

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8th STREET SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960



Th7a

LCP-1-TRN-21-0039-1 (EMERGENCY SHELTERS)

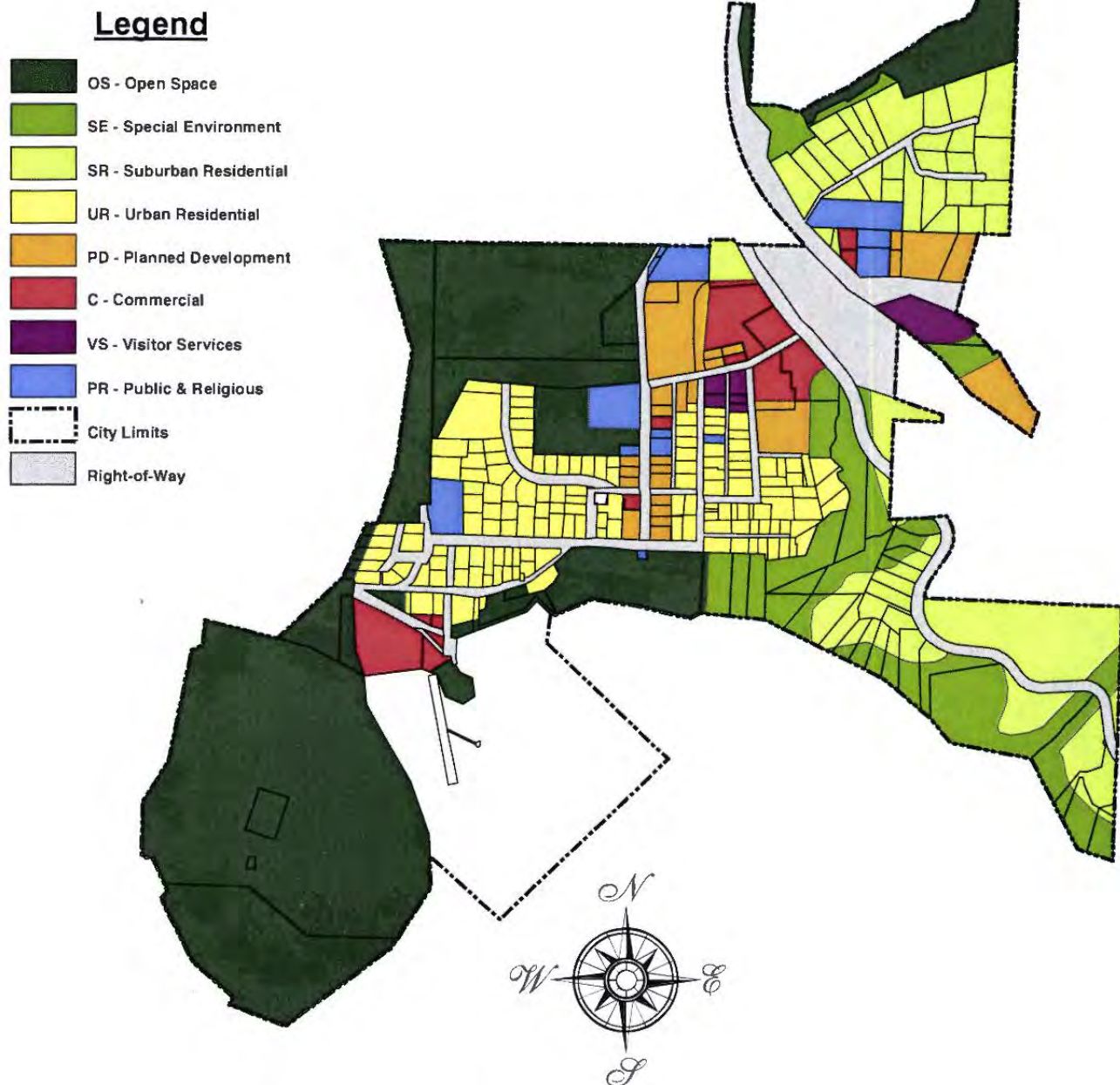
November 18, 2021

EXHIBITS

- Exhibit 1 – Regional Location
- Exhibit 2 – Map of Implicated Lands (the C and PD Districts)
- Exhibit 3 – Resolution of Transmittal
- Exhibit 4 – Ordinance



Trinidad Zoning



This map is for display purposes only.
For official land use designations and
boundaries, see Plate 1B of the
Trinidad General Plan.

