



AGENDA

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Wednesday, August 10, 2016
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

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

John Owens	Chair
Michael Lechman	Vice Chair
Keith Dodson	Commissioner
Denise Ross	Commissioner
Arlington La Mica	Commissioner
Michael Spalletta	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**

5. **APPROVAL OF MINUTES**

A. **Regular Meeting Minutes of July 13, 2016**

6. **BUSINESS ITEMS**

A. **Seaside Municipal Code Amendment Application No. SMA-16-02: The City of Seaside (Applicant) is requesting text amendments to Section 17.12.030.C: Table 2-1 and Section 17.52.050 of the Seaside Municipal Code to allow for a Day Care Center to be located adjacent to and/or within a Low Density Residential (RS) Zoning District.**

PURPOSE: In accordance with Section 17.67.010 of the SMC, the purpose of this item is for the Planning Commission to provide the City Council with a recommendation on proposed text amendments to Section 17.12.030.C: Table 2-1 and Section 17.52.050 (Day Care facilities) of the Seaside Municipal Code (SMC).

RECOMMENDATION: It is recommended that the Commission adopt the Draft Resolution provided as Attachment 1 recommending that the City Council adopt the proposed text amendments subject to the findings and evidence contained therein.

7. **REPORTS FROM COMMISSIONERS**

8. **REPORTS FROM STAFF**

9. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
Wednesday, August 24, 2016
Seaside City Hall
7:00 PM

The City of Seaside is an ADA accessible facility and is committed to include the disabled in all of its services, programs and activities. Any person who requires accommodation to be able to participate in this meeting is asked to contact the office of the City Clerk at 899-6707, no fewer than two business days prior to the meeting to allow for reasonable arrangements.

The City Council Chambers is equipped with a portable microphone for anyone unable to come to the podium. Assisted listening devices are also available.

Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:
<http://cyp.telvue.com/player?id=T01629&video=52314&noplaylists=1&width=400&height=300> Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

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.: 6.A.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: August 10, 2016

SUBJECT: **Seaside Municipal Code Amendment Application No. SMA-16-02: The City of Seaside (Applicant) is requesting text amendments to Section 17.12.030.C: Table 2-1 and Section 17.52.050 of the Seaside Municipal Code to allow for a Day Care Center to be located adjacent to and/or within a Low Density Residential (RS) Zoning District.**

PURPOSE

In accordance with Section 17.67.010 of the SMC, the purpose of this item is for the Planning Commission to provide the City Council with a recommendation on proposed text amendments to Section 17.12.030.C: Table 2-1 and Section 17.52.050 (Day Care facilities) of the Seaside Municipal Code (SMC).

RECOMMENDATION

It is recommended that the Commission adopt the Draft Resolution provided as Attachment 1 recommending that the City Council adopt the proposed text amendments subject to the findings and evidence contained therein.

BACKGROUND

The City of Seaside's zoning code Section 17.12.030.C: Table 2-1 and Section 17.52.050 sets forth regulations applicable to the establishment and operation of day care facilities within the City. The City's zoning code currently prohibits child Day Care Centers from locations within 500 feet of an existing RS (Low Density Single-Family) zoning district because of the potential for noise and traffic impacts. Other subsections of the code address circulation, parking, and noise issues related to child Day Care Centers. A child Day Care Center is defined as a commercial or non-profit child day care facility, licensed by the State Department of Social Services, and designed and approved to accommodate 15 or more children. Infant centers, preschools, sick-child centers, and school-age day care facilities are included within this definition. These may be operated in conjunction with a school or church facility, or as an independent land use.

The provision prohibiting child Day Care Centers within 500 feet of RS zoning districts was added two years ago in response to the Planning Commission's action to deny a Day Care Center that was proposed within a single family dwelling on Santa Clara Street. However, that text change did not take into account external factors (i.e. parcel size, street location, and building size) that should instead be addressed as part of the use permit process versus an outright prohibition.

PROJECT DESCRIPTION

The City proposes to amend section 17.52.050. Specifically, the amendment eliminates the portion of the code that prohibits child Day Care Centers within 500 feet of an existing RS zoning district, thereby allowing child Day Care Centers within RS zoning districts, or within 500 feet of RS zoning districts. In addition to existing parameters for Day Care Centers, the amendment adds stipulations that a child Day Care Center must be accessed directly from an arterial, minor arterial, or collector street, in order to minimize adverse circulation effects on local residential streets and within residential neighborhoods and noise attenuation and sound dampening requirements as determined appropriate by the review authority. Day Care Centers should not be confused with small or large Family Day Care Homes, which accommodate only up to 14 children within a home. The City proposes the following amendments to the Seaside Municipal Code Section 17.52.050:

*** PROPOSED DELETED TEXT IS SHOWN WITH BOLD STRIKETHROUGH (STRIKETHROUGH)**

*** Proposed added text is shown with bold underline (Underline)**

17.52.050 DAY CARE FACILITIES

A. Applicability. Day care facilities shall comply with the standards of this section, where allowed by Article 2 (Zones, Permitted Land Uses, and Zoning Standards). These standards apply in addition to the other provisions of this Zoning Ordinance and requirements imposed by the California Department of Social Services (DSS). DSS licensing is required for all facilities.

B. Definitions. Definitions of the day care facilities regulated by this section are in Article 7 (Glossary).

C. Standards for large family day care homes. As required by state law, a large family day care home shall be approved if it complies with the following standards:

1. **Location requirements.** In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no large family day care home shall be located within 500 feet of an existing large family day care home or child day care center. In no case shall a residential property be directly abutted by a large family day care center on two or more sides.
2. **Parking, drop-off area.**

- a. At least two off-street parking spaces shall be provided exclusively for dropping off and picking up children. The driveway may be used for the off-street parking required by Section 17.34.040 (Number of Parking Spaces Required) for a single-family dwelling, if the parking will not obstruct drop-off and pick-up areas or block a sidewalk or other public access. Alternative parking and drop-off arrangements may be required by the review authority based on traffic and pedestrian safety considerations.
 - b. A home on a street with a speed limit of 30 miles per hour or greater shall provide a drop-off/pick-up area designed to prevent vehicles from backing onto the street (e.g., circular driveway).
3. **Outdoor activity areas.**
- a. A side or rear setback area intended for day care use shall be enclosed with a fence or wall.
 - b. Outdoor recreation equipment over eight feet in height shall not be located within a required side setback and shall be set back a minimum of five feet from a rear property line.
4. **Noise.** Noise generated from the large family day care home shall not exceed the standards of the City's Noise Ordinance.
5. **Additional standards.** Each large family day care home shall comply with applicable building and fire codes, and standards adopted by the state, and Social Services Department licensing requirements (California Code of Regulations, Title 22, Division 2).

