparian habitat along Mill Creek. The proposed Open Space land use and zoning categories would dictate that natural constraints to development be recognized and that special site investigations proceed any environmental disturbance in order to minimize potential adverse impacts. Limited timber harvesting and limited recreation may be appropriate uses within the Open Space land use and zoning categories (Exhibit Nos. 7 & 8).

The area to be designated as Special Environment contains some unstable areas and riparian vegetation along the Mill Creek corridor. The Special Environment land use and zoning categories are used to maximize preservation of the natural and scenic character of an area by minimizing the alteration of natural landforms and vegetation and by limiting the extent of structural development. Special site investigations must proceed any environmental disturbance in order to minimize potential adverse impacts. Open space and low intensity recreational uses are principally permitted uses in areas designated and zoned as Special Environment. Single-family dwellings can only be allowed by use permit within the Special Environment land use and zoning categories under limited circumstances (Exhibit Nos. 7 & 8).

3. Standard of Review.

To approve the proposed change to the LUP, the Commission must consider whether the new land use designation for the site would be consistent with the Chapter 3 policies of the Coastal Act.

4. Priority Coastal Development.

The Coastal Act establishes certain priority uses that must be protected in favor of allowing other competing uses without priority. Generally, these priority land uses include uses that by their nature must be located on the coast to function, such as ports, and commercial fishing facilities, uses that encourage the public's use of the coast such as various kinds of visitor serving facilities, and uses that protect existing coastal resources such as wetlands and other sensitive habitat, and coastal agriculture. The Coastal Act requires that adequate land be reserved for such uses in the local coastal programs adopted for each coastal city and county.

As discussed previously, the subject property has been conceptually planned for suburban residential development at least since the certification of the Trinidad Area Plan of the Humboldt County Local Coastal Program in December of 1984. The 5.78 acre site that has been recently annexed to the City of Trinidad by Humboldt County LAFCO Resolution No. 97-05. The site is located approximately three-quarters of a mile from the shoreline of the Pacific Ocean on the landward side of U.S. Highway 101 within an area zoned and developed for residential purposes.

The site is not located within an area identified as being needed for any priority coastal development. Based on the project's location, the proposed LCP amendment does not have the potential to adversely impact opportunities for development of coastal-dependant industry, visitor serving commercial recreational facilities or coastal agriculture. Thus, the Commission finds that this LCP amendment request is consistent with the various policies contained Chapter 3 of the Coastal Act that pertain to priority coastal development opportunities.

5. Locating and Planning New Development.

Section 30250(a) of the Coastal Act states that new development shall be located within or near existing developed areas able to accommodate it or in other areas with adequate public services

and where it will not have significant adverse effects either individually or cumulatively, on coastal resources. The intent of this policy is to channel development toward more urbanized areas where public services are provided and potential impacts to resources are minimized. The following are descriptions of the proposed land use and zoning categories, and the range of possible uses that they can accommodate.

A. Suburban Residential – Land Use and Zoning

The Suburban Residential land use designation is intended to provided for variable density, single-family residential development where public water systems are available or will be available in the near future. Densities that are likely to strain the physical capacity of the land should only occur when public sewers and water supplies area available.

The Suburban Residential zoning classification is intended to be applied to all areas designated suburban residential in the Trinidad General Plan. It provides for single-family residential development at low densities suited to the physical capacity of the land and consistent with the density of nearby development and where public water systems are available or will be available in the near future. A second dwelling on a lot may be appropriate if the development design is consistent with neighborhood character and the lot has sufficient area to meet density requirements for each dwelling. The principally permitted use within the Suburban Residential zoning classification include: (1) single-family dwelling; (2) keeping of no more than four household pets; (3) placement of a recreational vehicle on a vacant lot as a seasonal residence; and (4) home occupations (as provided Section 6.06). Uses permitted with a use permit include: (1) agriculture, including farming, grazing and plant nursery; (2) a second dwelling unit; and (3) removal of trees more than 12" diameter at breast height (dbh).

B. Open Space – Land Use and Zoning

The Open Space land use designation is intended for unstable areas, steep slopes that would be difficult to develop, and areas of riparian habitat except where such areas are included within large agricultural or timber management areas. The natural constraints require that development be carefully controlled in open space areas. Special site investigations should precede any environmental disturbance in order to minimize adverse impacts. Limited timber harvesting, and limited recreation may be appropriate uses. Public open space and park lands are also included in the open space category.

The Open Space zoning classification is intended to be applied to areas designated open space in the City of Trinidad General Plan. The purpose of this zone is to maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources, and to ensure that the health and safety of the public is ensured through careful regulations of development in areas affected by geologic instability, steep slopes, tsunami and flood hazards. The principally permitted uses within the Open Space zoning classification include: (1) public and private open space, wildlife habitat; (2) low-intensity recreation on public lands such as hiking and fishing; (3) pedestrian travel within access easements; (4) removal of

vegetation that poses an imminent hazard to structures or people; and (5) picnicking on public lands. Uses permitted with a use permit include: (1) pedestrian trails and vista points; (2) shoreline-related recreational uses; (3) removal of vegetation including timber; (4) structures and improvements, such as seawall and revetments; and (5) wildlife habitat management and scientific research and related temporary structures.

C. Special Environment – Land Use and Zoning

The Special Environment land use designation is intended for unstable areas, and areas of natural vegetation adjacent to beaches and streams where it is important to maximize preservation of the natural and scenic character of the area through minimizing natural landforms and vegetation and limiting the extent of structural development. Single-family dwellings, accessory structures and low-intensity recreational uses including public access to the shoreline are the intended uses. Special site investigations should precede any environmental disturbance in order to avoid adverse impacts on unstable soils, scenic amenities, cultural resources and the natural character of the area.

The Special Environment zoning classification is intended to be applied to areas designated as special environment in the City of Trinidad General Plan. The purpose of this zone is to maximize preservation of the natural and scenic character of these areas through minimizing alteration of natural landforms and vegetation and limiting the extent of development in areas affected by geologic instability, steep slopes, tsunami and flood hazards on the basis of on-site investigations. It is intended that development not be visible from public viewpoints more than necessary and that it will have a natural appearance. The principally permitted uses within a special environments zoning classification include: (1) public and private open space, wildlife habitat; (2) low-intensity recreation on public lands such as hiking and fishing; (3) removal of vegetation that poses an imminent hazard to structures or people; (4) home occupations (as provided in Section 6.06) and (5) picnicking on public lands. Uses permitted with a use permit include: (1) pedestrian trails and vista points; (2) single-family dwelling; and (3) wildlife habitat management and scientific research and related temporary structures.

