



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
440 HARCOURT AVE (COUNCIL CHAMBER)
Wednesday, November 13, 2024
6:00 PM

NOTICE: *The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Seaside utilizes Zoom tele-conferencing technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of public through this means is at their own risk.*

1. To view this meeting: Please click on the following link to the City of Seaside YouTube Channel: <https://www.youtube.com/c/CityofSeasideCalifornia>
2. To view or participate in this meeting: Using the Zoom application on your smart phone, laptop, tablet or desktop and click on this link: <https://us02web.zoom.us/j/81555467580>
WEBINAR ID: 815 5546 7580
3. To listen or participate by phone: Please call (669) 900-9128
Enter the **WEBINAR ID:** 815 5546 7580 when prompted. There is no participate code – press the pound sign # after the recording prompts you.
4. To make public comment, the following options are available:

Before the Meeting via Email: Written comments can be emailed to CityClerk@ci.seaside.ca.us Include the following subject line: "Public Comment Item #____" (insert the agenda item number relevant to your comment). Written comments must be received by 2:00 p.m. on the day of the meeting.

During the Meeting: When the Chair calls for public comment, members of the public participating in person and wishing to address the Commission may approach the podium when the Chair calls for public comment.

When the Chair calls for public comment, members of the public participating on Zoom and wishing to address the City Council can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9 to "Raise Hand"; press *6 to unmute.

5. In accordance with the City's Remote Meeting Participation Policy for Public Comment: The City of Seaside reserves the right to refuse, limit, and/or revoke use of video conferencing technology and the option for virtual public participation. Granting use of the virtual participation in no way constitutes an endorsement of any person or group to display hateful conduct, including sending or posting hateful images, making violent threats, or targeting others with hateful or abusive speech. The City may remove any participant that violates its agreement or applicable policy with proper notice as outlined in the conditions of use/meeting access.

1. CALL TO ORDER

2. ROLL CALL - CITY COUNCIL

William Silva	Chair
Keith Dodson	Commissioner
John Owens	Commissioner
Arlington La Mica	Commissioner
Dave Evans	Commissioner
Danny Huynh	Commissioner

3. 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).

4. PUBLIC COMMENT FOR COMMISSIONS

Members of the public wishing to address the Commission 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 (3) minutes. Comments on specific agenda items are heard under that item. For the public record, please state your name.

5. APPROVAL OF MINUTES

A. APPROVAL OF MINUTES FROM SEPTEMBER 25, 2024

6. BUSINESS ITEMS

A. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING APPROVAL OF A ZONING ORDINANCE AMENDMENT TO ALLOW RESIDENTIAL AND MIXED USE PROJECTS AS PERMITTED USES IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT AND A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF 942 HILBY AVENUE (ASSESSOR'S PARCEL NUMBER 012-371-062-000) FROM COMMUNITY COMMERCIAL (CC) TO CMX

RECOMMENDATION: Staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council approve an Ordinance adopting Zoning Ordinance Amendment ZOA-24-02 and Zoning Map Amendment ZMA-24-02.

7. REPORTS FROM COMMISSIONERS

8. REPORTS FROM STAFF

This is a time specifically set aside for the Staff Liaison to provide updates on non-agendized requests from the Commission, and to provide brief information on topics under the purview of the Commission.

9. ADJOURNMENT

Next Regularly Scheduled Meeting:
November 27, 2024
6:00 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.



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, September 25, 2024
6:00 PM

1. CALL TO ORDER

Chair Silva called the meeting to order at 6:00 p.m.

2. ROLL CALL – PLANNING COMMISSION

PRESENT: EVANS, DODSON, SILVA, LA MICA
ABSENT: HUYNH, OWENS

3. REVIEW OF AGENDA

No Changes.

4. PUBLIC COMMENT

None.

5. APPROVAL OF MINUTES

A. APPROVE MINUTES FROM SEPTEMBER 11, 2024

On motion by Commissioner Evans and second by La Mica, and carried by the following vote, the Planning Commission moved to approve the Minutes from September 11, 2024

6. BUSINESS ITEMS

A. ARCHITECTURAL REVIEW APPLICATION NO. AR-24-013 AND MINOR USE PERMIT NO. MUP-24-003. KRISTIN SETLIFF BLACKWELL, APPLICANT, AND ERICA SABIN, PROPERTY OWNER, ARE REQUESTING MINOR USE PERMIT APPROVAL FOR A SECOND-STORY ADDITION TO ENCROACH INTO THE REQUIRED SIDE SETBACK NO FURTHER THAN THE EXISTING NONCONFORMING SETBACK OF THE EXISTING RESIDENCE AND ARCHITECTURAL REVIEW APPROVAL FOR A 616 SQUARE FOOT SECOND STORY ADDITION. THE PROJECT IS LOCATED AT 1820 YOSEMITE STREET (APN: 012-621-035) IN THE SINGLE-FAMILY

RESIDENTIAL (RS-8) ZONING DISTRICT.