D. Standards for child day care centers.

~~1. Location requirements. In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no day care center shall be located within 500 feet of an existing RS (Low Density Single-Family) zoning district.~~

21. Parking and loading.

- a. Off-street parking shall be provided as required by the Use Permit for the facility, but shall be a minimum of one space per employee on the largest shift, plus one space for each 10 children authorized by the state license. An exception to these off-street parking requirements may be granted if the facility complies with the following criteria:
 - (1) The exception shall be granted only for uses in an existing building, and shall not be granted for any expansion of gross leasable floor area or new construction;
 - (2) Off-street parking shall be provided on the site in the maximum amount feasible;
 - (3) The exception shall only be granted in a situation where the City Engineer has determined that the exception will not result in potentially unsafe conditions for vehicles or pedestrians;

- (4) Each Use Permit that grants an off-street parking exception shall be reviewed annually, and if it is found that the use of on-street parking spaces by the facility is creating a nuisance, the City may initiate proceedings to modify or revoke the Use Permit.
- b. Picking up and dropping off of children shall not create unsafe conditions. Loading and unloading of children from vehicles shall only be allowed on site in the driveway or in an approved parking area.
- c. **Vehicular access shall be provided directly from an arterial, minor arterial, or collector street, in order to minimize circulation effects on local residential streets and within residential neighborhoods.**

2. Noise.

Potential noise sources shall be identified during the Use Permit process, and noise attenuation and sound dampening **(e.g. Solid Walls or Landscape Hedge/Buffer) as determined by the review authority** shall be **addressed-provided**.

STAFF ANALYSIS

The proposed project would amend the zoning code to allow for Day Care Centers in areas zoned for single family residential use (RS). As noted in the background section listed above, the location requirements prohibiting the placement of a day care center in a RS zone or within 500 feet of a RS zone were made to the Zoning Code in 2014 as part of a comprehensive upgrade to the Zoning Code. The changes were made based on an application that was made to locate a day care facility within a single family dwelling in the middle of a RS zoned neighborhood. Recently, City staff has received an inquiry for the placement of a day care facility consisting of 15 or more children within a large, vacant commercial building in the 1500 block of Broadway Avenue which is zoned as Commercial Mixed Use and on a large church site that is located within a RS zone. In review of the previous text amendments which resulted in prohibiting the establishment of day care facility in or near a RS zone, City staff finds that these changes would unduly impair the City's ability to provide much needed day care facilities and that the use permit process should be reinstated to allow for the establishment of day care facilities either within or near a RS zone subject to the use permit process. The text amendments have addressed the following land use issues which typically are the most impactful when a day care facility is located in close proximity to a single family neighborhood:

1. Requiring vehicular access to a day care facility from an arterial and/or collector street to mitigate additional traffic being added to local residential street;
2. Installation of sound attenuation techniques (e.g. sound wall, landscape buffers) to reduce noise impacts on adjoining single family residential sites.

Vehicular Circulation and Access

The operation of Day Care Centers in residentially zoned areas would result in the addition of

new daily trips to the local road network. The zoning amendment includes language that requires vehicular access be provided directly from an arterial, minor arterial, or collector street, in order to minimize circulation effects on local residential streets and within residential neighborhoods and to ensure that there would not be an exceedance of the expected trip volumes on main roadway segments within RS areas. Furthermore, each new Day Care Center will be required to obtain a Use Permit prior to operation. During the Use Permit application process the City will consider potential traffic impacts of individual projects prior to approval to ensure impacts to circulation would be less than significant.

Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the RS zone district standards, City's design review application process, and design guidelines to prevent design related circulation hazards. The zoning code includes additional standards for Day Care Centers including standards for off-street parking, drop off and pick up of children, and requirements to ensure that drop-off, pick-up, and parking will not obstruct public sidewalks or roadways. Alternative parking and drop-off arrangements may be required by the review authority based on traffic and pedestrian safety considerations.

Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the RS zone district standards, zoning standards for Day Care Centers, the City's design review application process, and design guidelines to ensure adequate emergency access.

Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS zone district standards, City's design review application process, and design guidelines as currently permissible uses. The zoning amendment would not result in the future development of uses that would result in distinct impacts related to public transit, bicycle, or pedestrian facilities from those resulting from uses currently allowed by the zoning code. Thus, the proposed project would not conflict with adopted policies, plans, or programs regarding public transit or otherwise decreased the performance or safety of such facilities.

Noise

The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. The future operation of Day Care Centers within or adjacent to, residential areas may result in increased exposure of persons to heightened noise levels and an increase in ambient noise levels in the vicinity above existing levels. Future Day Care Centers would be required to comply with Seaside's Noise Ordinance (Seaside Municipal Code Section 17.30.060), which requires that noise levels for new uses shall remain below or include mitigation to remain at established standards set forth in Table 3-3 (Maximum Interior and Exterior Noise Levels) of Section 17.30.030.E of the Seaside Municipal Code. Additionally, the zoning amendment includes language requiring the identification of potential noise sources during the Use Permit process and implementation of noise attenuation and sound dampening (e.g. Solid Walls or Landscape Hedge/Buffer) as determined appropriate by the review authority. Thus, impacts related to exposure of persons to or generation of noise levels in excess of established standards and increased ambient noise would be disclosed and available for the Planning Commission to consider in relation to

proximity of the day care center to a residential use or in regard to public comments received.

ENVIRONMENTAL REVIEW

The City of Seaside has prepared an Initial Study for the proposed text amendments to the Seaside Municipal Code pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075. The Initial Study is provided as Attachment 1 - Exhibit "A". Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines, it has been determined that the proposed project would not have an environmental effect and the text amendments are covered by the general rule exemption (CEQA Guidelines 15061 (b)(3) that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Exhibit "A" - Day Care Centers Zoning Amendments Initial Study
-

DRAFT RESOLUTION 16-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE FOR PROPOSED TEXT AMENDMENTS TO SECTION 17.12.030.C – Table 2-1 AND SECTION 17.52.050 OF THE SEASIDE MUNICIPAL CODE.