D. Analysis

The subject property is located within a low-density residential neighborhood that has adequate public services to serve the range of allowed uses of the proposed Suburban Residential, Open Space and Special Environment land use and zoning categories. The local service district would provide municipal water service to the Suburban Residential and Special Environment designated areas. Further, with the exception of the northern most (long narrow parcel adjacent to Highway 101) parcel that is proposed as Open Space, all of the lots are located within the City Service Limit Line. The City has indicated that, exclusive of sewer service, full urban services area available for the full range of potential uses allowed by the proposed land use and zoning categories. Sewage disposal can be handled by septic systems. Preliminary inspections by County Health Department staff of three of the subject parcels indicates that (1) adequate separation between the ground surface and groundwater exist, and (2) suitable areas exist for primary and reserve leech field locations to support septic systems. Therefore, the proposed amendment is consistent with Section

30250 to the extent that the uses and development that would be allowed by the proposed LUP designation would be located in an urbanized area with adequate services.

6. Environmentally Sensitive Habitat Areas.

Coastal Act Section 30240(a) requires that environmentally sensitive habitat areas be protected against significant disruption of habitat values and that only uses dependant on those resources shall be allowed in those areas. Development in areas adjacent to environmentally sensitive habitat areas must be sited and designed to prevent impacts which would significantly degrade those areas.

The proposed amendment will not have any significant adverse impacts on any environmentally sensitive habitat area. Although the site is currently vacant, with the exception of a single "A-frame" residential structure on one of the lots, the environmentally sensitive habitat that exists on the property will be protected under the Special Environment and Open Space land use and zoning categories. Both the Open Space and Special Environment designations specifically limit development activities that has the potential to result in significant adverse impact to environmentally sensitive habitat area. For example, the Open Space land use designation is intended for unstable areas, steep slopes that would be difficult to develop, and areas of riparian habitat. Natural environmental constraints require that development be carefully controlled in open space areas. Special site investigations are required prior to any environmental disturbance in order to minimize adverse impacts. Allowable uses are limited to timber harvesting, and limited recreation. The Special Environment land use designation allows open space and low-intensity recreational uses as principally permitted uses. Single-family dwellings are only allowed by use permit when certain criteria to protect sensitive habitat are met. Special site investigations are required prior to any environmental disturbance to avoid adverse impacts on unstable soils, scenic amenities, cultural resources and the natural character of the area.

The existing City of Trinidad LCP contains various resource protection policies designed to ensure that new development does not adversely affect the environmentally sensitive habitat areas. For example, LUP Policy 15 states in applicable part that riparian vegetation within 100 feet of Mill Creek should be protected and that structures should be sited outside the riparian protection zone whenever possible. The parcels to be designated as Suburban Residential all have building sites located outside this riparian protection zone or buffer area. Future project development proposals would also be subject to the coastal development permit requirements of the Coastal Act, thereby providing the City of Trinidad and the Commission on appeal with greater ability to minimize the impacts on any on-site or nearby environmentally sensitive habitat areas of any future development of the property. Therefore, the Commission finds that the proposed amendment is consistent with Coastal Act Section 30240, as the LUP as amended will adequately protect environmentally sensitive habitat from the adverse impacts of new development.

7. Coastal Access.

Section 30210 provides in applicable part that maximum public access and recreational opportunities be provided. Coastal Act Section 30211 provides that new development shall not interfere with the public's right to access the sea. The subject site is located approximately three-quarters of a mile from the shoreline of the Pacific Ocean, in the Trinidad Harbor area of Humboldt County. Although the subject property is vacant, with the exception of a single "A-frame" structure, the subject property is situated on the land ward side of State Highway 101 and there are no practical opportunities for coastal access from this location. Similarly, any future development proposed for the site would not adversely affect coastal access opportunities. Thus, the Commission finds that the proposed LUP amendment as submitted is consistent with the public access policies of the Coastal Act.

8. Geologic Hazards.

Coastal Act Section 30253 requires, in applicable part, that: (1) new development minimize risk to life and property in areas of high geologic, flood and fire hazard; and (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms.

The subject property contains areas of flood and earthquake fault hazard. The areas subject to flood and earthquake fault hazards are generally located along the Mill Creek corridor and its associate ravine. Under the formerly applicable Humboldt County LCP, these hazards were addressed through zoning restrictions in the form of Flood Hazard (F) and Alquist-Priolo Fault Hazard (G) combing zones as indicated in Table 1. To address potential hazard-related impacts to future development, the City has proposed to apply Open Space and Special Environment land use designations to areas subject to these potential hazards.

More specifically, to address potential flood hazard concerns associated with future development along the Mill Creek corridor, the City has proposed to apply the Open Space Land Use designation generally along the northern most area associated with Mill Creek and the narrow strip of land located north of Mill Creek and adjacent to U.S. Highway 101. This area contains steep slopes, unstable areas and riparian habitat along Mill Creek. The proposed Open Space land use designation would dictate that natural constraints to development be recognized and that special site investigations proceed any environmental disturbance in order to minimize potential adverse impacts. Limited timber harvesting and limited recreation may be appropriate uses within the Open Space land use and zoning categories.

In addition, to address potential fault and/or geologic hazards associated with future development, the City has proposed to apply the Special Environment land use designation to the ravine area located south of Mill Creek. The Special Environment land use designation is used to maximize preservation of the natural and scenic character of an area by minimizing the alteration of natural

landforms and vegetation and by limiting the extent of structural development. Special site investigations must proceed any environmental disturbance in order to minimize potential adverse impacts. Single-family dwellings, accessory structures and low-intensity recreational uses may be appropriate within the Special Environment land use and zoning categories.

Both the Open Space and Special Environment land use designations contain adequately restrictive development standards and other restriction to address potential flood and geologic fault hazard impacts that may be associated with future development of these specific areas. Further, future project development proposals would also be subject to the coastal development permit requirements of the Coastal Act, thereby providing the City of Trinidad and the Commission, on appeal, with greater ability to minimize the impacts on any on-site or nearby environmentally sensitive habitat areas that could result from any future development of the property. Thus, the Commission finds that the proposed LUP amendment as submitted is consistent with the geologic hazard policies of the Coastal Act.

II. STAFF RECOMMENDATION, MOTIONS, AND FINDINGS FOR THE
IMPLEMENTATION PLAN AMENDMENT PORTION OF LCP AMENDMENT 1-98,
MAJOR.

A. APPROVAL OF THE IMPLEMENTATION PLAN AMENDMENT PORTION OF LCP
AMENDMENT NO. 1-98, MAJOR AS SUBMITTED

Staff recommends that the Commission adopt the following resolution:

MOTION 2

“I move that the Commission REJECT Amendment No. 1-98, Major, to the City of Trinidad Implementation Plan as submitted by the City.”

Staff recommends a **NO** vote, and adoption of the following resolution and findings. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present would result in rejection of the amendment request.