Beth Rocha, Senior Planner, provided a presentation that proposed a 616 square foot second story addition to encroach into the required side setback no further than the existing nonconforming setback of the existing residence located at 1820 Yosemite.

The Applicant, Kristin Setliff made a statement regarding the project, and responded to questions from the Commission.

PUBLIC COMMENT:

Chris Cogan, Janet Lavito, Sam Monosoff

On motion by Commissioner Evans and second by Dodson, and carried by the following vote, the Planning Commission moved to approve Minor Use Permit MUP-24-003 and Architectural Review AR-2024-013 and MUP 24-003 subject to Draft Resolution and Attachment, Project Plans and a potential of an appeal.

RESULTS: 4-0-0-2

AYES: Evans, Dodson, Silva, La Mica

NOYES: None

ABSTAIN: None

ABSENT: Huynh, Owens

ACTION: APPROVED & ADOPTED RESOLUTION 24-27

6. REPORTS FROM COMMISSIONERS

None

7. REPORTS FROM STAFF

Andrew Myrick, Planning Manager mentioned that there were no items scheduled for the October 9, 2024 Planning Commission meeting.

8. ADJOURNMENT

With no further business the meeting adjourned at 6:49 p.m.

Respectfully submitted,

Jennifer L. Hancock, Administrative Assistant

William Silva, Chair



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.A.

TO: Planning Commission

BY: Andrew Myrick, Economic Development & Community Planning Manager

DATE: November 13, 2024

SUBJECT: **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING APPROVAL OF A ZONING ORDINANCE AMENDMENT TO ALLOW RESIDENTIAL AND MIXED USE PROJECTS AS PERMITTED USES IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT AND A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF 942 HILBY AVENUE (ASSESSOR'S PARCEL NUMBER 012-371-062-000) FROM COMMUNITY COMMERCIAL (CC) TO CMX**

RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council approve an Ordinance adopting Zoning Ordinance Amendment ZOA-24-02 and Zoning Map Amendment ZMA-24-02.

BACKGROUND

On December 7, 2023, the City Council of the City of Seaside adopted a new Housing Element for its General Plan. This revision to the Housing Element was adopted as the 6th Cycle Housing Element in order to comply with California Law. This Housing Element was then submitted to the California Department of Housing and Community Development (HCD), which certified that the Housing Element complied with California law. Included in the Housing Element Technical Appendix is a list of potential sites for housing development, including sites identified as having a potential for the development of low-income housing. These sites are referred to as

Among the requirements within the Housing Element is a requirement on Page 13 which reads as follows:

2023-2031 Timeframe and Objectives:

- Pursuant to AB 1397, amend the Zoning Code by the end of 2024 to permit residential use by right for housing development in which at least 20 percent of the units are affordable to lower income households if the sites meet one of the following conditions:

- o Sites that were identified in the fifth cycle Housing Element for meeting the lower income RHNA

- o Sites that are identified in the sixth cycle Housing Element to be rezoned to higher density for meeting the lower income RHNA (see below)

- Pursue adoption of the 2040 General Plan by the end of 2024

- Complete rezoning of sites inventory by the end of 2024 to implement the proposed Land Use policy. The rezoned sites will meet the requirements of Government Code 65583.2, including but not limited to a minimum density of 20 units per acre, minimum site size to permit at least 16 units on site, and zoned to allow ownership and rental housing by right in which at least 20 percent of the units are affordable to lower households. As part of the rezoning, appropriate income development standards (including but not limited to setbacks, lot coverage, height, and parking, among others) will be established to ensure the allowable maximum density of each zone can be achieved.

- Provide the residential sites inventory to interested developers.

- Pursue development of future growth areas and future specific plan areas through specific or master planning techniques. Ensure that residential development is considered in these areas to accommodate the appropriate mix of future housing needs in the community

There are essentially three primary requirements within this text that need to be completed by this Section:

- 1) Sites included in the sites inventory for low-income housing must be allowed by-right by the end of 2024.
- 2) The City must adopt its updated General Plan by the end of 2024 (completed).
- 3) The City must ensure that all the properties in the low-income sites inventory allowed for the required densities identified above by the end of 2024.

Most of the sites identified in the sites inventory for low-income households are in high-density residential zones. These zones allowed residential uses by right and meet the

density requirements specified in the Housing Element. No action is required on those properties.

Two properties included in the inventory are not located in residential zones. The first of these is located at 1130 Broadway Avenue and is located in the Commercial Mixed-Use (CMX District). Within the CMX District, residential and mixed use residential projects at the required densities are allowed. However, they are not allowed "by-right." The second of these is located at 942 Hilby Avenue and is located in the Community Commercial (CC) Zoning District. Within the CC District, residential projects may be considered at the allowable densities as a part of a mixed-use project.

However, these projects are not allowed by-right and stand-alone residential projects are prohibited.