WHEREAS, the City of Seaside has prepared an Initial Study for the proposed text amendments to the Seaside Municipal Code pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075. The Initial Study is provided as Exhibit “A”. Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines, it has been determined that the proposed project would not have an environmental effect and the text amendments are covered by the general rule exemption (CEQA Guidelines 15061 (b)(3) that CEQA applies only to projects that have the potential for causing a significant effect on the environment; and

WHEREAS, it is the responsibility of the Planning Commission to consider and weigh the merits of the text amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code and provide a recommendation to the City Council on the proposed text amendments; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed text amendments at a duly noticed public hearing held on August 10, 2016, and made a recommendation to the City Council to adopt the proposed text amendments; and

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

1. The proposed text amendments to Section 17.12.030.C-Table 2-1 and Section 17.52.030 of the Seaside Municipal Code are consistent with the goals and policies of all elements of the General Plan; and
2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed amendments are internally consistent with other applicable provisions of the Seaside Municipal Code.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission recommends to the City Council approval of the proposed text amendments to Section 17.12.030.C – Table 2-1 and Section 17.52.050 of the Seaside Municipal Code follows:

Proposed Text Amendments

- Text proposed to be deleted is listed with strikethrough (~~Strikethrough~~) and text proposed to be added is listed in bold with an underline (Underline)

1. Amend Section 17.12.030.C – Table 2-1 to allow a Day Care Center (15 or more children) in a RS zone with a Use Permit; and
2. Amend Section 17.52.050 to read as follows:

17.52.050 Day Care Facilities

A. Applicability. Day care facilities shall comply with the standards of this section, where allowed by Article 2 (Zones, Permitted Land Uses, and Zoning Standards). These standards apply in addition to the other provisions of this Zoning Ordinance and requirements imposed by the California Department of Social Services (DSS). DSS licensing is required for all facilities.

B. Definitions. Definitions of the day care facilities regulated by this section are in Article 7 (Glossary).

C. Standards for large family day care homes. As required by state law, a large family day care home shall be approved if it complies with the following standards:

1. **Location requirements.** In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no large family day care home shall be located within 500 feet of an existing large family day care home or child day care center. In no case shall a residential property be directly abutted by a large family day care center on two or more sides.
2. **Parking, drop-off area.**
 - a. At least two off-street parking spaces shall be provided exclusively for dropping off and picking up children. The driveway may be used for the off-street parking required by Section 17.34.040 (Number of Parking Spaces Required) for a single-family dwelling, if the parking will not obstruct drop-off and pick-up areas or block a sidewalk or other public access. Alternative parking and drop-off arrangements may be required by the review authority based on traffic and pedestrian safety considerations.
 - b. A home on a street with a speed limit of 30 miles per hour or greater shall provide a drop-off/pick-up area designed to prevent vehicles from backing onto the street (e.g., circular driveway).
3. **Outdoor activity areas.**
 - a. A side or rear setback area intended for day care use shall be enclosed with a fence or wall.

- b. Outdoor recreation equipment over eight feet in height shall not be located within a required side setback and shall be set back a minimum of five feet from a rear property line.
- 4. **Noise.** Noise generated from the large family day care home shall not exceed the standards of the City's Noise Ordinance.
- 5. **Additional standards.** Each large family day care home shall comply with applicable building and fire codes, and standards adopted by the state, and Social Services Department licensing requirements (California Code of Regulations, Title 22, Division 2).

D. Standards for child day care centers.

~~1. Location requirements. In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no day care center shall be located within 500 feet of an existing RS (Low Density Single Family) zoning district.~~

21. Parking and loading.

- a. Off-street parking shall be provided as required by the Use Permit for the facility, but shall be a minimum of one space per employee on the largest shift, plus one space for each 10 children authorized by the state license. An exception to these off-street parking requirements may be granted if the facility complies with the following criteria:
 - (1) The exception shall be granted only for uses in an existing building, and shall not be granted for any expansion of gross leasable floor area or new construction;
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 - (3) The exception shall only be granted in a situation where the City Engineer has determined that the exception will not result in potentially unsafe conditions for vehicles or pedestrians;
 - (4) Each Use Permit that grants an off-street parking exception shall be reviewed annually, and if it is found that the use of on-street parking spaces by the facility is creating a nuisance, the City may initiate proceedings to modify or revoke the Use Permit.
- b. Picking up and dropping off of children shall not create unsafe conditions. Loading and unloading of children from vehicles shall only be allowed on site in the driveway or in an approved parking area.
- c. **Vehicular access shall be provided directly from an arterial, minor arterial, or collector street, in order to minimize circulation effects on local residential streets and within residential neighborhoods.**

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of August, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

Initial Study

Initial Study

Seaside Municipal Code Amendment

File No. SMA-16-02

Day Care Center Text Amendments

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A. BACKGROUND

Project Title	City of Seaside Zoning Ordinance Amendment for Day Care Facilities
Lead Agency Contact Person and Phone Number	Rick Medina, Senior Planner City of Seaside Resource Management Services, Planning Division, (831) 899-6825
Date Prepared	July 29, 2016
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Teri Wissler, Adam/Senior Principal Richard James, AICP/Principal Rachel Hawkins/Assistant Planner
Project Location	City of Seaside (refer to Figure 1)
Project Sponsor Name and Address	City of Seaside Resource Management Services, Planning Division 440 Harcourt Avenue Seaside, California 93955
General Plan Designation	City-wide
Zoning	City-wide (refer to Figure 2)

Setting

The City of Seaside's zoning code Section 17.52.050 sets forth regulations applicable to the establishment and operation of day care facilities within the City. The City's zoning code currently prohibits child Day Care Centers from locations within 500 feet of an existing RS (Low Density Single-Family) zoning district because of the potential for noise and traffic impacts. Other subsections of the code address circulation, parking, and noise issues related to child Day Care Centers. A child Day Care Center is defined as a commercial or non-profit child day care facility, licensed by the State Department of Social Services, and designed and approved to accommodate 15 or more children. Infant centers, preschools, sick-child centers, and school-age day care facilities are included within this definition. These may be operated in conjunction with a school or church facility, or as an independent land use.

The provision prohibiting child Day Care Centers within 500 feet of RS zoning districts was added two years ago in response to the Planning Commission's action to deny a Day Care Center that was proposed within a single family dwelling on the 1500 block of Santa Clara Street. However, that text change did not take into account external factors (i.e. parcel size, street location, and building size) that should instead be addressed as part of the use permit process versus an outright prohibition.