RESOLUTION II:

The Commission hereby certifies LCP Amendment No. 1-98, Major to the Implementation Plan portion of the City of Trinidad Local Coastal Program for the specific reasons discussed in the following findings and on the grounds that the zoning district maps, and other implementing materials as amended conforms with and are adequate to carry out the provisions of the Land Use Plan as certified. There are no feasible mitigation measures available which would substantially lessen any significant adverse impacts that the approval would have on the environment. As

submitted, the amendment will not have a significant adverse impact on the environment within the meaning of the California Environmental Quality Act (CEQA).

B. FINDINGS FOR APPROVAL OF THE IMPLEMENTATION PLAN PORTION OF PART A OF AMENDMENT NO. 1-98, MAJOR AS SUBMITTED

1. Proposed Implementation Plan Amendment.

The proposed amendment to the Implementation Plan is similar to the proposed amendment to the LUP. No changes to the text of the City of Trinidad General Plan or Coastal Zoning Ordinance are proposed. The amendment would simply apply the Suburban Residential, Special Environment, and Open Space zoning classifications to the previously uncertified, 5.78-acre site. A "before" and "after" illustration showing the previous Humboldt County and proposed City of Trinidad zoning of the subject property is shown on Exhibit Nos. 5, 6, 7, & 8. The existing zoning includes approximately 5 acres of formerly certified (County of Humboldt) Residential Estates (RE) zoning (south of Mill Creek), and 0.78 acres of Rural Residential Agriculture (RR) zoning (long narrow strip adjacent to Highway 101, north of Mill Creek).

The Suburban Residential zoning classification provides for single-family residential development at low densities suited to the physical capacity of the land and consistent with the density of nearby development. The principally permitted uses within the proposed Suburban Residential zoning classification include: (1) single-family dwelling; (2) keeping of no more than four household pets; (3) placement of a recreational vehicle on a vacant lot as a seasonal residence; and (4) home occupations (as provided Section 6.06). Conditionally permitted uses include: (1) agriculture, including farming, grazing and plant nursery; (2) a second dwelling unit; and (3) removal of trees more than 12" dbh.

The Special Environment zoning classification is intended to maximize preservation of the natural and scenic character of these areas through minimizing alteration of natural landforms and vegetation and limiting the extent of development in areas affected by geologic instability, steep slopes, tsunami and flood hazards on the basis of on-site investigations. It is intended that development not be visible from public viewpoints more than necessary and that it will have a natural appearance. The principally permitted uses within the Special Environments zoning classification include: (1) public and private open space, wildlife habitat; (2) low-intensity recreation on public lands such as hiking and fishing; (3) removal of vegetation that poses an imminent hazard to structures or people; (4) home occupations (as provided in Section 6.06) and (5) picnicking on public lands. Conditionally permitted uses include: (1) pedestrian trails and vista points; (2) single-family dwelling; and (3) wildlife habitat management and scientific research and related temporary structures.

The Open Space zoning classification is intended to maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources, and to ensure that the health and safety of the public is ensured through careful regulations of development in areas affected by geologic instability, steep slopes, tsunami and

flood hazards. The principally permitted uses within the Open Space zoning classification include: (1) public and private open space, wildlife habitat; (2) low-intensity recreation on public lands such as hiking and fishing; (3) pedestrian travel within access easements; (4) removal of vegetation that poses an imminent hazard to structures or people; and (5) picnicking on public lands. Conditionally permitted uses include: (1) pedestrian trails and vista points; (2) shoreline-related recreational uses; (3) removal of vegetation including timber; (4) structures and improvements, such as seawall and revetments; and (5) wildlife habitat management and scientific research and related temporary structures.

All of the above referenced conditionally permitted uses within the Suburban Residential, Special Environment and Open Space zoning classifications would require discretionary permit authorization from the City. Potential impacts to coastal resources associated with any future development proposal would be appropriately reviewed and require public hearings prior to authorization of a proposed conditional use.

2. Adequacy of Implementation Program Changes.

Approval of this Implementation Plan amendment will make the proposed zoning classifications consistent with the proposed land use designations for the site. The proposed Suburban Residential, Special Environment, and Open Space zoning classifications are the classifications that best match the respective Suburban Residential, Special Environment, and Open Space LUP designations. The range of uses allowed by the proposed zoning classification conforms to the range of uses allowed by the proposed LUP designation. Further, the land use and zoning designations will be coterminous with the new City Limit Boundary as it pertains to the site. Thus, the Commission finds that proposed Amendment No. 1-98 to the Implementation Plan conforms with and is adequate to carry out the Land Use Plan, as amended by LCP Amendment No. 1-98.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Pursuant to SB 1873, which amended the California Environmental Quality Act (CEQA), the Coastal Commission is the lead agency in terms of meeting CEQA requirements for local coastal programs. In approving the proposed amendment, the Commission must make a finding consistent with 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) requires that the Commission not approve or adopt an LCP:

... if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

As discussed in the findings, the proposed LCP amendment as submitted will not result in significant environmental effects within the meaning of CEQA. Thus, the Commission finds, the LCP amendment, as submitted, is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

EXHIBITS:

1. Regional Location Map
2. Site Location Map
3. Assessors Parcel Map
4. Berry Road Annexation
5. Existing Land Use
6. Existing Zoning
7. Proposed Land Use
8. Proposed Zoning
9. City Resolution No. 98-07