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



RESOLUTION NO. 2020-07

A RESOLUTION OF THE CITY OF TRINIDAD, CALIFORNIA, FOR SUBMITTING A LOCAL COASTAL PROGRAM AMENDMENT TO AMEND SECTIONS OF THE ZONING ORDINANCE TO ADD REGULATIONS FOR EMERGENCY SHELTERS CONSISTENT WITH GOVERNMENT CODE SECTION 65583(a)(4) TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

WHEREAS, the City of Trinidad City Council has adopted an ordinance amending the Implementation Plan of the Local Coastal Program to address deficiencies in the existing implementing ordinances that do not adequately regulate Emergency Shelters consistent with Government Code § 65583(a)(4); and

WHEREAS, this amendment has been reviewed and processed pursuant to the provisions of the Local Coastal Program and City laws; and

WHEREAS, the amendment is Statutorily exempt from CEQA per §15265 of the CEQA Guidelines exempting adoption of coastal plans and programs by local governments; and

WHEREAS, after due notice and public hearing, and in accordance with the Local Coastal Program (Trinidad Zoning Ordinance section 7.03), the Planning Commission recommended approval of the amendment to the Zoning Ordinance on April 1, 2020, and the Trinidad City Council adopted the amendment by Ordinance 2020-01 on April 28, 2020; and

WHEREAS, this amendment is intended to be carried out in a manner in conformity with the Coastal Act and the implementing Local Coastal Program; and

WHEREAS, this amendment is consistent with the City's certified Local Coastal Program; and

WHEREAS, this amendment shall take effect immediately upon certification by the California Coastal Commission if approved as submitted. If the California Coastal Commission certifies the amendment subject to conditions that change the nature of the amendment, final approval by the Trinidad City Council shall be required prior to the amendment taking effect; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Trinidad as follows:

1. City staff is directed to apply to, and work with, the California Coastal Commission for approval of this Local Coastal Program amendment.

PASSED AND ADOPTED BY THE TRINIDAD CITY COUNCIL of Humboldt County of the State of California this 28th Day of April, 2020, by the following vote:

AYES: West, Miller, Ladwig, Grover, Davies
 NOES: None
 ABSTAIN: None
 ABSENT: None

Attest:

Gabriel Adams
 Trinidad City Clerk

Steve Ladwig
 Mayor

Trinidad City Hall
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
707-677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk

ORDINANCE 2020-01

AN ORDINANCE OF THE CITY OF TRINIDAD
ADDING SECTION 17.08.265 AND AMENDING SECTIONS 17.44.020 AND 17.36.020 AND
17.56.180 OF TITLE 17 OF THE TRINIDAD MUNICIPAL CODE TO DEFINE 'EMERGENCY
SHELTER' AND TO ALLOW EMERGENCY SHELTERS AS A USE PERMITTED WITH A
USE PERMIT IN THE PLANNED DEVELOPMENT ZONE AND AS A PRINCIPALLY
PERMITTED USE IN THE COMMERCIAL ZONE AND ADDING PARKING REQUIREMENTS
FOR EMERGENCY SHELTERS (AMENDING SECTIONS 2.03 AND 4.07.A AND 4.09.A AND
6.18.B OF THE COASTAL COMMISSION CERTIFIED ZONING ORDINANCE)

Chapter 17.08
DEFINITIONS

Sections:

17.08.010	Construction.
17.08.020	Advertising area.
17.08.030	Aggrieved person.
17.08.040	Agriculture.
17.08.050	Bluff.
17.08.060	Building.
17.08.070	Building, accessory.
17.08.080	Building inspector.
17.08.090	Campground.
17.08.100	City, city council.
17.08.110	City clerk.
17.08.120	Coastal commission.
17.08.130	Coastal development permit.
17.08.140	Coastal zone.
17.08.150	Condominium.
17.08.160	Day care center.
17.08.170	DBH.
17.08.180	Density.
17.08.190	Design assistance committee.
17.08.200	Development.
17.08.210	Duplex.
17.08.220	Dwelling, multi-family.
17.08.230	Dwelling, single-family.
17.08.240	Dwelling, townhouse.
17.08.250	Dwelling unit.
17.08.260	Emergency.
17.08.265	Emergency Shelter
17.08.270	Family.
17.08.280	Feasible.
17.08.290	Fence.
17.08.300	Fill.
17.08.310	Floor area, gross.

