



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
VIRTUAL ONLY

Wednesday, June 10, 2020
7:00 PM

Pursuant to Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#), and to do all we can to help slow the spread of COVID-19 (coronavirus) City of Seaside meetings will be adapted in the following ways:

- Meetings of the Seaside City Council and its Boards and Commissions will be conducted with virtual (electronic) participation only. Members of the public may watch the live stream of the City Council and Boards and Commission meetings at <https://bit.ly/SeasideYouTube> or can join the webinar by clicking here: <https://us02web.zoom.us/j/85268026012> or can dial in by telephone here: +1 669 900 9128 Webinar ID: 852 6802 6012
- Members of the public may participate before and during each meeting by submitting comment(s) to cityclerk@ci.seaside.ca.us. The clerk will read each received public comment aloud into the record at the designated time, subject to time limits that may be imposed pursuant to the Brown Act. In the subject line of a public comment email, please specify the meeting body and date and indicate the relevant item number or "general" to help staff easily receive and organize public comments.

1. CALL TO ORDER

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

John Owens
Michael Spalletta
Keith Dodson
Arlington La Mica
Dave Evans
William Silva
Danny Huynh

Chair
Vice Chair
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

4. REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

5. PUBLIC COMMENT

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are

heard under that item. For the public record, please state your name.

6. APPROVAL OF MINUTES

A. MAY 13, 2020 AND MAY 27, 2020

7. BUSINESS ITEMS

- A. USE PERMIT APPLICATION NO. UP-20-04: THIS APPLICATION HAS BEEN WITHDRAWN. CITY OF SEASIDE, PROPERTY OWNER, AND MARINA COAST WATER DISTRICT, APPLICANT, ARE REQUESTING A USE PERMIT TO CONSTRUCT A NEW SEWER LIFT STATION. THE PROJECT SITE IS LOCATED AT 630 MONTEREY ROAD (APN# 031-051-023) IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), MARINA COAST WATER DISTRICT HAS ADOPTED A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT.**

RECOMMENDATION: In accordance with Section 53091(e) of the California Government Code (Article 5 - Regulation of local Agencies by Counties and Cities),

- B. MINOR USE PERMIT APPLICATION NO. MUP-20-01: WILLIAM KHEIU, PROPERTY OWNER, AND DAVID VARGAS, APPLICANT, ARE REQUESTING A MINOR USE PERMIT TO OPERATE AN INDOOR CANNABIS MANUFACTURING BUSINESS WITHIN SUITE 21 OF THE PROFESSIONAL OFFICE BUILDING GENERALLY LOCATED AT 911-915 HILBY AVENUE (APN# 012-5362-051) IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A).**

RECOMMENDATION: Adopt a resolution recommending denial per direction given at the May 13, 2020 Meeting.

- C. DISCUSS MODIFICATIONS TO 2020-2021 WORK PLAN TO ADDRESS NEW BUDGET AND STAFFING CONSTRAINTS.**

RECOMMENDATION: Discuss any modifications that may be needed for the 2020/2021 Planning Commission Work Plan, to reflect new budget and staffing constraints.

8. REPORTS FROM COMMISSIONERS

9. REPORTS FROM STAFF

10. ADJOURNMENT

Next Regularly Scheduled Meeting:
June 24, 2020
Seaside City Hall
7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. Agendas are posted at:

<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



CITY OF SEASIDE STAFF REPORT

Item No.: 7.A.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: June 10, 2020

SUBJECT: USE PERMIT APPLICATION NO. UP-20-04: THIS APPLICATION HAS BEEN WITHDRAWN. CITY OF SEASIDE, PROPERTY OWNER, AND MARINA COAST WATER DISTRICT, APPLICANT, ARE REQUESTING A USE PERMIT TO CONSTRUCT A NEW SEWER LIFT STATION. THE PROJECT SITE IS LOCATED AT 630 MONTEREY ROAD (APN# 031-051-023) IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), MARINA COAST WATER DISTRICT HAS ADOPTED A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT.