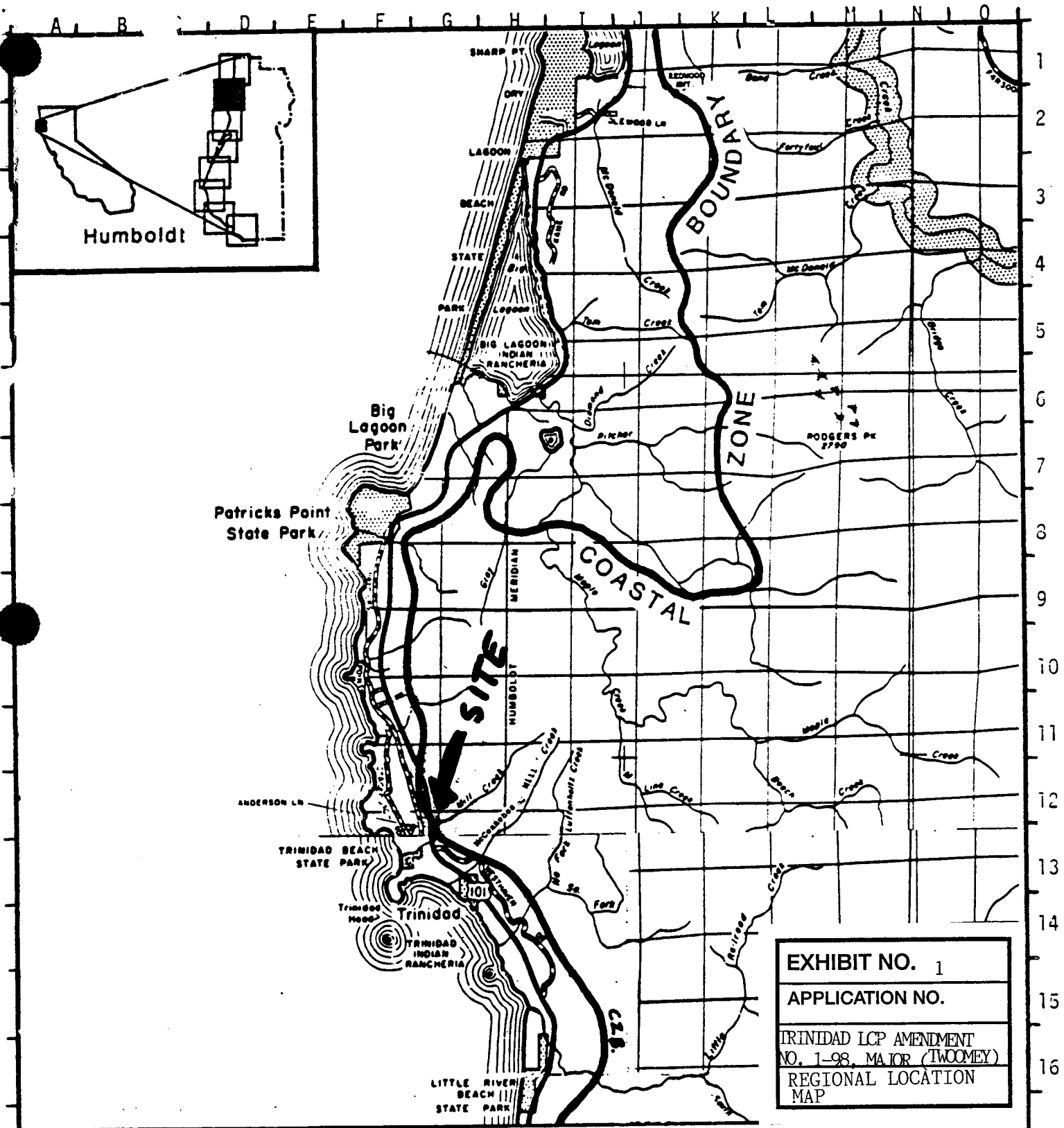
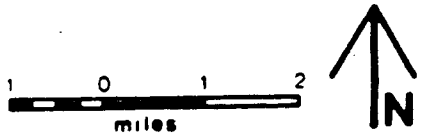


EXHIBIT NO. 1
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOOMEY)
REGIONAL LOCATION MAP