17.08.320	General plan.
17.08.330	Grade.
17.08.340	Guest house.
17.08.350	Height.
17.08.360	Home occupation.
17.08.370	Kennel.
17.08.380	Lot.
17.08.390	Lot area.
17.08.400	Lot, corner.
17.08.410	Lot frontage.
17.08.420	Lot, interior.
17.08.430	Lot lines.
17.08.440	Lot line, rear.
17.08.450	Lot, nonconforming.
17.08.460	Mobile home.
17.08.470	Mobile home park.
17.08.480	Motel, <i>inn</i> .
17.08.490	New.
17.08.500	Nonconforming.
17.08.510	Off-street parking.
17.08.520	Off-street loading.
17.08.530	Ownership.
17.08.540	Person.
17.08.550	Public works project.
17.08.560	Recreation, commercial.
17.08.570	Recreational vehicle or RV.
17.08.580	Rest home.
17.08.590	Servant's quarters.
17.08.600	Services, personal and professional.
17.08.610	Sign.
17.08.620	Sign, freestanding.
17.08.630	Sign, off-premise.
17.08.640	Parking lot, public.
17.08.650	Sign, on-premise.
17.08.660	Story.
17.08.670	Street.
17.08.680	Structure.
17.08.690	Structure, accessory.
17.08.700	Use.
17.08.710	Use, accessory.
17.08.720	Use, principal permitted.
17.08.730	Yard.
17.08.740	Yard, front.
17.08.750	Yard, rear.
17.08.760	Yard, side.
17.08.770	Zone.

17.08.260 Emergency. "Emergency" means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. (Ord. 84-180 §6(part), 1984)

17.08.265 Emergency Shelter. "Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

17.08.270 Family. "Family" means one person; or two or more persons; or a group not in excess of five persons living together as a single housekeeping unit. (Ord. 90-204 §2(T), 1990; Ord. 166 Appx. A(part), 1979)

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Chapter 17.36

PD ZONE

Sections:

17.36.010	Established--Purpose.
17.36.020	Uses permitted with a use permit.
17.36.030	Minimum lot area.
17.36.040	Maximum density.
17.36.050	Minimum yards.
17.36.060	Maximum building height.
17.36.070	Open space.
17.36.080	Application procedure.

17.36.010 Established--Purpose. The planned development (PD) zone is intended to be used in areas designated as planned development in the general plan. These areas are either residential areas where limited commercial activity may be appropriate, subject to special *integrating design*, or they are areas where design flexibility is needed to adapt appropriate uses to the site and to *surrounding uses*. Limited commercial uses, *including visitor accommodations*, visitor services, recreational uses, offices, gift shops and personal services may be appropriate. The PD zone is not intended for campgrounds and recreational vehicle parks.

The following regulations in this chapter shall apply in all planned development zones. (Ord. 166 §4.07(part), 1979)

17.36.020 Uses permitted with a use permit. Uses permitted with a use permit in the PD zone are:

- A. Single-family dwelling, duplex, condominiums and townhouses with not more than four dwellings in a building; groups of permitted types;
- B. Motels, *inns*, *gift* shops, restaurants (not drive-in), personal services, professional offices, retail sales and visitor services;
- C. Home occupations as provided in Section 17.56.060;
- D. Rest homes, day care centers, **emergency shelters with onsite management and not more than 10 beds;**
- E. A combined residence with a business use allowed by this section, other than a motel, where the business is not a home occupation as described by this title. (Ord. 87-190 §1(Exh. A(part)), 1987; Ord. 168 §3, 1980; Ord. 167 §7, 1980; Ord. 166 §4.07(A), 1979)

17.36.030 Minimum lot area. For planned developments with five or more dwelling or commercial units, two thousand five hundred square feet per dwelling lot; none for commercial units; provided that the ground floor area of the unit shall not exceed one hundred percent of the lot area, except ground floor area shall not exceed seventy-five percent of the area of a corner lot. Lots shall be not less than thirty feet in width, except that corner lots shall not be less than forty-two feet in width. For planned development with less than five dwelling or commercial units, eight thousand square feet. (Ord. 166 §4.07(B)(1), 1979)

17.36.040 Maximum density. The number of dwelling units permitted shall be determined by dividing the net development area by eight thousand square feet. 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 thirty 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. (Ord. 166 §4.07(B)(2), 1979)

