



A G E N D A

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, August 18, 2016
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

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

Ralph Rubio	Mayor
Ian N. Oglesby	Mayor Pro Tem
Dennis J. Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

4. **REVIEW OF AGENDA**

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

5. **PUBLIC COMMENTS**

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. **PUBLIC AGENCY COMMUNICATIONS**

This is a time specifically set aside for representatives of public agencies to make brief comments of general interest to the City Council and the community.

7. **CONSENT CALENDAR**

The Consent Calendar includes routine items that can be approved with a single motion and vote. A member of the City Council or a member of the public may request that any time be pulled from the Consent Calendar for separate consideration.

A. **APPROVE MINUTES OF AUGUST 4, 2016**

RECOMMENDATION: It is recommended that the minutes be reviewed and approved.

B. APPROVE AND FILE CITY CHECKS

PURPOSE: It is requested that the City Council approve and file the accounts payable and wired payments made during the period of July 26, 2016 through August 8, 2016. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of August 4, 2016 is requested. Total Account Payable and Payroll for the above referenced period is \$1,893,349.61.

RECOMMENDATION: It is recommended that the City Council approve and file the attached checks.

C. APPROVE AN AGREEMENT WITH HOPE SERVICES FOR MAINTENANCE SERVICES AT CITY PARKS AND PUBLIC OPEN SPACES FOR THE FISCAL YEAR 2016-17 WITH A MAXIMUM COST NOT TO EXCEED \$72,072.00.

PURPOSE: It is requested that the City Council consider approval of the Maintenance Services Agreement with HOPE Services (HOPE) to help maintain City parks and public areas.

RECOMMENDATION: It is recommended that the City Council adopt a resolution approving the renewal of the Maintenance Services Agreement with HOPE for a maximum amount not to exceed Seventy-Two Thousand and Seventy-Two Dollars (\$72,072.00) and to authorize the City Manager to execute the agreement.

D. ACCEPT AND FILE CASH AND INVESTMENT REPORT FOR QUARTER ENDING JUNE 30, 2016

PURPOSE: Accept and file the City of Seaside June 30, 2016 Cash and Investment Report.

RECOMMENDATION: Accept and file report.

E. APPROVE THE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS

PURPOSE: The purpose of this item is to consider the Traffic Advisory Committee (TAC) recommendations from their July 19th regular meeting.

RECOMMENDATION: It is recommended for the City Council to approve a Traffic Advisory Committee (TAC) recommendation for a disabled parking space at 1 Valmar Court.

F. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL REY, ALLSTON AND HILLSDALE FOR THE CITY OF SEASIDE'S BIRTHDAY CELEBRATION ON OCTOBER 22, 2016 AND TREE LIGHTING CEREMONY ON DECEMBER 9, 2016

PURPOSE: The purpose of this item is to request that Council approve a resolution permitting the closure of Harcourt Avenue to through traffic at Canyon del Rey, Allston and Hillsdale on Saturday October 22, 2016 for the City of Seaside's Birthday and City Hall's 50th Anniversary Celebration and Friday, December 9, 2016 for the annual Winter Wonderland and Tree Lighting Ceremony.

RECOMMENDATION: It is recommended that Council approve the closure of Harcourt Avenue on Saturday October 22, 2016 between the hours of 10:00 a.m. to 6:00 p.m. and Friday, December 9, 2016 between the hours of 3:00 p.m. to 10:00 p.m.

G. RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR ONE YEAR WITH THE SAN MATEO COUNTY SHERIFF'S OFFICE, ON BEHALF OF THE NORTHERN CALIFORNIA REGIONAL INTELLIGENCE CENTER, TO PROVIDE AN INTELLIGENCE ANALYST FOR THE MONTEREY PENINSULA REGIONAL VIOLENCE AND NARCOTICS TEAM, UTILIZING DEDICATED AB 109 FUNDS.

PURPOSE: The purpose of this item is for the City Council to authorize the City Manager to sign a one year professional services agreement with the San Mateo County Sheriff's Office, on behalf of the Northern California Regional Intelligence Center (NCRIC), to provide an Intelligence Analyst for the Monterey Peninsula Regional Violence and Narcotics Team (PRVNT), utilizing dedicated AB 109 Funds.