Description of Project

The City proposes to amend section 17.52.050. Specifically, the amendment eliminates the portion of the code that prohibits child Day Care Centers within 500 feet of an existing RS zoning district, thereby allowing child Day Care Centers within RS zoning districts, or within 500 feet of RS zoning districts. In addition to existing parameters for Day Care Centers, the amendment adds stipulations that a child Day Care Center must be accessed directly from an arterial, minor arterial, or collector street, in order to minimize adverse circulation effects on local residential streets and within residential neighborhoods and noise attenuation and sound dampening requirements as determined appropriate by the review authority.

Day Care Centers should not be confused with small or large Family Day Care Homes, which accommodate only up to 14 children within a dwelling unit

The City proposes the following amendments to the Seaside Municipal Code Section 17.52.050:

17.52.050 Day Care Facilities

A. Applicability. Day care facilities shall comply with the standards of this section, where allowed by Article 2 (Zones, Permitted Land Uses, and Zoning Standards). These standards apply in addition to the other provisions of this Zoning Ordinance and requirements imposed by the California Department of Social Services (DSS). DSS licensing is required for all facilities.

B. Definitions. Definitions of the day care facilities regulated by this section are in Article 7 (Glossary).

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- 1. Location requirements.** In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no large family day care home shall be located within 500 feet of an existing large family day care home or child day care center. In no case shall a

residential property be directly abutted by a large family day care center on two or more sides.

2. Parking, drop-off area.

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- b. A home on a street with a speed limit of 30 miles per hour or greater shall provide a drop-off/pick-up area designed to prevent vehicles from backing onto the street (e.g., circular driveway).

3. Outdoor activity areas.

- a. A side or rear setback area intended for day care use shall be enclosed with a fence or wall.
- b. Outdoor recreation equipment over eight feet in height shall not be located within a required side setback and shall be set back a minimum of five feet from a rear property line.

4. Noise. Noise generated from the large family day care home shall not exceed the standards of the City's Noise Ordinance.

5. Additional standards. Each large family day care home shall comply with applicable building and fire codes, and standards adopted by the state, and Social Services Department licensing requirements (California Code of Regulations, Title 22, Division 2).

D. Standards for child day care centers.

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 - (4) Each Use Permit that grants an off-street parking exception shall be reviewed annually, and if it is found that the use of on-street parking spaces by the facility is creating a nuisance, the City may initiate proceedings to modify or revoke the Use Permit.
- b. Picking up and dropping off of children shall not create unsafe conditions. Loading and unloading of children from vehicles shall only be allowed on site in the driveway or in an approved parking area.
- c. Vehicular access shall be provided directly from an arterial, minor arterial, or collector street, in order to minimize circulation effects on local residential streets and within residential neighborhoods.

2. Noise.

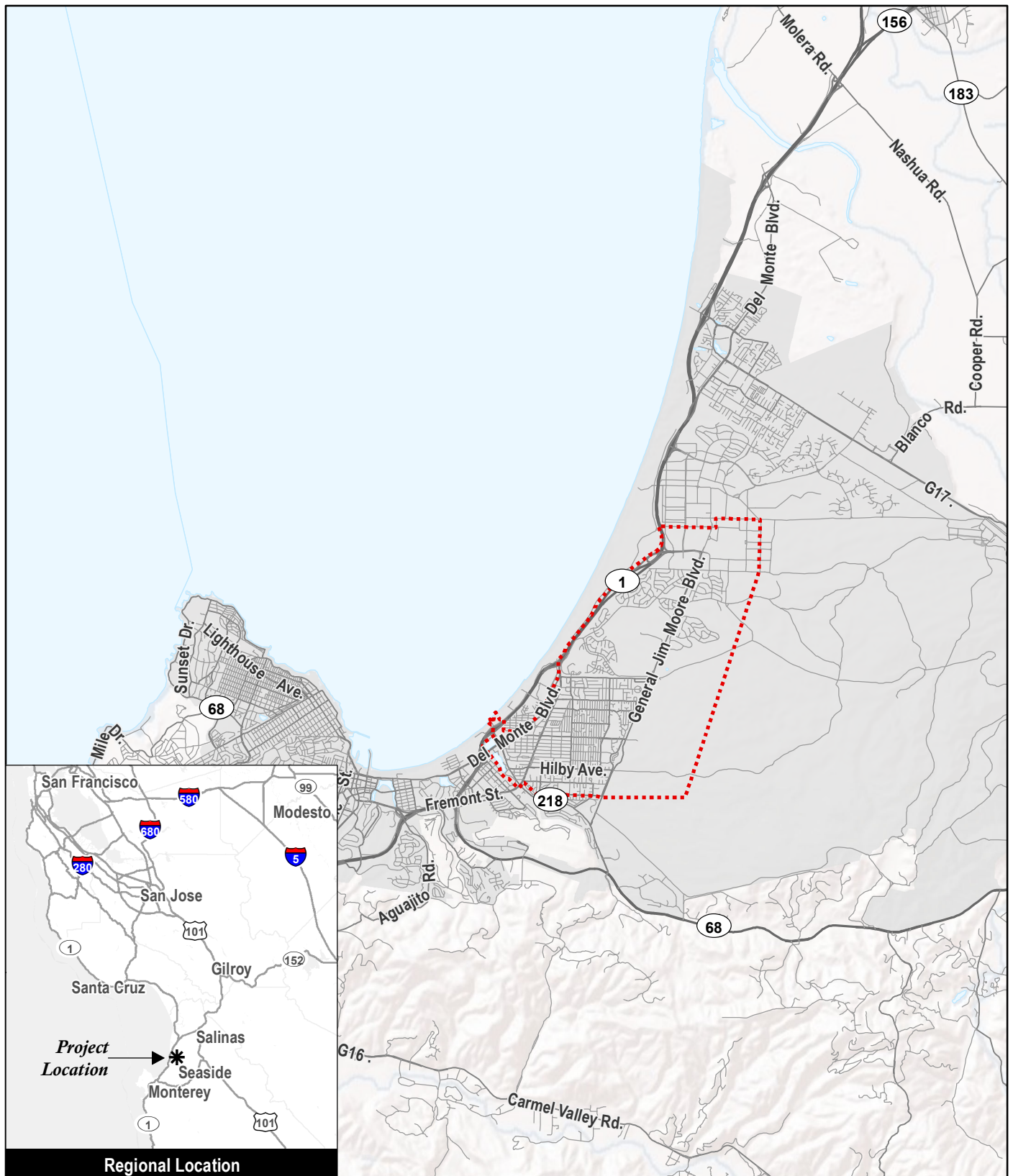
Potential noise sources shall be identified during the Use Permit process, and noise attenuation and sound dampening (e.g. Solid Walls or Landscape Hedge/Buffer) as determined by the review authority shall be addressed-provided.