LOCATION MAP



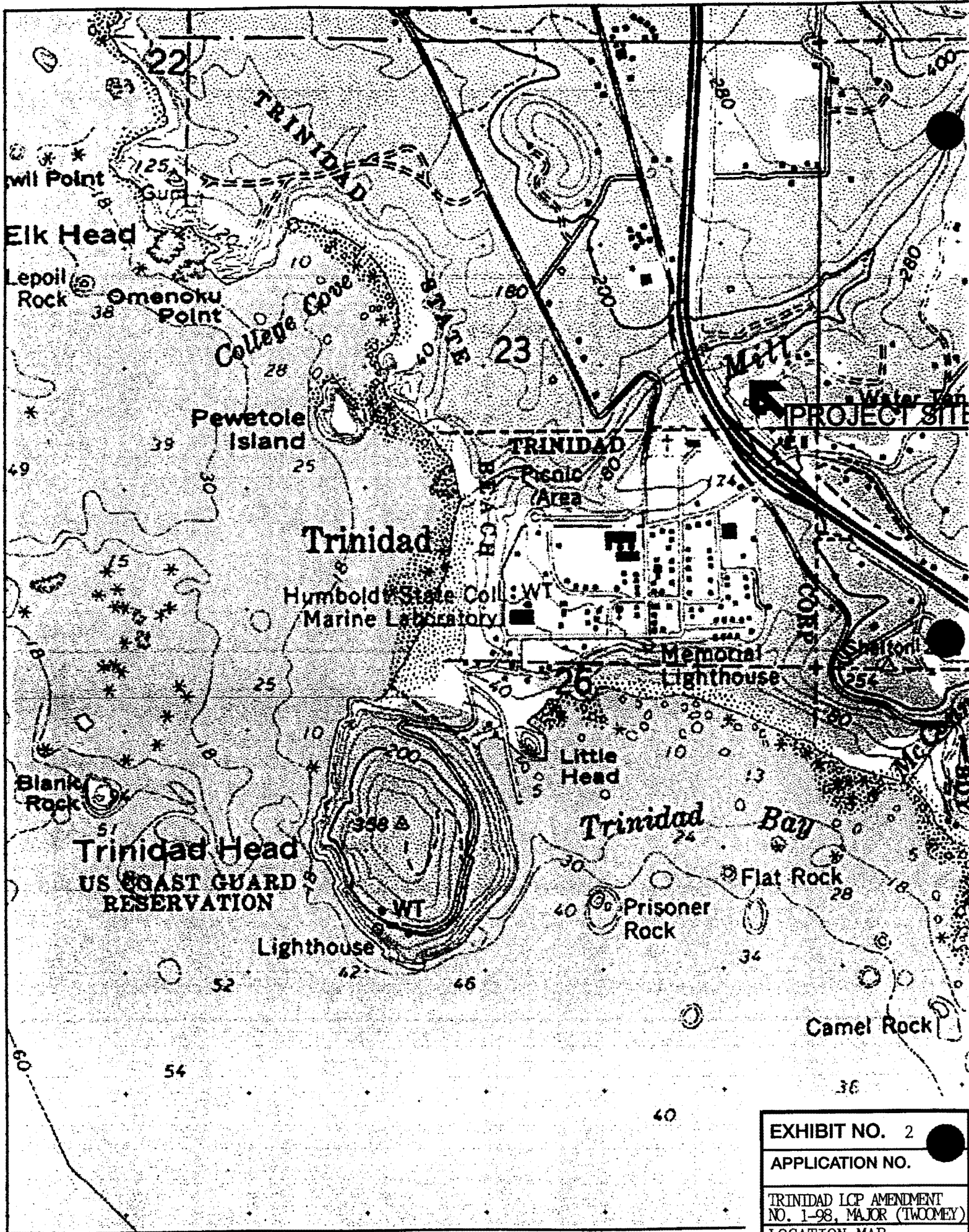


EXHIBIT NO. 2
 APPLICATION NO.
 TRINIDAD LCP AMENDMENT
 NO. 1-98, MAJOR (TWOOMEY)
 LOCATION MAP

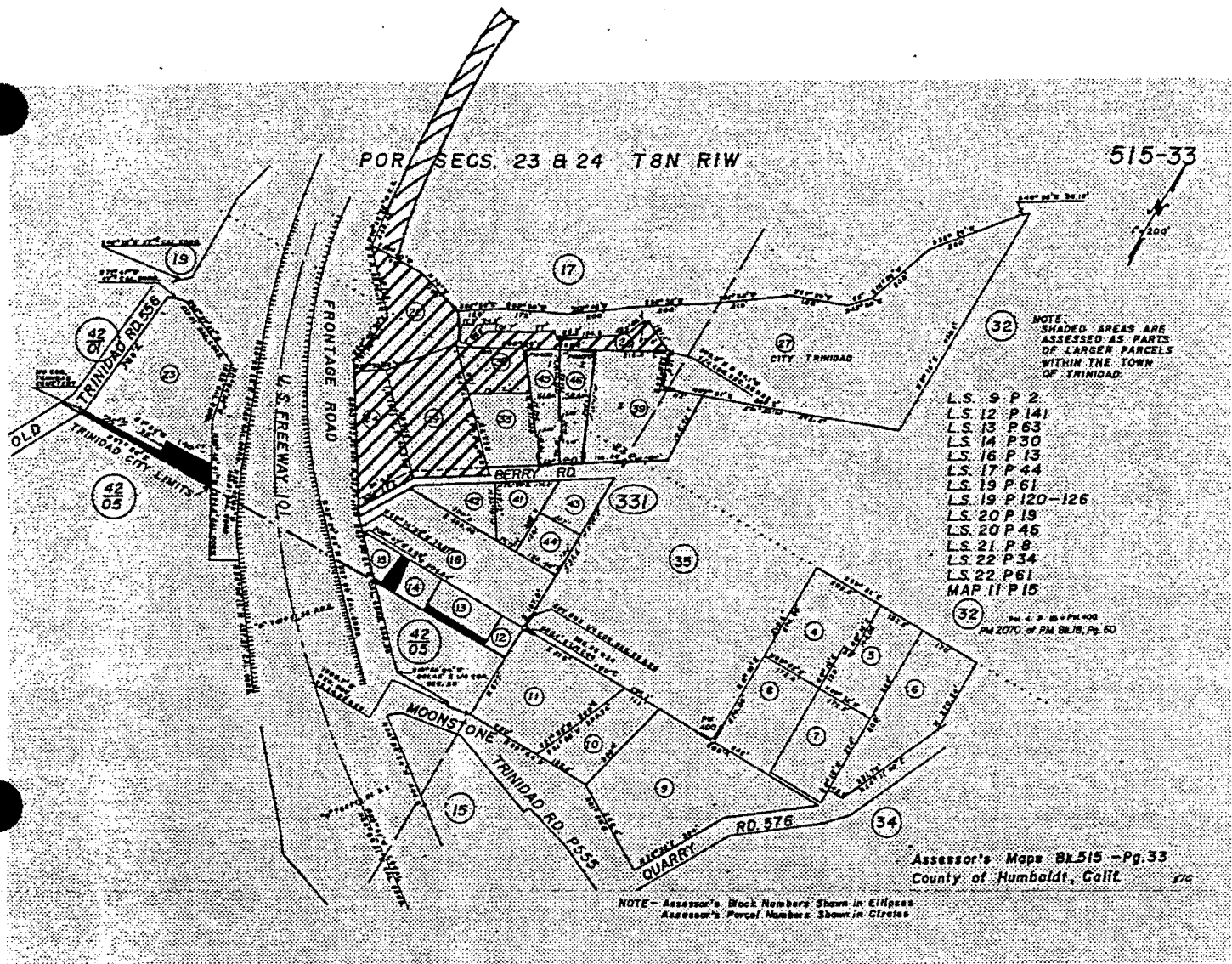


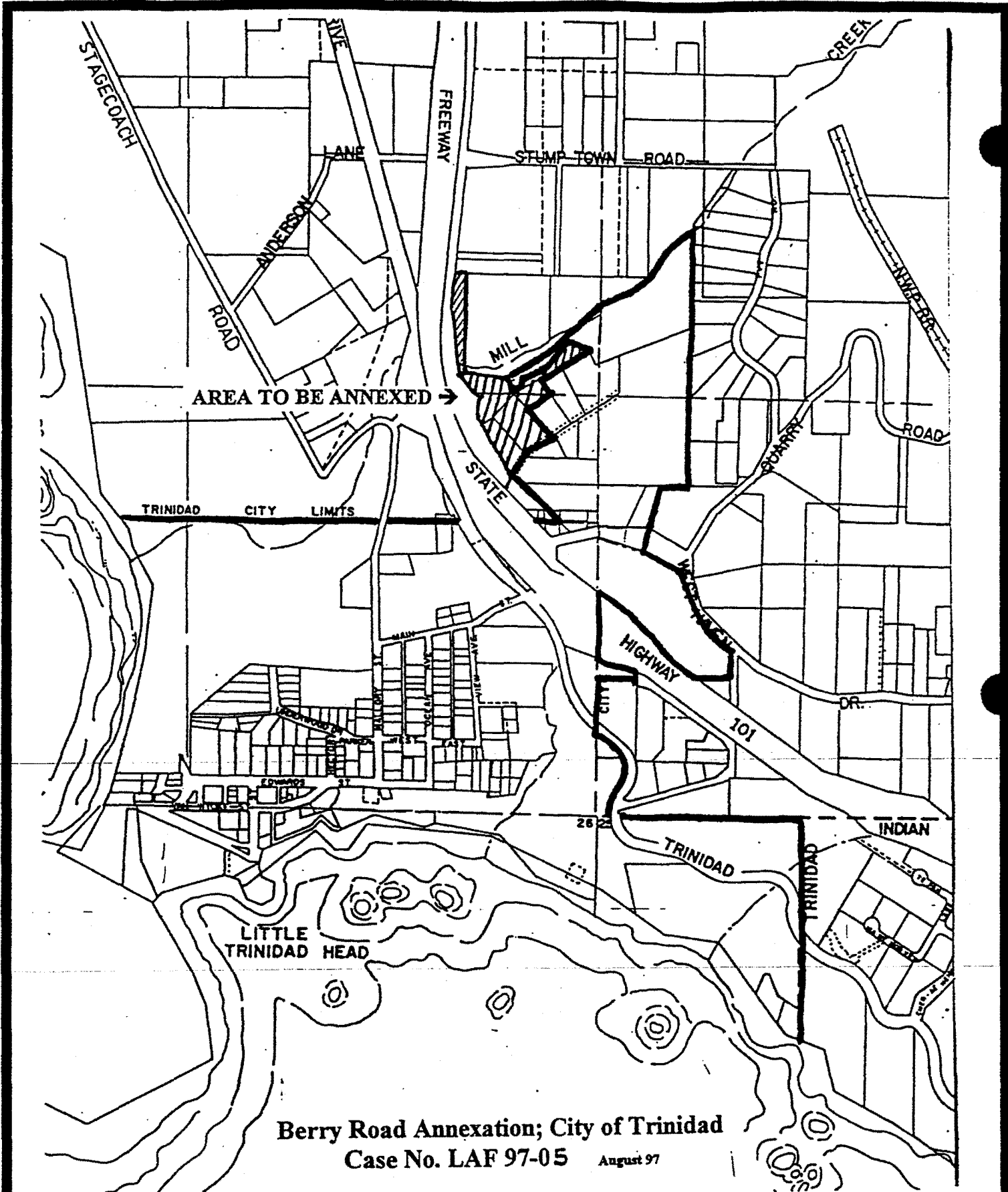
EXHIBIT NO. 3
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOOMEY)
ASSESSOR'S PARCEL MAP