RECOMMENDATION: It is recommended that the City Council adopt the attached Resolution authorizing the City Manager to sign a one year professional services agreement with the San Mateo County Sheriff's Office, on behalf of NCRIC, to provide an Intelligence Analyst for the PRVNT, utilizing dedicated AB 109 Funds.

8. PUBLIC HEARING

A. ADOPTION OF TEXT AMENDMENTS TO SECTION 17.12.030.C - TABLE 2-1 AND SECTION 17.52.030 OF TITLE 17 (ZONING CODE) OF THE SEASIDE MUNICIPAL CODE (FIRST READING – ROLL CALL VOTE)

PURPOSE: In accordance with Section 17.74.050.A of the Seaside Municipal Code (SMC), a public hearing is being conducted to consider the first reading of proposed text amendments to Section 17.12.030.C – Table 2-1 and Section 17.52.050 (Day Care Facilities) of Title 17 of the Seaside Municipal Code, Section.

RECOMMENDATION: It is recommended that the City Council hold a public hearing to conduct the first reading of Seaside Municipal Code Amendment No. 16-02, and after considering all evidence and testimony presented, adopt the draft Ordinance provided as Attachment 1 recommending approval of the proposed text amendments.

B. CONSIDER USE PERMIT APPLICATION NO. UP-14-05 FOR THE CONSTRUCTION OF A 144-BED SENIOR ASSISTED LIVING RESIDENTIAL CARE FACILITY LOCATED AT 550 MONTEREY ROAD IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT.

PURPOSE:

The purpose of this item is for the City Council to consider granting the following entitlements:

1. Approval of use permit application for the construction of a 144-bed Residential Care Facility; and
2. Adoption of a Mitigated Negative Declaration (MND) for the construction of a 144-bed Residential Care Facility.

RECOMMENDATION: It is recommended that the City Council receive the presentation from City staff and the applicant, accept public comments, and adopt a Resolution for the approval of a Mitigated Negative Declaration provided as Attachment 1 and a Resolution for the approval of a Use Permit application for the proposed 144-bed Senior Living development project.

9. BUSINESS ITEMS

A. APPROVE A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT FOR THE PURCHASE AND FINANCING OF PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT AT A COST OF \$47,150.85 TO BE FINANCED OVER A THREE-YEAR PERIOD.

PURPOSE: The purpose of this item is to provide the City Council an opportunity to review, discuss and consider authorizing the City Manager to sign a contract with Community Leasing Partners and Municipal Emergency Services, Inc. to provide 21 sets of turnout gear at a cost of \$47,150.85 financed over a three year period at 0% interest.

RECOMMENDATION: It is recommended that the City Council approve authorizing the City Manager to sign a contract with Community Leasing Partners and Municipal Emergency Services, Inc. to provide 21 sets of turnout gear at a cost of \$47,150.85 financed over a three year period at 0% interest. Also, direct finance to prepare and execute the appropriate FY 16/17 budget amendments.

10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

This is a time specifically set aside for members of the City Council, the City Manager and City Attorney to make brief comments of general interest to the community, make requests that items be added to future City Council meeting agendas as necessary and report on committee assignments.

11. ADJOURNMENT

Next Regularly Scheduled Meeting:
September 1, 2016
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://cvp.telvue.com/player?id=T01629&video=52314&noplaylistskin=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.



DRAFT MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, August 4, 2016
7:00 PM

1. **CALL TO ORDER**

Mayor Rubio called the meeting to order at 7:00 PM.

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

PRESENT: Alexander, Campbell, Oglesby, Pacheco, Rubio
ABSENT: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Elder Sims provided the invocation.

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENT**

6. **ORAL COMMUNICATIONS**

Mayor Rubio invited public comment for items not on the agenda.