Analysis Methodology

This initial study evaluates only the environmental impacts resulting from the proposed changes to zoning code Section 17.52.050, not the impacts associated with actual construction of a Day Care Center. Thus, the analysis hinges on environmental impacts resulting from allowing future construction and operation of Day Care Centers within RS zoned areas that are distinct from the environmental impacts resulting from construction and operation of currently allowed single family dwellings.

Other Public Agencies Whose Approval is Required

None



0 2 mile



Seaside City Limits

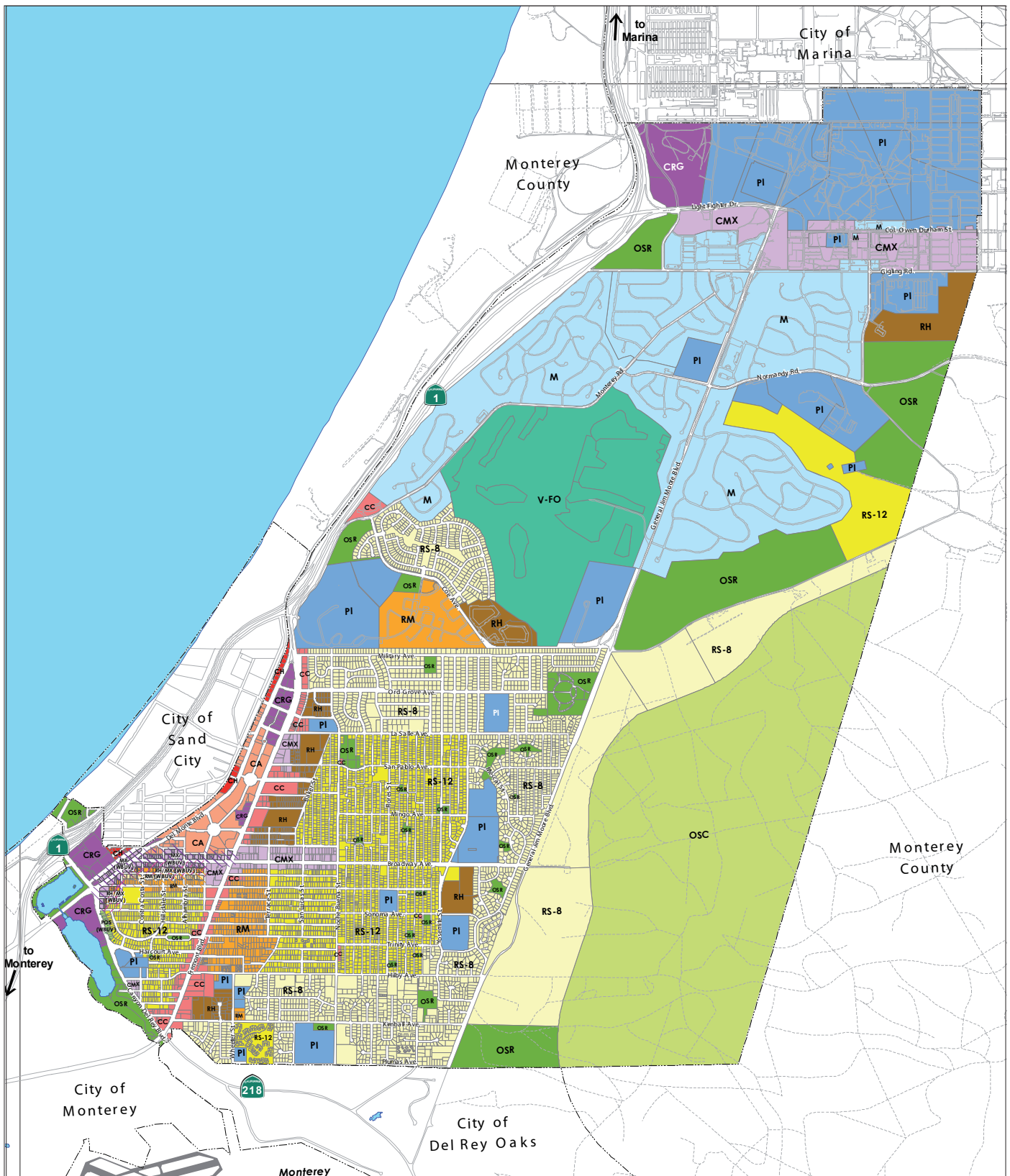
Source: Esri 2014



Figure 1
Location Map

City of Seaside Zoning Ordinance Amendment for Day Care Centers

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0 3,000 feet

- | | | |
|--|----------------------------|------------------------------------|
| RS-8 - Single-family Residential | CA - Automotive Commercial | PI - Public / Institutional |
| RS-12 - Single-family Residential | CC - Community Commercial | M - Military |
| RM - Medium Density Residential | CH - Heavy Commercial | V-FO - Visitor-Serving Commercial |
| RM - Medium Density Residential (W BUV) | CMX - Commercial Mixed Use | OSR - Open Space - Recreation |
| RH - High Density Residential | MX - Mixed Use (W BUV) | OSC - Open Space - Conservation |
| RH/ MX - High Density Residential/ Mixed Use (W BUV) | CRG - Regional Commercial | POS - Parks and Open Space (W BUV) |

Source: City of Seaside 2007

Figure 2

Zoning Map

City of Seaside Zoning Ordinance Amendment for Day Care Centers

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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| ☐ Aesthetics | ☐ Greenhouse Gas Emissions | ☐ Population/Housing |
| ☐ Agriculture and Forestry Resources | ☐ Hazards & Hazardous Materials | ☐ Public Services |
| ☐ Air Quality | ☐ Hydrology/Water Quality | ☐ Recreation |
| ☐ Biological Resources | ☐ Land Use/Planning | ☐ Transportation/Traffic |
| ☐ Cultural Resources | ☐ Mineral Resources | ☐ Utilities/Service Systems |
| ☐ Geology/Soils | ☐ Noise | ☐ Mandatory Findings of Significance |

C. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
- ☒ I find that the proposed project would not have an environmental effect and is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (CEQA Guidelines 15061 (b)(3)).

Rick Medina, Senior Planner

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as a project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
 - a. “Earlier Analysis Used” identifies and states where such document is available for review.