BERRY ROAD ANNEXATION, CITY OF TRINIDAD
 Case No. LAF97-05 APN: 515-331-22, -24, -28, -29 and -35
 Sections 23 and 24 T8N R1W, H.B. & M.

ASSESSOR'S PARCEL MAP



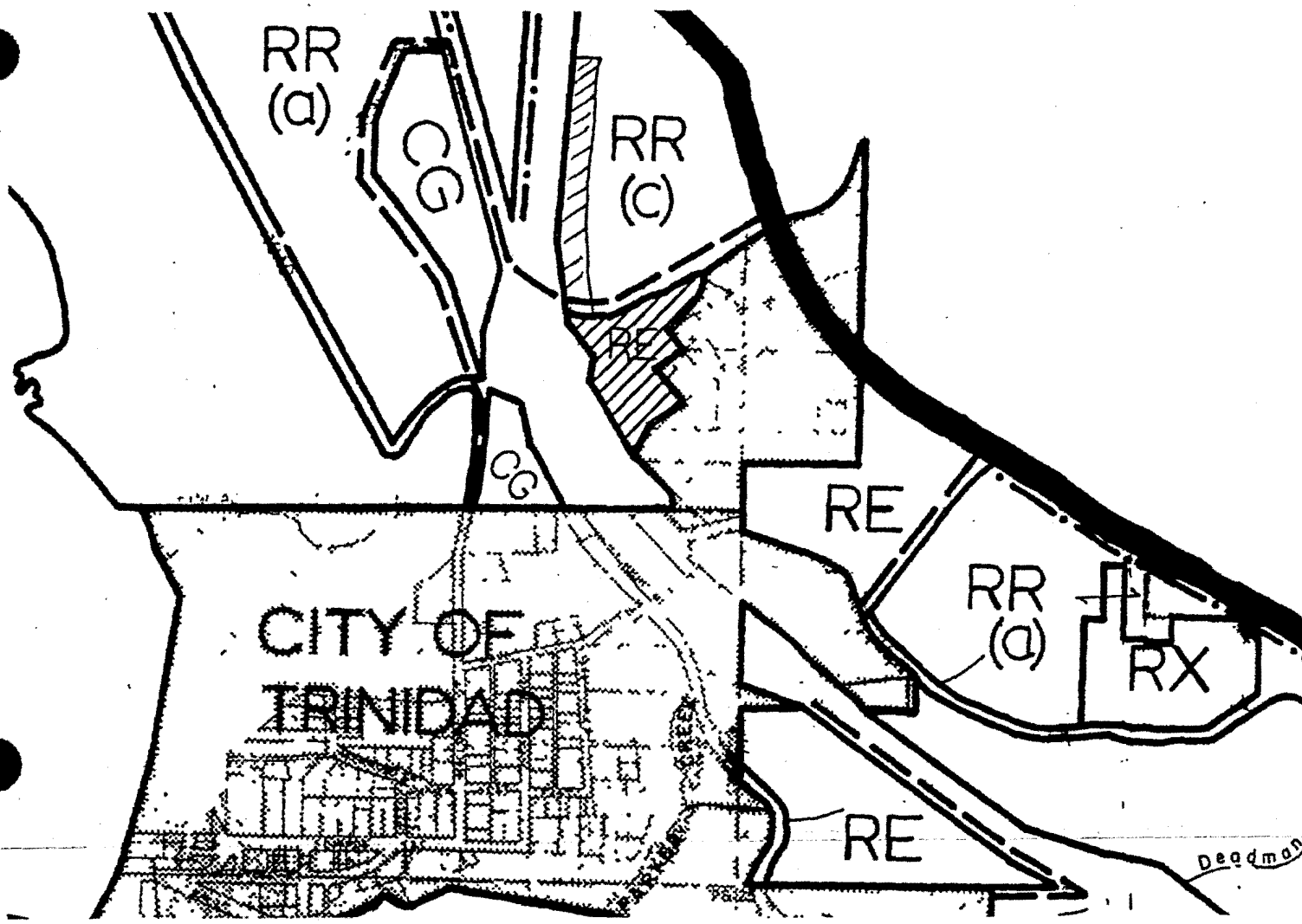
Scale: N.T.S.



Berry Road Annexation; City of Trinidad
Case No. LAF 97-05 August 97

Project Description: An application by petition to annex five (5) parcels consisting of approximately 5.60 acres. Four (4) of the parcels are vacant and one (1) parcel is developed with a mobilehome.

EXHIBIT NO. 4
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOMEY)
BERRY ROAD ANNEXATION



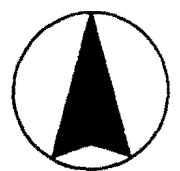
RR(C) = Rural Residential, one unit per 2 1/2 acres.

RE = Residential Estates, two units per acre.