- Kay Cline thanked the Council, Police and Fire for the National Night out Event on August 3, 2016. She spoke to the participating agencies that contributed and the many community members involved in the event. It was a positive family friendly activity.
- Sue Hawthorne expressed appreciation for the City Council cushion replacement. She spoke in support of the replacement and the stylized choice which makes participation more pleasant.
- A resident spoke regarding the new parking regulations on public streets, expressing frustration and questioned the designated area that are allowable.
- Kenneth Murray appreciated the Council for participating in the prayer vigil previously, and thanked Recreation Director Towne for her assistance to facilitate the event. There will be another prayer vigil August 13th from 6 -7 PM at Ocean View Baptist, to share the message that all lives matter. He also spoke in support of National Night Out.

City Manager Malin responded to the public comment made regarding the RV and Trailer parking requirements.

7. **PUBLIC AGENCY COMMUNICATIONS**

There were no public agencies present.

8. **PRESENTATIONS**

A. **PRESENTATION OF THE JUNE 2016 HOUSE OF THE MONTH AWARD**

Mayor Rubio announced the winners of the House of the Month for June 2016.

B. PRESENTATION OF THE JULY 2016 HOUSE OF THE MONTH AWARD

Mayor Rubio presented Mr. Martinez with the house of the month award for July 2016 and thanked him for contributing to the improvement of the neighborhood.

C. PRESENTATION OF THE 2016 BUSINESS OF THE SECOND QUARTER AWARD

Mayor Rubio presented Ms. Shari Hastey from Community Partnership for Youth the Bushiness of the Quarter award for everything that they have done in the community and congratulated them on their 25th Anniversary. Ms. Hastey gave the credit to others for the beautification.

D. PROCLAMATION DECLARING SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH IN THE CITY OF SEASIDE

Anabelle James received the proclamation from the Mayor declaring September as Childhood Cancer Awareness Month in the City of Seaside. Ms. James thanked the Mayor for the proclamation and invited the public to attend an event celebrating and supporting children with cancer.

E. PRESENT STRATEGIC PLAN UPDATE

City Manager Malin presented the report on the new Strategic Plan that was adopted during the July strategic planning retreat.

Council Member Alexander spoke to a Public Safety Academy that is forming at Seaside High which is in alignment with our Strategic Planning goals. Council Member Campbell reminded the Public that the Strategic Planning Retreat is open to the public and encouraged participation at the end.

9. CONSENT CALENDAR

A. APPROVE MINUTES OF JULY 21, 2106

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved & Accepted

C. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM OPERATION SECOND CHOICE FOR SEASIDE YOUTH

Action: Approved

D. CONSIDERATION OF AUTHORIZING TO CORRECT CLERICAL ERRORS AND MINOR OMISSIONS TO THE SUBMITTED ANNUAL ACTION PLAN AND TO RECOMMEND THE CORRECTIONS TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AS A NON-SUBSTANTIAL AMENDMENT.

Action: Authorized

E. APPROVE CONTRIBUTION REQUEST FROM GREATER VICTORY TEMPLE CHURCH'S 2016 SUMMER ALGEBRA INSTITUTE FOR A DONATION FROM THE MAYOR'S YOUTH FUND

The Council requested clarification of the program as the program date has passed, asked about the success of the program and what is the impact to the organization if it is not approved. Recreation Director Town responded as no representative from Victory temple was present. She indicated the request was delayed due to the 501C3 non-profit verification status and the application was

submitted prior to the event and the delay was not caused on their behalf.

Council Member Alexander thanked the applicant for hosting an event that supports academics and he encouraged other educational groups to come ask for City Support.

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved the item as presented.

RESULT: **Approved**
MOVER: Council Member Dennis Alexander
SECONDER: Council Member Dave Pacheco
AYES: Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES: None

F. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE MODIFYING THE POSITION ALLOCATION LIST TO ADD THE POSITION OF FINANCE DIRECTOR AND ESTABLISH THE SALARY FOR POSITION

Action: Approved

G. CONSIDER A RESOLUTION DELEGATING TO THE CITY ENGINEER, OR HIS OR HER DESIGNEE, THE AUTHORITY TO APPROVE PLANS AND DESIGNS FOR ALL PUBLIC WORKS PROJECTS

Action: Adopted Resolution

H. CONSIDERATION OF A RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES WITH MARK THOMAS & COMPANY ADDING ADDITIONAL SCOPE OF WORK TO UPDATE THE DESIGN OF THE WEST BROADWAY URBAN VILLAGE INFRASTRUCTURE IMPROVEMENT PROJECT FOR A NOT TO EXCEED AMOUNT OF NINETY EIGHT THOUSAND SIX HUNDRED EIGHTY FOUR DOLLARS (\$98,684.00).

