



FINAL MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER
Wednesday, January 25, 2023
6:00 PM

1. **CALL TO ORDER**

Chair Silva called the meeting to order at 6:48 p.m.

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

PRESENT: SILVA, DODSON, LA MICA, EVANS

3. **REVIEW OF AGENDA**

No changes.

4. **PUBLIC COMMENT**

None.

5. **BUSINESS ITEMS**

- A. USE PERMIT APPLICATION NO. UP-22-05: FARIS NEMRI, PROPERTY OWNER, AND MOISES LLAMAS HERNANDEZ, APPLICANT, REQUEST APPROVAL OF A USE PERMIT TO ALLOW FOR ON-SALE BEER WITH A TYPE 41 ALCOHOL LICENSE FOR A COUNTER SERVICE FAST FOOD RESTAURANT (TACOS EL JALISCIENSE) LOCATED AT 1390 FREMONT BOULEVARD, APN 012-273-001, IN THE COMMUNITY COMMERCIAL ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1 SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Eric Azriel, Associate Planner, presented the item and responded to questions from the Commission.

The characteristics of the restaurant, owned and operated by Moises Llamas Hernandez, includes its operating hours from 8am-10pm with the capacity to serve up to 20 patrons on site and 12 patron via the drive thru. The use is allowed under existing use permit. Mr. Hernandez addressed the Commission, reviewing his experience since 1999, and operation of three (3) other locations.

The project would permit the serving of wine and beer, the operator intends to sell beer and cerveza.

Four findings were established for the use permit as follows:

Finding 1:

The proposed use is allowed Accessory alcoholic beverage sales are allowed with the approval of a Use Permit per Seaside Municipal Code 17.14.030

Finding 2:

The proposed use is consistent with the General Plan and any applicable specific plan Assessing and confirming that the alcohol use is a public necessity or convenience is consistent with the ABC and therefore consistent with the General Plan.

Finding 3:

The characteristics of the proposed activity are compatible with uses in the vicinity The operating characteristics of the proposed alcohol license keep impacts to regular business hours and on-site.

Finding 4: (modified in motion)

The site is physically suitable

The retail of on-sale alcohol would occur only with meals in a previously permitted restaurant utilizing a building operated by a similar restaurant for more than 30 years.

There were no comments from the public.

On motion by Commissioner Dodson and second by Commissioner Evans, and carried by the following vote, the Planning Commission moved to approve Use Permit 22-05 with changes to "Finding #4" with the modification to add "or in a designated outdoor dining area if constructed."

RESULT: 4-0-0-3

AYES: SILVA, DODSON, LA MICA, EVANS

NOES: NONE

ABSTAIN: NONE

ABSENT: OWENS, HUYNH, MADRIGAL

ACTION: ADOPTED RESO #23-01, AND APPROVED UP-22-05

B. ZONING ORDINANCE AMENDMENT NO. ZOA-23-01: A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE OF THE CITY OF SEASIDE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE SEASIDE MUNICIPAL CODE TO MODIFY SECTION 17.52.230 (ACCESSORY DWELLING UNITS) TO IMPLEMENT RECENT HOUSING BILLS. THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) IS

**NOT APPLICABLE TO THIS ACTION PURSUANT TO SECTION 21080.17
OF THE CALIFORNIA PUBLIC RESOURCES CODE**

Andrew Myrick, Community & Economic Development Planning Manager, presented the item and responded to questions from the Commission.

The significant changes to the zoning ordinance included modified height limitations, added definitions of "exempt accessory dwelling unit", and "utility accessory dwelling unit". Other changes proposed were also reviewed.

The Proposed Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code.

There were no comments from the public.

On motion by Commissioner La Mica and second by Commissioner Evans, and carried by the following vote, the Planning Commission moved to adopt a resolution recommending that the City Council approve an ordinance amending Title 17.

RESULT: 4-0-0-3

AYES: SILVA, DODSON, LA MICA, EVANS

NOES: NONE

ABSTAIN: NONE

ABSENT: OWENS, HUYNH, MADRIGAL

ACTION: ADOPTED RESO #23-02

6. REPORTS FROM COMMISSIONERS

None.

7. REPORTS FROM STAFF

None.

8. ADJOURNMENT

With no further business, the meeting adjourned at 7:54 p.m.

Respectfully submitted,


Dominique L. Davis, City Clerk


Will Silva, Chair