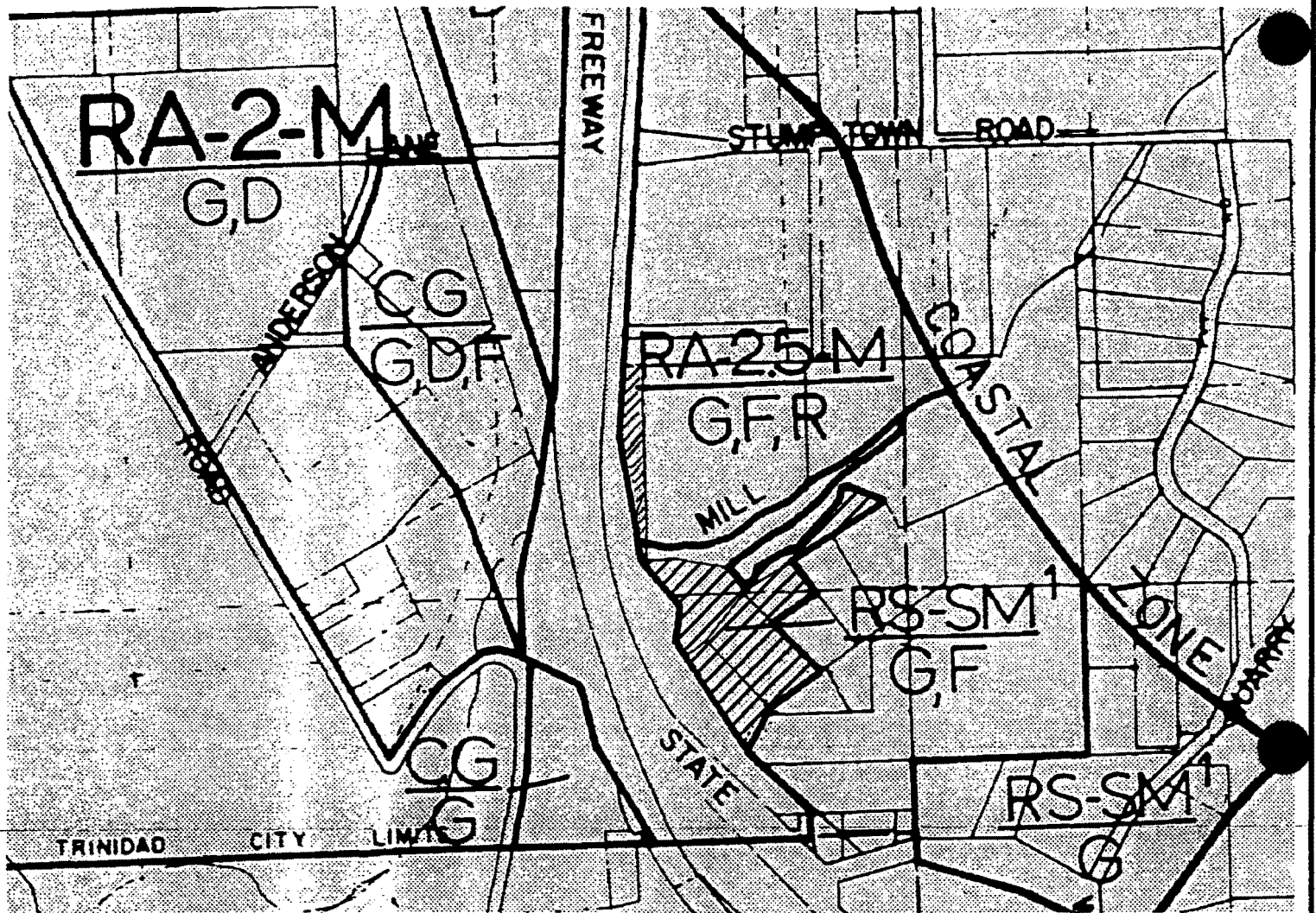
EXHIBIT NO. 5
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOMEY)
EXISTING LAND USE

BERRY ROAD ANNEXATION, CITY OF TRINIDAD
 Case No. LAF97-05 APN: 515-331-22, -24, -28, -29 and -35
 Sections 23 and 24 T8N R1W, H.B. & M.

**EXISTING (HUMBOLDT Co.)
 LAND USE MAP (Trinidad Area Plan)**



Scale: N.T.S.



RA-2.5-M/G,F,R = Rural Residential Agriculture, 2 1/2 acre minimum parcel size with Mobilehome (M); Alquist-Priolo (G); Flood (F); Streams and Riparian (R) combining zones.

RS-SM¹/G,F = Residential Single Family, 2 acre minimum parcel with Mobilehome (M); Alquist-Priolo (G); Flood (F) combining zones.

EXHIBIT NO. 6
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOMEY)
EXISTING ZONING

BERRY ROAD ANNEXATION, CITY OF TRINIDAD

Case No. LAF97-05 APN: 515-331-22, -24, -28, -29 and -35
 Sections 23 and 24 T8N R1W, H.B. & M.

EXISTING ZONING MAP

(TRINIDAD AREA PLAN, HUMBOLDT Co.)



Scale: N.T.S.

REDUCED PORTION OF
Trinidad General Plan
LAND USE

PLATE 1B

LAND USE CATEGORIES

- Open Space
- Resource Production
- Rural Residential
- Suburban Residential
- Urban Residential
- Visitor Services
- Commercial
- Public & Religious
- Planned Unit Development
- Special Environment

- Intensive Growth Area
(AVERAGE DENSITY-LESS THAN
2 ACRES PER DWELLING)
- City Service Limit
- Trinidad City Limit
- Harbor Study Area
- Tsurai Study Area
- Proposed Street
- Trails
- Vista Point