Mayor Rubio invited comments from the public.

- Felix Bachofner commented on item H, expressing frustration with another contract extension request for a consultant contract. He questioned the increase in the scope for this project, as previously it was indicated there was no additional funding to be requested.

City Engineer Riedl responded to public comments made. This is a contract for the design and documents for the grant application. The original grant application approved was delayed due to the acquisition of the right of way. The State of California has amended how we submit the application materials and the scope of work increase was to do more for the CTC and FHWA monies to be released. None of the funds will be paid from the Seaside general fund. He spoke to the way we administer contracts, as not giving out the full contract at one time, as a cost control measure, and keeping the contract focused and quality control. Item J is also fully funded by the developer and not from the general fund also. Mr. Riedl answered questions from the Council.

Council Member Campbell questioned Item H, clarifying that they are additions, not program changes to which Mr. Riedl affirmed.

On motion by Council Member Alexander and seconded by Mayor Pro Tem Ian Oglesby and passed by the following vote the City Council approved both Item J and H as presented.

RESULT: **Approved**
MOVER: Council Member Dennis Alexander
SECONDER: Mayor Pro Tem Ian Oglesby
AYES: Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave

	Pacheco
NOES:	N

I. APPROVAL OF PURCHASE AND SALE AGREEMENT FOR VEHICULAR ACCESS AND VEHICULAR ABUTTER'S RIGHTS AND TEMPORARY CONSTRUCTION EASEMENT FROM 580 BROADWAY AVENUE, SEASIDE, IN CONNECTION WITH THE WEST BROADWAY URBAN VILLAGE INFRASTRUCTURE IMPROVEMENTS PROJECT

Action: Approved

J. APPROVAL OF A FOURTH AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES WITH HARRIS & ASSOCIATES INC. FOR THE MONTEREY DOWNS DEVELOPMENT REVIEW TO INCREASE THE CONTRACT AMOUNT BY \$9,860 TO PROVIDE ASSISTANCE WITH FINALIZING THE CONDITIONS OF APPROVAL

Action: Approved

K. ADOPT A RESOLUTION CONSENTING TO AN AMENDMENT OF PARAGRAPH 7.02 OF THE MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY (MRWPCA) JOINT POWERS AGREEMENT TO SUPPORT A BORROWING AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD

Action: Approved Resolution

10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

City Attorney Freeman reported that there is good news that the modification to the Cease Desist order was granted giving the community more time for a reliable, sustainable and economically feasible water supply. Council Member Campbell thanked the public for pulling items they have questions on the Consent Agenda. He spoke in support of the new cushions. The Animal Control officer was commended for their good work recently. Council Member Alexander spoke to working at the Red Cross Shelter, and that gave him opportunity to work with Fire Fighters through the state and he spoke with admiration for the profession. Council Member Pacheco spoke to the funds that were refunded to the City of Seaside from the Regional Taxi Authority and the new discussion of regulations for Uber drivers. He thanked the supporters and coordinators for the Annual Youth Summit. He closed by inviting the public to the last weekend of Sunday Blues in the Park. Mayor Pro Tem Oglesby spoke in support of the Strategic Planning session and all the work to be done. He thanked the City for replacing the cushions. He spoke in support of the public that was in attendance for the prayer vigil who supported public safety professionals. He also spoke in support of the community engagement that occurred during National Night Out. Mayor Rubio reported on the recent FORA meeting where they focused upon the 10 most important agreements and obligations that are being facilitated by FORA, and how they will be carried out going forward. They are trying to work through the close out plan.

11. ADJOURNMENT

On motion the meeting was adjourned at 7:59 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ralph Rubio, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Daphne Hodgson, Deputy City Manager Administrative Services
Krista Oberholtzer, Accounting

DATE: August 18, 2016

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE

It is requested that the City Council approve and file the accounts payable and wired payments made during the period of July 26, 2016 through August 8, 2016. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of August 4, 2016 is requested. Total Account Payable and Payroll for the above referenced period is \$1,893,349.61.