- b. “Impact Adequately Addressed” identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. “Mitigation Measures”—For effects that are “Less-Than-Significant Impact with Mitigation Measures Incorporated,” mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
- 7. “Supporting Information Sources”—A source list is attached, and other sources used or individuals contacted are cited in the discussion.
- 8. This is the format recommended in the CEQA Guidelines as amended January 2011.
- 9. The explanation of each issue identifies:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Have a substantial adverse effect on a scenic vista? (1, 2, 3)	☐	☐	☐	✓
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1, 2, 3)	☐	☐	☐	✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings? (1, 2, 3)	☐	☐	☐	✓
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a-d. The proposed project would amend the zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS zone district standards, City's design review application process, and design guidelines as currently permissible uses. The zoning amendment would not result in the future development of uses that would result in distinct aesthetic impacts from those resulting from uses currently allowed by the zoning code. Therefore, no impacts to scenic vistas, scenic resources within a state scenic highway, degradation of existing visual character, or impacts related to light and glare would occur as a result of the project.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2,5)	☐	☐	☐	✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2,5)	☐	☐	☐	✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (2,5)	☐	☐	☐	✓
d. Result in the loss of forest land or conversion of forest land to non-forest use? (2,5)	☐	☐	☐	✓
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (2,5)	☐	☐	☐	✓

Comments:

- a.-e. The City of Seaside does not contain farmland or forest land. Therefore, the proposed amendments to zoning code Section 17.52.050 would not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, conflict with existing zoning for agricultural use or a Williamson Act contract, conflict with existing zoning for, or cause rezoning of, forest land or timberland, result in the loss of forest land to non-forest use, or involve other changes in the existing environment which could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Conflict with or obstruct implementation of the applicable air quality plan? (1, 2, 3)	☐	☐	✓	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (1, 2, 3)	☐	☐	✓	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (1, 2, 3)	☐	☐	✓	☐
d. Expose sensitive receptors to substantial pollutant concentrations? (1, 2, 3)	☐	☐	✓	☐
e. Create objectionable odors affecting a substantial number of people? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-e. The proposed project would amend the zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. According to the Monterey Bay Unified Air Pollution Control District 2008 CEQA Air Quality Guidelines, the threshold of significance for emissions associated with traffic trips from single family dwellings that would exceed air quality standards is trips generated from 810 dwelling units. While a Day Care Center may result in an increase in traffic when compared to a single family use, the zoning amendment would not result in traffic trips that would exceed the 810 dwelling unit threshold. Further, each new Day Care Center will be required to obtain a Use Permit prior to operation. During the Use Permit application process the City will consider potential impacts of individual projects prior to approval to ensure that the increase in traffic trips would not rise to a level such that significant impacts would occur related to obstruction of implementation of the applicable air quality plan, violation or contribution to an existing or projected air

quality violation, a considerable increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard, or exposure of sensitive receptors to substantial pollutant concentrations.

- e. While operation of a Day Care Center is not a use that would produce objectionable odors, future development of Day Care Centers within the RS zoning district could result in exposure of residents to objectionable odors in the RS districts during construction activities such as paving. However, these impacts would not be distinct from those produced by construction of currently permissible uses in these districts. Thus, there would be no impacts from objectionable odors related to the zoning amendment.

4. BIOLOGICAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 2, 3)	☐	☐	☐	✓
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 2, 3)	☐	☐	☐	✓
c. Have a substantial adverse effect on federally protected wetlands, as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means? (1, 2, 3)	☐	☐	☐	✓
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1, 2, 3)	☐	☐	☐	✓
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1, 2, 3)	☐	☐	☐	✓
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-d. The proposed project would amend the zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, the RS zoning district. The zoning amendment would not result in the future development of uses that would result in distinct biological impacts from those resulting from uses currently allowed by the zoning code. Therefore, the proposed project would not result in a substantial adverse effect on any species identified as a candidate, sensitive, or special status species, riparian habitat or other sensitive natural community, federally protected wetlands, interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e.-f. As discussed above, the project proposes to amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family zoning districts and would not result in unique impacts to any important habitat or wetland areas than currently permissible uses. Therefore, the zoning amendment would not result in conflicts with any local policies or ordinances protecting biological resources or conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

5. CULTURAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? (1, 2, 3)	☐	☐	☐	✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (1, 2, 3)	☐	☐	☐	✓
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 2, 3)	☐	☐	☐	✓
d. Disturb any human remains, including those interred outside of formal cemeteries? (1, 2, 3)	☐	☐	☐	✓
e. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-e. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, the low density single family zoning districts. Any future development of Day Care Centers within the RS zoning districts would be subject to compliance with the same municipal code and general plan policies and programs for the protection of cultural resources as currently permissible uses. The zoning amendment would not result in future development of uses that would result in distinct impacts to cultural resources from those resulting from uses currently allowed by the zoning code. Therefore, the proposed project would not result in a substantial adverse change in the significance of a historical, archaeological, paleontological, or tribal resource, or result in the disturbance of human remains.

6. GEOLOGY AND SOILS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (1, 2, 3)	☐	☐	☐	✓
(2) Strong seismic ground shaking? (1, 2, 3)	☐	☐	☐	✓
(3) Seismic-related ground failure, including liquefaction? (1, 2, 3)	☐	☐	☐	✓
(4) Landslides? (1, 2, 3)	☐	☐	☐	✓
b. Result in substantial soil erosion or the loss of topsoil? (1, 2, 3)	☐	☐	☐	✓
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1, 2, 3)	☐	☐	☐	✓
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1, 2, 3)	☐	☐	☐	✓
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-e. The proposed project would amend the zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS zone district standards, City's guidelines and design review application process as currently allowed uses. The zoning amendment would not result in future development of uses that would result in distinct geological impacts from those resulting from uses currently allowed by the zoning code. Therefore, the proposed project would not result in exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic groundshaking, seismic-related ground failure, expansive soils, result in substantial erosions or the loss of topsoil, or have soils inadequate of supporting the use of septic tanks or other wastewater disposal systems.