PURPOSE & RECOMMENDATION

In accordance with Section 53091(e) of the California Government Code (Article 5 - Regulation of local Agencies by Counties and Cities),

BACKGROUND

The project site is located near the storm water detention basin for the Seaside Highlands storm water detention basin generally located at 630 Monterey Road. Location Map provided as Attachment 2. The Project proposes to construct a replacement lift station on the east side of Monterey Road (East of Highway 1), and a replacement force main pipeline within existing roadways, eliminating the need for 1,600 linear feet (LF) of existing gravity and force main pipelines and two highway crossings. The existing Fort Ord Village Lift Station west of Highway 1 would be demolished and removed. Pipelines and manholes outside the site would be abandoned in place.

The project site plan is provided as Exhibit A to Attachment 1. The lift station will be screened from public view with a 40 x 40 easement. The acquisition easements were

approved by the Seaside City Council on December 19, 2020.

The proposed project is necessary to maintain proper sewer flows and replaced an outdated system near the beach. A Mitigated Neagative Declaration has been adopted by the Board of Directors for Marina Coast Water District for the Ord Village Lift Station and Force Main Replacement Project.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Attachment 1 - Exhibit A
 3. Attachment 2 - Location Map
-

RESOLUTION NO. 20-

**A RESOLUTION OF THE SEASIDE PLANNING COMMISSION EXECUTE
APPROVING SEWER LIFT STATION FOR MARINA COAST WATER
DISTRICTON PUBLIC PROPERTY AT APN 031-051-023**

WHEREAS, the City of Seaside is the owner of that certain real property commonly known the storm drain basins at Seaside Highlands in the City of Seaside, situated in the County of Monterey, State of California, currently identified as County of Monterey Assessor's Parcel Number (APN) 031-051-023 (the "Property"); and

WHEREAS, the Marina Coast Water District (MCWD) proposes to relocate an existing sewer lift station to the east side of Highway 1 adjacent to Monterey Road within the Property (the "Project"); and

WHEREAS, the City wishes to convey easements to the MCWD for the purpose of sewer operations and maintenance.

WHEREAS, on November 18, 2019, the Marina Coast Water District (MCWD) adopted the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the OVLS Project; and

WHEREAS, on November 20, 2019, the MCWD submitted the Notice of Determination (State Clearing House Number 2019099050); and

WHEREAS, the Seaside Planning Commission held a duly noticed public hearing on May 27, 2020, to grant a use permit for the utility facility, and

NOW, THEREFORE BE IT RESOLVED that the City of Seaside Planning Commission approves the sewer lift station attached hereto as Exhibit A with Marina Coast Water District dedicating easements at APN 031-051-023.

PASSED AND ADOPTED at a regular meeting of the City of Seaside Planning Commission duly held on the 27th day of May, 2020 by the following vote:

AYES:

NOES:

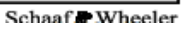
ABSENT:

ABSTAIN:

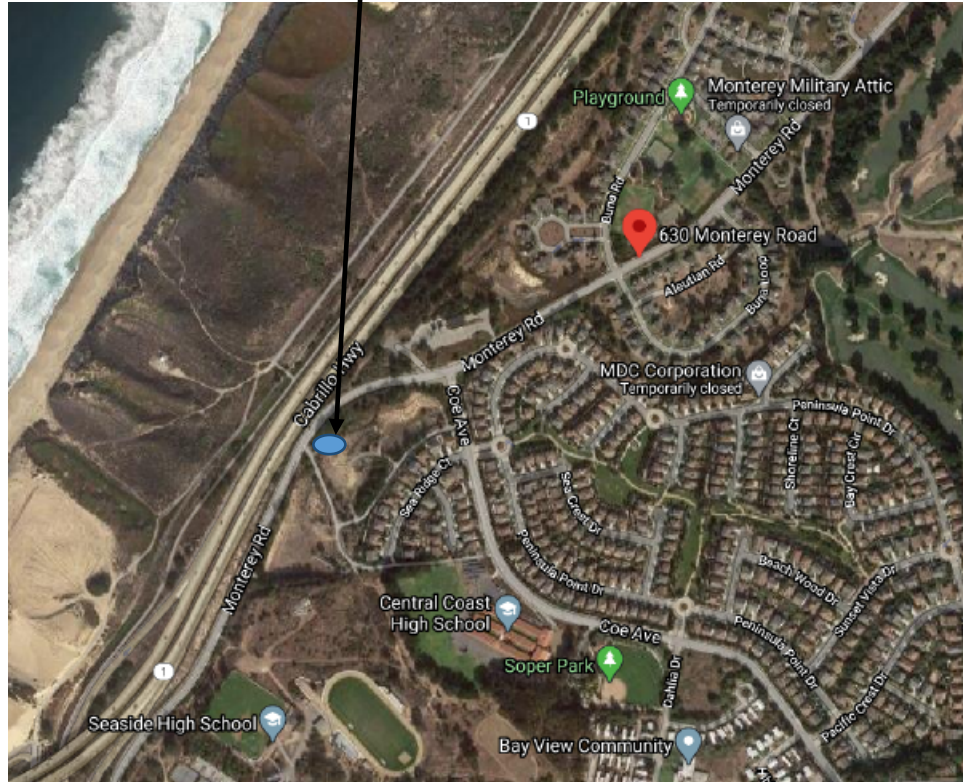
John Owens, Chairperson

ATTEST:

Lesley Milton-Rerig, City Clerk



Attachment 2 – Location Map





CITY OF SEASIDE STAFF REPORT

Item No.: 7.B.

TO: Planning Commission

BY: Gloria Stearns, Community Development Manager

DATE: June 10, 2020

SUBJECT: MINOR USE PERMIT APPLICATION NO. MUP-20-01: WILLIAM KHEIU, PROPERTY OWNER, AND DAVID VARGAS, APPLICANT, ARE REQUESTING A MINOR USE PERMIT TO OPERATE AN INDOOR CANNABIS MANUFACTURING BUSINESS WITHIN SUITE 21 OF THE PROFESSIONAL OFFICE BUILDING GENERALLY LOCATED AT 911-915 HILBY AVENUE (APN# 012-5362-051) IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A).

PURPOSE & RECOMMENDATION

Adopt a resolution recommending denial per direction given at the May 13, 2020 Meeting.

BACKGROUND

The Planning Commission initially discussed this item at the May 13, 2020 meeting, and after conducting the public hearing, continued the meeting so that conditions for denial could be added to the resolution. The item was continued a second time on May 27, 2020, at the request of the applicant to allow for a reconsideration of the application. The applicant has not provided any additional information since the request for reconsideration.

City staff recommends that the Planning Commission deny the Use Permit in accordance with the findings and evidence provided as Attachment 1. The meeting information from the May 13, 2020 can be accessed at the following web link:
<https://seasideca.civicclerk.com/Web/Player.aspx?id=3009&key=-1&mod=-1&mk=-1&nov=0>.

ATTACHMENTS

1. Attachment 1 - Resolution (1) HILBY (1)
-

DRAFT RESOLUTION NO. 20-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, DENYING A MINOR USE PERMIT TO ALLOW A CANNABIS MANUFACTURING FACILITY WITH TRANSPORTATION/ DISTRIBUTION/ ASSEMBLY LOCATED SPECIFICALLY AT 911 HILBY AVENUE, SUITE 21 IN A COMMERCIAL BUILDING ADDRESSED AS 911-915 HILBY AVENUE IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

WHEREAS, William Khieu, property owner, and David Vargas, applicant, have applied for a Minor Use Permit for:

- A. The establishment of a Cannabis Manufacturing facility with Transportation/ Distribution/ Assembly.

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Planning Commission considered oral comments and written information concerning the proposed use at a duly noticed public hearing at a regular public meeting held on May 13, 2020; and

WHEREAS, the project is a Categorically Exempt, Class 1, Section 15301 meeting the following conditions:

- a) The proposed development will consist of converting an existing commercial suite into a cannabis manufacture facility and will not require any exterior alterations to the site or change in intensity of the site, therefore the project involves negligible or no expansion of an existing use.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby finds and determines:

1. The proposed use is not consistent with the General Plan and any applicable specific plan.

Evidence: *The site is designated as Community Commercial by the 2004 Seaside General Plan. The following Goals and Policies would apply:*

Land Use Element Goal LU-2: Revitalize existing commercial areas.