In order to meet the requirements of the Housing Element, staff is recommending the following:

1) Amend the Zoning Ordinance to make residential projects (both stand-alone and mixed use) a Permitted (ie "by-right") use in the CMX Zoning District. The requirements for any projects considered within the CMX Zoning District would not be changed - only the process by which they are considered would be different.

Therefore, such a change would not have any effect upon the potential for development of parcels within the CMX District and impacts would be limited.

2) Rezone 942 Hilby Avenue from CC to CMX. Currently, stand-alone residential uses are prohibited in the CC District. Changing the Ordinance to allow residential development by right in the CC District would also allow residential development in all other properties in the CC District. This would have unknown effects and would require more extensive study to examine potential impacts. By rezoning 942 Hilby to CMX, residential development would be allowed by right on the parcel if the aforementioned Zoning Ordinance Amendment is also adopted. Although there are no adjacent CMX parcels, the rezone can be justified as the new General Plan identifies the property as having the Mixed Use - High land use designation. Therefore, rezoning the property to CMX would be more consistent with the City's General Plan than the current CC Zoning.

ATTACHMENTS

1. DRAFT Resolution ZMA 24-02 ZOA 24-02
-

RESOLUTION NO. 24-XX PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING APPROVAL OF A ZONING ORDINANCE AMENDMENT TO ALLOW RESIDENTIAL AND MIXED USE PROJECTS AS PERMITTED USES IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT AND A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF 942 HILBY AVENUE (ASSESSOR'S PARCEL NUMBER 012-371-062-000) FROM COMMUNITY COMMERCIAL (CC) TO CMX

WHEREAS, on December 7, 2023, the Seaside City Council adopted a new Housing Element for the Seaside General Plan; and

WHEREAS, pursuant to State requirements, the City identified several properties throughout the City that were found to be suitable for development of low-income residential projects (hereafter referred to as the "Sites Inventory"); and

WHEREAS, page 13 of the adopted Housing Element indicates that the City must rezone parcels within the Sites Inventory to allow residential development by-right by December 31, 2024; and

WHEREAS, the Sites Inventory includes one site (1130 Broadway Avenue) within the Commercial Mixed Use (CMX) Zoning District and one site (942 Hilby Avenue) within the Community Commercial (CC); and

WHEREAS, the CMX Zoning District allows residential development for both stand-alone and mixed use residential development through a discretionary process, and the CC Zoning District prohibits stand-alone residential development and allows mixed-use residential development as a discretionary process; and

WHEREAS, modifying the CMX District to allow stand-alone and mixed-use development by-right would not change any of the development standards or code requirements specified in the Zoning Ordinance; and

WHEREAS, on May 16, 2024, the Seaside City Council updated a comprehensive General Plan update, which changed the land use designation of the property located at 942 Hilby Avenue from Community Commercial to Mixed Use – High; and

WHEREAS, rezoning the property located at 942 Hilby Avenue to CMX would be consistent with the City's General Plan; and

WHEREAS, if the Zoning Ordinance is modified to allow residential development in the CMX District as a by-right use, and 942 Hilby Avenue is rezoned to CMX, then all sites included in the Sites Inventory will allow residential development by-right; and

WHEREAS, Section 17.74.040 of the Seaside Zoning Ordinance provides that the Commission shall make a recommendation to the City Council to approve, approve with modifications, or deny any proposed Zoning Ordinance Amendment or Zoning Map Amendment.

NOW, THEREFORE, BE IT RESOLVED, THAT THE PLANNING COMMISSION HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The Planning Commission finds that: a) the facts set forth in the recitals in this Resolution are true and correct and incorporated by reference; b) the recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the action taken in this Resolution; c) the provisions in this Resolution are consistent with the General Plan, Seaside Municipal Code, and applicable federal and state law; and d) this Resolution will not be detrimental to the public interest, health, safety, convenience, or welfare.
2. The Planning Commission hereby recommends that the City Council approve a Zoning Ordinance Amendment to adopt the changes to Table 2-4 of Section 17.14.030.B shown on the attached Exhibit “A.”
3. The Planning Commission hereby recommends that the City Council Approve a Zoning Map Amendment to modify the Zoning Map such that the Zoning District of Assessor’s Parcel Number 012-371-062-000 is changed from Community Commercial (CC) to Commercial Mixed Use (CMX), as shown on the attached Exhibit “B.”

PASSED AND ADOPTED at a Regular Meeting of the Planning Commission of the City of Seaside, State of California, on the 13th day of November, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

William Silva, Chairperson

ATTEST:

Dominique L. Davis, City Clerk

Exhibit “A”

Table 2-4 of Section 17.14.030.B of the Seaside Zoning Ordinance is hereby amended as follows:

Land Use	CMX	CC	CRG	CA	CH	Specific Use Regs
Multi-family Housing	UP	-	-	-	-	17.52.180
Mixed use project with a residential component	MUP	UP	UP	-	-	17.52.160

Exhibit "B"