17.36.050 Minimum yards. Minimum yard requirements in the PD zone are as follows: where eight thousand square feet minimum lot area applies, same as UR zone; where two thousand five hundred square feet minimum lot area applies, none, except when adjacent to any other zone the yard shall be the same as that required in the adjacent zone. The minimum yard between buildings shall be equal to the height of the higher building. (Ord. 166 §4.07(8)(3), 1979)

17.36.060 Maximum building height. Maximum building height is twenty-five feet, except that the design assistance committee may require a lesser height as provided in Section 17.56.190. (Ord. 166 §4.07(B)(4), 1979)

17.36.070 Open space. Twenty-five percent of the project site shall be common open space when dwellings are included. In addition, eight hundred square feet of common usable open space shall be provided per dwelling unit. The developer shall landscape and provide suitable recreational facilities within the usable open space areas and establish a homeowners' association or other means of providing for the perpetual maintenance of both usable and unusable common open space. Private open space, consisting of balconies or fenced area, shall be provided adjacent to each dwelling unit, and the area of such private open space shall be at least ten percent of the gross floor area of the dwelling unit. (Ord. 166 §4.07(B)(5), 1979)

17.36.080 Application procedure. The applicant shall submit three copies of the following information to the city clerk:

- A. A map to scale showing:
 1. Division of the land for the sale of individual lots, if any,
 2. Existing contours at intervals of not less than five feet and location of trees and other significant natural features,
 3. Proposed automobile and pedestrian accessways,
 4. Areas proposed to be reserved for common open space,
 5. Location of commercial uses, dwellings, related off-street parking and any other proposed uses with dimensions showing building size, setbacks and yard areas,
 6. Proposed landscaping, fencing and screening,
 7. Provision for drainage of surface waters:
- B. A tabulation of total number of acres and percent thereof designated for various uses, the number of dwelling units proposed by type, and the estimated population by type of dwelling;
- C. A statement setting forth a program for installation and maintenance of parking areas, lighting, courts, public and private grounds, landscaping, streets, utilities, community buildings and common open space including copies of legal documents;
- D. Building elevations to scale, and a statement of design principles for structures and streetscapes;
- E. Such additional information as may be required by the planning commission;
- F. An initial environmental study which satisfies the requirement of the California Environmental Quality Act and city regulations adopted pursuant thereto.

Within thirty days of submittal, the applicant, interested staff and the planning commission shall meet to discuss the proposed development. A letter shall be transmitted by the city clerk within five working days after the meeting to the applicant indicating whether or not the proposal conforms with the general plan, zoning and subdivision titles and other applicable city regulations. If the applicant wishes

to proceed, a use permit application shall be submitted to the city clerk. The application shall include seven copies of the information required above and a legal description of the property. If, after following the procedures in Chapters 17.60 through 17.68 regarding consideration of use permit applications, the planning commission approves, or approves subject to conditions, the plan and any conditions shall be forwarded to the city council for consideration and the use permit shall not become effective until ten days following approval by the city council. Unless changes are approved by the city council after receiving a recommendation from the planning commission, all aspects of the planned development shall conform to the approved development plan, which shall be made a part of the use permit. Use permits may specify a development completion period of not more than three years at which time the use permit shall expire unless the applicant obtains the one-year extension. (Ord. 166 §4.07(B)(6), 1979)

Chapter 17.44

C ZONE

Sections:

17.44.010	Established--Intent.
17.44.020	Principal permitted uses.
17.44.030	Uses permitted with a use permit.
17.44.040	Minimum lot area.
17.44.050	Maximum density.
17.44.060	Minimum yards.
17.44.070	Maximum building height.

17.44.010 Established--Intent. The commercial zone is intended to be applied to areas designated commercial in the general plan. It provides for the commercial services that meet the convenience and retail needs of the residents and visitors. Uses serving the commercial fishing industry are also appropriate. The following regulations shall apply in all commercial zones. (Ord. 166 §4.09(part), 1979)