Land Use Element Policy LU-2.1.1: Zoning Ordinance – Standards for Commercial Areas. Update the Zoning Ordinance to include flexible parking standards for shared uses, the appropriate mix of permitted and conditional uses within identified commercial centers, master design standards, and sign programs.

The Planning Commission finds that the proposed use is not an appropriate mix of permitted and conditional uses in a professional office building in the Community Commercial zone.

Professional office tenants and associated clientele would be exposed to the distribution of cannabis and monetary payments in hallways and parking areas open to the general public. Combustible materials would be stored in close proximity to neighboring suites.

2. The design, location, size, and operating characteristics of the proposed activity are not compatible with the existing and planned future land uses in the vicinity.

Evidence: *The proposed cannabis manufacturing facility requires cannabis and cannabis products, as well as monetary payments, to move from the professional office building parking lot to the suite through hallways accessed by the general public and other tenants. The general public safety cannot be adequately ensured in the public hallways and parking lots.*

3. Granting the permit would be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity.

Evidence: *The proposed conversion of a commercial suite to a cannabis manufacturing facility would be detrimental to the public health, safety and general welfare of the people of the City and surrounding neighborhood. The proximity to neighboring tenants and residential areas is of concern when using and storing combustible materials. There is an insufficient indication of floor drains or suitable escape handling for the combustible materials. The structure needs to be adequately inspected by a licensed structural engineer to determine if the weight of the equipment may be adequately handled by the building. There is insufficient information regarding the equipment and potential noise, vibration, fumes, odors at the proposed business to assess the potential impacts on the adjoining businesses.*

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission denies Minor Use Permit Application No. UP-20-01.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Lesley Milton, City Clerk



CITY OF SEASIDE STAFF REPORT

Item No.: 7.C.

TO: Planning Commission

BY: Gloria Stearns, Community Development Manager

DATE: June 10, 2020

**SUBJECT: DISCUSS MODIFICATIONS TO 2020-2021 WORK PLAN TO
ADDRESS NEW BUDGET AND STAFFING CONSTRAINTS.**

PURPOSE & RECOMMENDATION

Discuss any modifications that may be needed for the 2020/2021 Planning Commission Work Plan, to reflect new budget and staffing constraints.

BACKGROUND

There is no staff report for the item. A verbal presentation will take place at the meeting.

ATTACHMENTS

1. Seaside Planning Commission work plan 2019
-

Seaside Planning Commission

Fiscal Work Plan

July 1, 2019 – June 30, 2020

John Owens, Chair

Michael Spaletta, Vice-Chair

Denise Ross

Keith Dodson

Arly Lamica

Dave Evans

Mission Statement

The Planning Commission is a seven-member body of community representatives appointed by the by the City Council. The appointed members shall hold office for four years. The Planning Commission is the primary decision-making authority for certain development applications, and it advises the City Council on various land-use policy matters.

Historical Background

State law and local ordinance prescribe the roles and responsibilities of the Planning Commission. In general, state law defines a planning commission as a committee appointed by the elected legislative body (City Council) to review matters related to planning and development and a general advisory body on land use planning.

Powers and Duties of the Planning Commission include:

- The planning commission shall have all the powers and perform duties as provided in Government Code Section 65103 (See Link to Government Code)
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65103
- It shall be the function and duty of the planning commission to prepare, periodically review and revise, as necessary, the general plan of the city and to implement the general plan through actions including, but not limited to, the administration of specific plans and zoning and subdivision ordinances. (Ord. 773 § 1 (Exh. A), 1990)

Fiscal Year Work Plan

- Amend Fence regulations - to provide flexibility to work with all residents.
- Adopt Accessory Dwelling Unit regulations
- Amend tree ordinance - health, type as we have new development, and address successful landscaping
- Conduct Sign code business surveys
- Zoning code clean up, done as part of the general plan process
- Conclude the General plan update
- Pursue education opportunities - continue to coordinate educational opportunities to see what strategies are happening in other cities and communities.
- Collaboration with other Boards/Commissions and Committees