RECOMMENDATION

It is recommended that the City Council approve and file the attached checks.

BACKGROUND

In accordance with Government Code Section 37208, at each City Council meeting the Council is provided a listing of the payroll and general checks issued since the last report so that it can inspect and confirm these checks. Each purchase has been reviewed and approved by the department making the purchase at the time of procurement. The invoice has been reviewed by the Finance Department prior to payment to ensure that it conforms to the approved budget.

Therefore, in accordance with Government Code Section 37208, I hereby certify that the above referenced, and linked, list of checks conforms to the approved budget and has been paid. These checks are hereby submitted to the City Council for inspection and confirmation.

A description of the checks and wires exceeding \$10,000 are as follows:

- \$883,904.59 from the Council Report (Payroll/Benefits)
- \$11,765.00 to Liebert Cassidy Whitmore for negotiation services provided through June

30, 2016;

- \$10,219.74 to Marina Coast Water District for monthly utility services;
- \$30,626.34 to Mark Thomas & Company, Inc. for phase 1 of the West Broadway Urban Village improvements;
- \$12,843.05 to Michael Millette for City Hall wall framing;
- \$561,792.72 to Monterey County Emergency for the FY 16/17 annual billing, based on FY 15/16 actual;
- \$31,692.49 to Monterey County Sheriff - Coroner for second quarter of 2016 Criminal Justice Information System, and admin/jail access fee;
- \$25,253.75 to Raimi & Associates, Inc. for General Plan update;
- \$23,476.09 to U.S. Bank for monthly city credit card purchases;
- \$21,910.00 to CSG Consultants, Inc. for building contract services;
- \$16,736.00 to EMC Planning Group Inc. for Monterey Downs project support;
- \$44,668.19 to Pacific Gas & Electric for monthly utility services;
- \$12,915.00 to Regional Government Services for contract planner services.

The remaining checks, totaling \$205,546.65 include payments to vendors for operating expenditures.

The Checks report is available on the City's Website here:

<http://www.ci.seaside.ca.us/194/Check-Draft-Register>

FISCAL IMPACT

The listed checks have been budgeted and paid from the various funds, as appropriate.

ATTACHMENTS

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Tim O'Halloran, City Engineer/Public Works Services Manager

DATE: August 18, 2016

**SUBJECT: APPROVE AN AGREEMENT WITH HOPE SERVICES FOR
MAINTENANCE SERVICES AT CITY PARKS AND PUBLIC OPEN
SPACES FOR THE FISCAL YEAR 2016-17 WITH A MAXIMUM
COST NOT TO EXCEED \$72,072.00.**

PURPOSE

It is requested that the City Council consider approval of the Maintenance Services Agreement with HOPE Services (HOPE) to help maintain City parks and public areas.

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the renewal of the Maintenance Services Agreement with HOPE for a maximum amount not to exceed Seventy-Two Thousand and Seventy-Two Dollars (\$72,072.00) and to authorize the City Manager to execute the agreement.

BACKGROUND

HOPE Services (HOPE) is a local non-profit organization engaged in the training of persons with disabilities to enter the mainstream workforce. Since 2001, Hope Services has provided the City with public works maintenance assistance and has proven to be an invaluable asset. In turn, the City has provided experience and opportunities for persons with disabilities. HOPE maintains the City parks by removing trash, abating graffiti, opening, closing and cleaning restrooms and provides additional litter control on Coe Avenue, General Jim Moore Blvd., Monterey Road and alleyways. HOPE also provides litter control at Laguna Grande Parking Authority lot.

There are twenty-five 25 parks and other public areas in the City that have benefited from the successful partnership with HOPE. It has allowed the city's Parks staff to concentrate on beautification projects and maintenance and repair of the irrigation system and has reduced staff

overtime.

The attached contract provides for four (4) workers and one (1) supervisor by HOPE to provide maintenance/cleanup tasks in and around public facilities. The HOPE crew is scheduled to work six and a half hours (6.5 hrs) per day from 8:30 a.m. to 3:30 p.m. with a half hour lunch break, Monday through Friday. The work performed by HOPE is under the direction of the city's Maintenance and Utilities Superintendent. The core objective required to be performed by Hope workers is the cleaning of litter at each park once a week. HOPE's supervisor is also responsible for tracking the amount of litter removed by the clean-up of parks as part of the required documentation for the city's Storm Water Management Program.