17.44.020 Principal permitted uses. Principal permitted uses in the C zone are:

- A. Professional and business offices;
- B. Social halls, fraternal and social organizations and clubs;
- C. **Emergency shelters with onsite management and not more than 10 beds;**
- D. Retail stores, agencies and services of a light commercial nature conducted entirely within an enclosed building such as antique shops, art galleries, retail bakeries, banks, barbershops, beauty salons, book stores, clothing and apparel stores, coin operated dry cleaning and laundry establishments, drugstores, florist shops, food markets, furniture stores, hardware and appliance stores, radio and television sales and service, restaurants and appurtenant licensed premises, service stations, studios, tailor shops, enclosed theaters, variety stores, plant nurseries, smokehouses and related sales, secondhand sales *appurtenant* to another permitted use. (Ord. 166 §4.09(A), 1979)

17.44.030 Uses permitted with a use permit. Uses permitted in the C zone are:

- A. Motels; single-family dwellings associated with a commercial use;
- B. Major auto repair, new and used auto, RV and boat sales, licensed premises not appurtenant to any restaurant, secondhand sales, storage warehouses, small animal hospital within a building, cabinet shops, contractor yards, handicraft manufacture, lumber yards, metal working shops, printing, wholesaling, commercial recreational facilities, piers, manufacture, repair and storage of fishing equipment, storage and processing of ocean produce. (Ord. 166 §4.09(B), 1979)

17.44.040 Minimum lot area. Minimum lot area in the C zone is eight thousand square feet. (Ord. 166 §4.09(C)(1), 1979)

17.44.050 Maximum density. Maximum density in the C zone is one motel unit per two thousand five hundred square feet of lot area; eight thousand square feet of lot area per dwelling unit. (Ord. 166 §4.09(C)(2), 1979)

17.44.060 Minimum yards. Minimum yards in the C zone are front, twenty feet; rear and side, none except five feet when adjacent to any other zone. (Ord. 166 §4.09(C)(3), 1979)

17.44.070 Maximum building height. Maximum building height in the C zone is twenty-five feet, provided that greater height may be permitted subject to obtaining a use permit. (Ord. 166 §4.09(C)(4), 1979)

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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, eighteen feet long and seven feet high, provided that where three to four spaces are required, one space may be sixteen feet long to accommodate compact cars; where five spaces are required, two may be sixteen feet long; and where six or more spaces are required, up to fifty percent of the spaces may be sixteen 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): 1.5 spaces per unit;
4. Offices and retail business: one space per three hundred square feet of gross floor area, with a minimum of three spaces. One additional space per employee in a medical or dental office;
5. Restaurant, lounge: one space for each four seats or two hundred square feet of gross floor area, whichever is the largest;
6. Drive-in restaurant: one space per one hundred square feet of gross floor area;
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;
8. **Emergency shelters: two spaces plus one space for every five beds;**
9. 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 five hundred square feet of gross floor area of the business; an additional one space per each additional three hundred 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 twenty feet to the intersection of street right-of-ways. 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 twelve 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 fifty degrees, twelve feet wide;
2. One-way aisle serving angle parking fifty to seventy-five degrees, or two-way aisle serving angle parking less than fifty degrees, eighteen feet wide;
3. Two-way aisle serving angle parking fifty degrees or more, or aisle serving more than seventy-five degree angle parking, twenty-four 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.

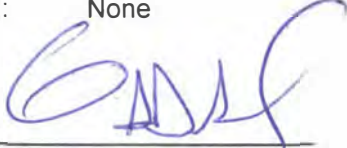
G. Required parking for residences and for uses requiring less than four parking spaces shall be graded and surfaced to provide an all-weather surface.

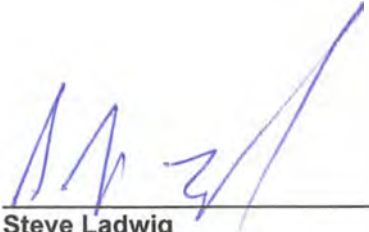
H. In the PD, planned development zone, in lieu of providing parking facilities required by the provisions of this section, the requirements may be satisfied by payment to the city, prior to the issuance of the building permit, of an amount per parking space, prescribed by the council, for each parking 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. (Ord. 87-190 §1(Exh. A(part)), 1987; Ord. 167 §10, 1980; Ord. 166 §6.18, 1979)

PASSED, APPROVED AND ADOPTED this 14th Day of April, 2020 by the following vote:

AYES: West, Miller, Ladwig, Grover, Davies
 NOES: None
 ABSTAIN: None
 ABSENT: None

Attest:


Gabriel Adams
 Trinidad City Clerk


Steve Ladwig
 Mayor

First Reading: Tuesday, April 14, 2020

Second Reading: Tuesday, April 28, 2020