PROPOSED

12/98

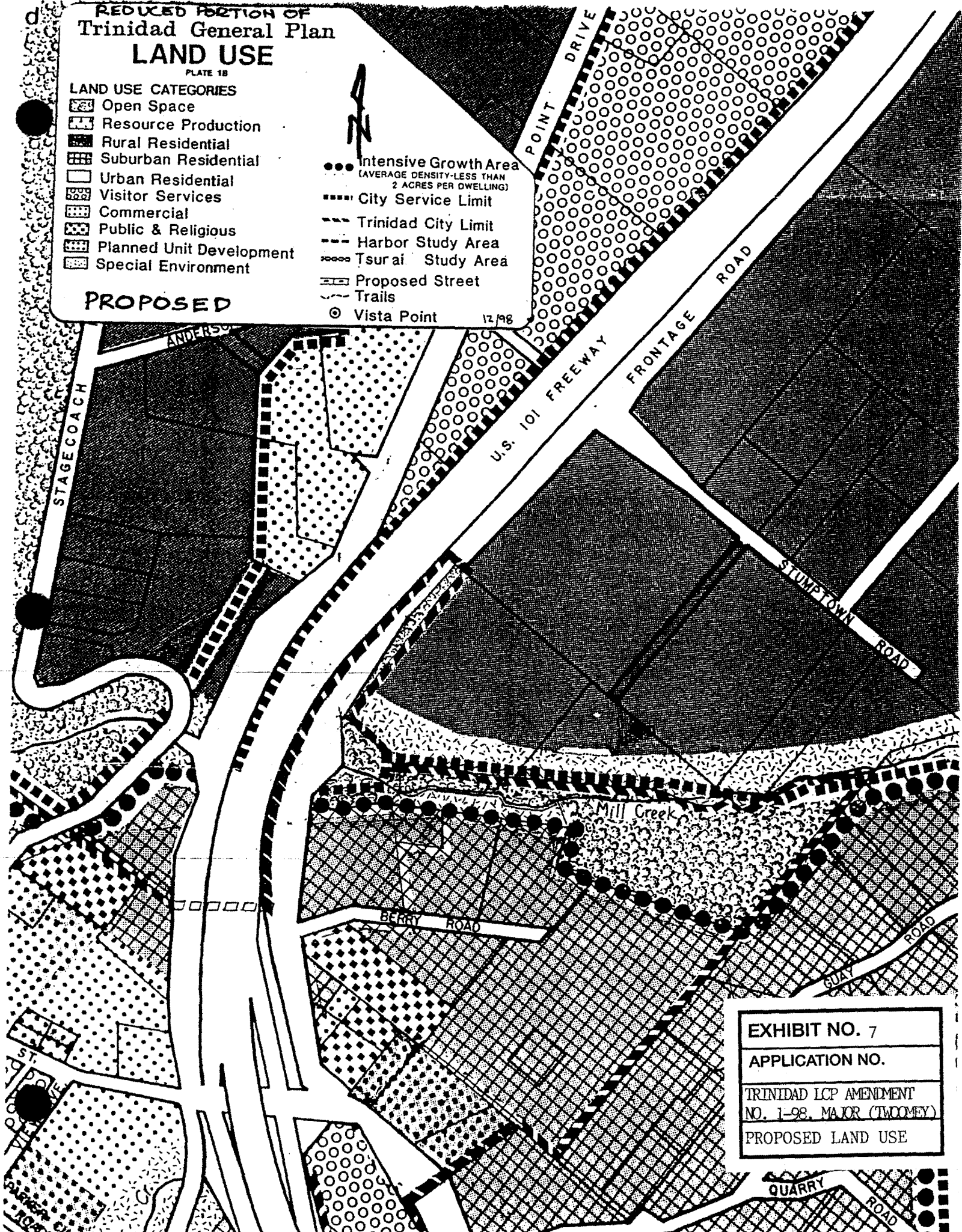


EXHIBIT NO. 7
APPLICATION NO.
TRINIDAD LCP AMENDMENT
NO. 1-98, MAJOR (TWOMEY)
PROPOSED LAND USE

QUARRY ROAD

SPECIAL ENVIRONMENT

OPEN SPACE

APR 27 1998

SUBURBAN RESIDENTIAL

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

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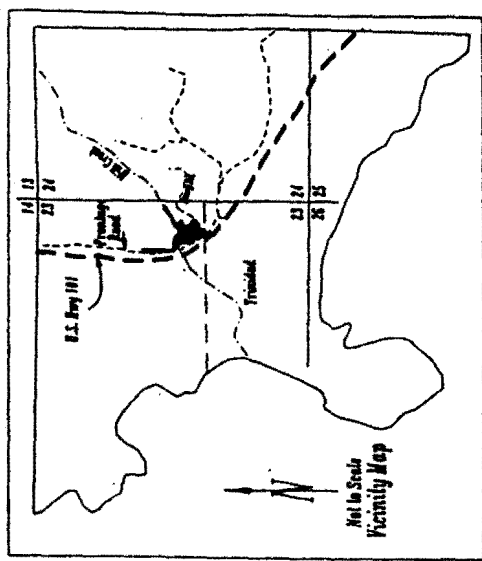
37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

37° 15' 00" E, 100.00'

- Legend
- Existing Property Lines
 - Existing Property Lines to be Deleted
 - Property Lines to be Created
 - Right of Way Lines
 - Existing Roads
- Note: Bearings and distances are approximate.



PROPOSED ZONING

TWOOMEY AND CHARLTON
SECTION 23, T8N-R1W,H.M.
AP# 515-331-22,-24,-29
CITY OF TRINIDAD, HUMBOLDT COUNTY

R.D. HUNT SURVEYING & FORESTRY
ARCATA, CALIFORNIA
FEBRUARY, 1998
SCALE: 1"=60'

- and B are to be created by this L.L.A.
- are to be combined into one parcel and placed within a easement with the intent of eventual dedication to the City open space.
- existing 25' easement for a public road and utilities
- 1' easement to be created for access and utilities in favor of AP#515-33-32,-33,-35,-37,-44 and Parcel B.
- 1' easement for access and utilities in favor of Parcel B
- are to be combined into one parcel.

EXHIBIT NO. 8
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOOMEY)
PROPOSED ZONING

RESOLUTION NO. 98-07

**A RESOLUTION OF THE CITY OF TRINIDAD UPON CERTIFICATION
BY THE CALIFORNIA COASTAL COMMISSION, AMENDING THE
ZONING MAP AND THE GENERAL PLAN LAND USE MAP
AS PART OF A LOCAL COASTAL PROGRAM AMENDMENT**

WHEREAS, Twoomey, et.al filed an application to Humboldt County LAFco requesting annexation on September 15, 1997; and

WHEREAS, a Negative Declaration was duly prepared and noticed pursuant to the requirement of CEQA and was found to be consistent with the proposed annexation; and

WHEREAS, after due notice of public hearing, the matter came on regularly for hearing before the Humboldt County LAFco on November 26, 1997 which adopted the Negative Declaration pursuant to the Requirement of CEQA and approved the annexation (Resolution No 97-05); and

WHEREAS, on January 14, 1998 the City Council duly adopted its Resolution No. 98-01 ordering annexation of the Twoomey properties; and

WHEREAS, after due notice of public hearing, the proposed LCP Amendment and Associated Lot Line Adjustment came on regularly for hearing before the Trinidad Planning Commission on April 20, 1998; and

WHEREAS, The Trinidad Planning Commission, after making necessary findings approved the project as amended, with conditions on April 27, 1998

WHEREAS, after due notice of the public hearing, the matter came on regularly for hearing before the City Council of the City of Trinidad on May 13, 1998

It is hereby resolved by the City Council of the City of Trinidad as follows:

Section 1. The City Council of the City of Trinidad approves the project, as approved by the Planning Commission, including both a zone reclassification and a general plan land use map amendment of the Trinidad Local Coastal Program; said LCP/LUP amendment includes changes as specified in Exhibits A and B

Section 2. The City Council of the City of Trinidad resolves that, pursuant to Public Resources Code Sections 30510, 30512, 30513 and 30519, said amendment shall: 1) become part of the Trinidad Local Coastal Program; 2) is intended to be carried out in a manner to be consistent with the Coastal Act; and 3) all other provisions of the Local Coastal Program shall remain in effect.

EXHIBIT NO. 9
APPLICATION NO.
TRINIDAD LCP AMENDMENT NO. 1-98, MAJOR (TWOOMEY)
CITY RESOLUTION NO. 98-07

Page Two...
Resolution No.
May 13, 1998

Section 3. The City Clerk is directed to forward a copy of this Resolution to the Executive Director of the California Coastal Commission.

Introduced, Passed and adopted this 13 day of May, 1998, by the following vote:

AYES: Hogan, Sisneros, Titchenerll
NAYS: none
ABSENT: none
ABSTAIN: Twoomey, Cuthbertson

Approved:

Nancy Hogan
Mayor
City of Trinidad

Attest:

Dana Deason
Dana Deason, City Clerk
City of Trinidad