7. GREENHOUSE GAS EMISSIONS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1, 2, 3, 10)	☐	☐	✓	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1, 2, 3, 10)	☐	☐	✓	☐

Comments:

- a.-b. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning districts. According to the Monterey Bay Unified Air Pollution Control District 2008 CEQA Air Quality Guidelines, the threshold of significance for emissions associated with traffic trips from single family dwellings that would exceed emissions standards is trips generated from 810 dwelling units. While a Day Care Center may result in an increase in traffic when compared to a single family use, the zoning amendment would not result in traffic trips that would exceed the 810 dwelling unit threshold. Any future development and operation of Day Care Centers within the RS zoning district would be subject to compliance with the same Air District standards as currently allowed uses. The zoning amendment may result in a modest increase in traffic trips within RS areas. However, each new Day Care Center will be required to obtain a Use Permit prior to operation. During the Use Permit application process the City will consider potential impacts of individual projects prior to approval to ensure that the project would not generate GHG emissions that would have as significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1, 2, 3)	☐	☐	☐	✓
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1, 2, 3)	☐	☐	☐	✓
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1, 2, 3)	☐	☐	☐	✓
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (1, 2, 3)	☐	☐	☐	✓
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard for people residing or working in the project area? (1, 2, 3)	☐	☐	☐	✓
f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? (1, 2, 3)	☐	☐	☐	✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1, 2, 3)	☐	☐	☐	✓

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands area adjacent to urbanized areas or where residences are intermixed with wildlands? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-h. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning districts. The zoning amendment would not result in future development of uses that would result in impacts related to hazards distinct from those resulting from uses currently allowed by the zoning code. Therefore, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, result in the release of hazardous materials into the environment, is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment, result in safety hazards for people residing or working within a project area that is within two miles of a public or private airport, physically interfere with an adopted emergency response plan or emergency evacuation plan, or result in expose of people or structures to a significant risk of loss, injury, or death involving wildland fires.

9. HYDROLOGY AND WATER QUALITY

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Violate any water quality standards or waste discharge requirements? (1, 2, 3)	☐	☐	☐	✓
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted? (1, 2, 3)	☐	☐	☐	✓
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in <i>substantial erosion or siltation on- or off-site?</i> (1, 2,3)	☐	☐	☐	✓
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in <i>flooding on- or off-site?</i> (1, 2, 3)	☐	☐	☐	✓
e. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (1, 2, 3)	☐	☐	☐	✓
f. Otherwise substantially degrade water quality? (1, 2, 3)	☐	☐	☐	✓
g. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1, 2 3)	☐	☐	☐	✓

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (1, 2, 3)	☐	☐	☐	✓
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? (1, 2, 3)	☐	☐	☐	✓
j. Be subject to inundation by seiche, tsunami, or mudflow? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS zone district standards, City's design review application process, and design guidelines as currently allowed uses. The zoning amendment would not result in future development of uses that would result in distinct hydrological impacts from those resulting from uses currently allowed by the zoning code. Therefore, the proposed project would not result in violation of water quality or waste discharge requirements, a substantial depletion of groundwater supplies or interfere substantially with groundwater recharge, the substantial alteration of the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site, result in a contribution of run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off, result in substantial degradation of water quality, be placed within a 100-year flood hazard area, expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, or be subject to inundation by seiche, tsunami, or mudflow.

10. LAND USE AND PLANNING

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Physically divide an established community? (1, 2, 3)	☐	☐	☐	✓
b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1, 2, 3)	☐	☐	☐	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. The development of Day Care Centers within a residential area would be a compatible use to incorporate into communities and would not divide established communities.
- b. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. This amendment would be consistent with all other portions of the zoning code and general plan. Any new development of Day Care facilities in RS zoned areas would comply with RS district standards and any applicable general plan policies and programs.
- c. As previously discussed, the zoning amendment would not result in conflicts with any habitat conservation or natural community conservation plans.

11. MINERAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2, 9)	☐	☐	☐	✓
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (2, 9)	☐	☐	☐	✓

Comments:

- a.-b. The proposed zoning amendment allowing for Day Care Centers within, or adjacent to, RS zoned areas would not result in the loss of availability of mineral resources as no regionally or locally significant minerals are known to exist within Seaside.

12. NOISE

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1, 2, 3)	☐	☐	✓	☐
b. Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (1, 2, 3)	☐	☐	☐	✓
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 3)	☐	☐	✓	☐
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 3)	☐	☐	✓	☐
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (1, 2, 3, 7)	☐	☐	☐	✓
f. For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (1, 2, 3, 7)	☐	☐	☐	✓

Comments:

- a,c,d. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. The future operation of Day Care Centers within, or adjacent to, residential areas may result in increased exposure of persons to heightened noise levels and an increase in ambient noise levels in the vicinity above existing levels. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS

zone district standards, zoning standards for Day Care Centers, City's design review application process, and design guidelines as currently allowed uses. Future Day Care Centers would be required to comply with Seaside's Noise Ordinance (Seaside Municipal Code Section 17.30.060), which requires that noise levels for new uses shall remain below or include mitigation to remain at established standards set forth in Table 3-3 (Maximum Interior and Exterior Noise Levels) of Section 17.30.030.E of the Seaside Municipal Code. Additionally, the zoning amendment includes language requiring the identification of potential noise sources during the Use Permit process and implementation of noise attenuation and sound dampening (e.g. Solid Walls or Landscape Hedge/Buffer) as determined appropriate by the review authority. Thus, impacts related to exposure of persons to or generation of noise levels in excess of established standards and increased ambient noise would be less than significant.

- b. The proposed zoning amendment would not result in future development of uses that would result in impacts related to exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels distinct from those resulting from uses currently allowed by the zoning code.
- e., f. There are areas zoned RS that are within two miles of the Monterey Peninsula Airport and within the Monterey County Airport Land Use Plan. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, these zoning districts. However, the zoning amendment would not result in future development of uses that would result in distinct impacts from those resulting from uses currently allowed by the zoning code as people associated with Day Care Centers and single family residences would have comparable sensitivities to airport noise. Thus, there would be no impacts associated with airport noise.

13. POPULATION AND HOUSING

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1, 2, 3)	☐	☐	✓	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1, 2, 3)	☐	☐	✓	☐
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1, 2, 3)	☐	☐	✓	☐

Comments:

- a.-c. The proposed amendments to zoning code Section 17.52.050 would allow for Day Care Centers within, or adjacent to, RS zoned districts where they were previously not a permissible use. Although allowing Day Care Centers in RS areas may nominally increase the population of these districts from new employees and may result in the conversion of residential housing to businesses, the zoning amendment would not induce significant population growth in the area, either directly or indirectly, or displace substantial numbers of housing or people.

14. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Fire protection? (1, 2, 3)	☐	☐	☐	✓
b. Police protection? (1, 2, 3)	☐	☐	☐	✓
c. Schools? (1, 2, 3)	☐	☐	☐	✓
d. Parks? (1, 2, 3)	☐	☐	☐	✓
e. Other public facilities? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-e. The proposed amendments to zoning code Section 17.52.050 would allow for Day Care Centers within, or adjacent to, RS zoned districts where such uses were previously not permissible. Although allowing Day Care Centers in RS areas may nominally increase the population of these districts from new employees this zoning amendment would not result an increase in population such that there would be a need for new or physically altered fire, police, school, park, or other public facilities, construction of which would result in environmental impacts.

15. RECREATION

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 2, 3)	☐	☐	☐	✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-b. The proposed amendments to zoning code Section 17.52.050 would allow for Day Care Centers within, or adjacent to, RS zoned districts where such uses were previously not permissible. Although allowing Day Care Centers in RS areas may slightly increase the population of these districts due to new employees this zoning amendment would not result an increase in population such that there would be a deterioration of existing parks or require the construction of new recreational facilities.

16. TRANSPORTATION/TRAFFIC

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1, 2, 3, 6)	☐	☐	✓	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (1, 2, 3, 6)	☐	☐	✓	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1, 2, 3, 8)	☐	☐	☐	✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1, 2, 3)	☐	☐	✓	☐
e. Result in inadequate emergency access? (1, 2, 3)	☐	☐	☐	✓
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-b. The proposed project would amend the zoning code to allow for Day Care Centers in areas zoned for single family residential use (RS). The operation of Day Care Centers in residentially zoned areas would result in the addition of new daily trips to the local road network. The zoning amendment includes language that requires vehicular access be provided directly from an arterial, minor arterial, or collector street, in order to minimize circulation effects on local residential streets and within residential neighborhoods and to ensure that there would not be an exceedance of the expected trip volumes on main roadway segments within RS areas. Furthermore, each new Day Care Center will be required to obtain a Use Permit prior to operation. During the Use Permit application process the City will consider potential traffic impacts of individual projects prior to approval to ensure impacts to circulation would be less than significant. Therefore, the proposed zoning amendment would result in less than significant impacts to circulation.
- c. The proposed project would not result in a change in air traffic patterns or create a safety risk associated with air traffic.
- d. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the RS zone district standards, City's design review application process, and design guidelines to prevent design related circulation hazards. The zoning code includes additional standards for Day Care Centers including standards for off-street parking, drop off and pick up of children, and requirements to ensure that drop-off, pick-up, and parking will not obstruct public sidewalks or roadways. Alternative parking and drop-off arrangements may be required by the review authority based on traffic and pedestrian safety considerations. Impacts associated with design related circulation hazards would be less than significant.
- e. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the RS zone district standards, zoning standards for Day Care Centers, the City's design review application process, and design guidelines to ensure adequate emergency access. Thus, the proposed project would have no related impacts.
- f. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS zone district standards, City's design review application process, and design guidelines as currently permissible uses. The zoning amendment would not result in the future development of uses that would result in distinct impacts related to public transit, bicycle, or pedestrian facilities from those resulting from uses currently allowed by the zoning code. Thus, the proposed project would not conflict with adopted policies, plans, or programs regarding public transit or

otherwise decreased the performance or safety of such facilities; therefore, there is no impact.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1, 2, 3)	☐	☐	☐	✓
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 3)	☐	☐	☐	✓
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 3)	☐	☐	☐	✓
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1, 2, 3)	☐	☐	☐	✓
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1, 2, 3)	☐	☐	☐	✓
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid-waste disposal needs? (1, 2, 3)	☐	☐	☐	✓
g. Comply with federal, state, and local statutes and regulations related to solid waste? (1, 2, 3)	☐	☐	☐	✓

Comments:

- a.-g. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. The zoning amendment would not result in the future development of uses that would result in distinct environmental impacts from those resulting from uses currently allowed by the zoning code. Therefore, no impacts to water, wastewater, or solid waste would occur as a result of the project.

18. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
a. Does the project have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1, 2, 3, 4, 5, 6, 7, 8)	☐	☐	☐	✓
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1, 2, 3, 4, 5, 6, 7, 8)	☐	☐	☐	✓
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1, 2, 3, 4, 5, 6, 7, 8)	☐	☐	☐	✓

Comments:

- a.-c. The proposed project would amend zoning code Section 17.52.050 to allow Day Care Centers within, or adjacent to, low density single family (RS) zoning district. Any future development of Day Care Centers within the RS zoning district would be subject to compliance with the same RS zone district standards, City’s design review application process, and design guidelines as currently permissible uses. The zoning amendment would not result in the future development of uses that would result in distinct impacts from those resulting from uses currently allowed by the zoning code that would rise to a level of significance.

Therefore, the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or

animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory. It does not have impacts that are individually limited, but cumulatively considerable and it does not have the potential to result in environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

E. SOURCES

1. City of Seaside. *Seaside Municipal Code*. February 4, 2016.
<http://www.codepublishing.com/CA/Seaside/>
2. Cotton/Bridges/Associates, a Division of P&D Consultants. *City of Seaside General Plan*. August 5, 2004. <http://www.ci.seaside.ca.us/269/Seaside-General-Plan>
3. City of Seaside Zoning Code – Title 17. December 4, 2006, with adopted amendments through February 20, 2014.
<http://www.ci.seaside.ca.us/DocumentCenter/View/376>
4. City of Seaside. *Zoning District Map*. May 11, 2010
<http://www.ci.seaside.ca.us/DocumentCenter/View/375>
5. California Department of Conservation. *Monterey County Important Farmland Map*. 2012.
6. Institute of Transportation Engineers. *Trip Generation Rates 9th Edition*. 2012.
7. Monterey County Planning Department. *Comprehensive Land Use Plan for the Monterey Peninsula Airport*. March 23, 1987.
http://www.co.monterey.ca.us/planning/docs/plans/Monterey_Peninsula_Airport_LUP.pdf
8. Google, Inc. Google Maps. 2016.
<https://www.google.com/maps>
9. Cotton/Bridges/Associates, a Division of P&D Consultants. *City of Seaside General Plan Environmental Impact Report*. January 2004.
10. Monterey Bay Unified Air Pollution Control District. *CEQA Air Quality Guidelines*. 2008.

All documents indicated with bold numbers are available for review at the **City of Seaside, 440 Harcourt Avenue, (831) 899-6211** during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.