It is recommended that the City Council approve the renewal of the Maintenance Services Agreement with HOPE for an amount not to exceed Seventy-Two and Seventy-Two Thousand Dollars (\$72,072) and authorize the City Manager to execute the agreement.

FISCAL IMPACT

The HOPE fees are distributed from the following fund sources: Stormwater Fund (271), Parking Authority Fund (103), and Parks (100). Based on the time provided for each aspect of the work provided, each of these funds will be charged accordingly for a total contract amount not to exceed Seventy-Two Thousand and Seventy-Two Dollars (\$72,072).

ATTACHMENTS

1. RESOLUTION
 2. HOPE Maintenance Service Agreement
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE
APPROVING A MAINTENANCE SERVICE AGREEMENT WITH HOPE
SERVICES**

WHEREAS, HOPE Services is a local non-profit organization engaged in the training of persons with disabilities to enter the mainstream workforce; and

WHEREAS, the City of Seaside has maintained a successful partnership with HOPE Services for several years; and

WHEREAS, HOPE Services would provide maintenance/clean-up tasks at each park location and public areas on a weekly basis, opening closing and cleaning the restrooms in addition to tracking the amount of litter removed by the clean-up of parks as part of the required documentation for the City's Storm Water Management Program; and

WHEREAS, these services allows the city staff to concentrate on beautification projects and maintenance and repair of the irrigation system and has reduced staff overtime.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside enters into a maintenance service agreement with HOPE Services as shown on "Attachment A" for an amount not to exceed Seventy-Two Thousand and Seventy-Two Dollars (\$72,072) and authorizes the City Manager to execute the agreement.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, duly held on the 18th day of August 2016, by the following votes:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Ralph Rubio, Mayor
City of Seaside

ATTEST:

City Clerk



June 7, 2016

Dave Fortune
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Re: Maintenance Services – City Parks
Contract Period: July 1, 2016 through June 30, 2017

Hope Services is not proposing a rate increase for the next contract period, July 1 2016 through June 30, 2017.

Should you have any questions, please contact me at 758-0973.

We look forward to continuing our working relationship with the City of Seaside

Sincerely,

Pam Smith
Manager

Amazing is all in a day's work.

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**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Stephen Green, Accountant II
Daphne Hodgson, Deputy City Manager Administrative Services

DATE: August 18, 2016

**SUBJECT: ACCEPT AND FILE CASH AND INVESTMENT REPORT FOR
QUARTER ENDING JUNE 30, 2016**

PURPOSE

Accept and file the City of Seaside June 30, 2016 Cash and Investment Report.

RECOMMENDATION

Accept and file report.

BACKGROUND

Section 53646 of the California State Government Code and the City of Seaside Investment Policy requires the fiscal officer to prepare a quarterly report detailing the City's cash and investments.

FISCAL IMPACT

ATTACHMENTS

1. LAIF Program Description
 2. Exhibit A Summary of Pooled Cash and Investment
 3. Exhibit B Cash and Investment Detail as of June 30, 2016
 4. Exhibit C Cash and Investment Activity April 1 - June 30, 2016
 5. LAIF Average Monthly Yields
-

6. LAIF Interest Rates
 7. LAIF Performance Report Quarter Ending June 30, 2016
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



California State Treasurer
John Chiang



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POOLED MONEY INVESTMENT ACCOUNT

Program Description

Through the Pooled Money Investment Account (PMIA), the State Treasurer invests taxpayers' money to manage the State's cash flow and strengthen the financial security of local governmental entities. PMIA policy sets as primary investment objectives safety, liquidity and yield.

The Investment Division of the State Treasurer's Office manages the PMIA under statutory authority granted by California Government Code sections 16430 and 16480.4. The Pooled Money Investment Board governs the PMIA. The State Treasurer chairs the Board, which also includes the State Controller and the State Director of Finance.

The PMIA has three primary sources of funds: the State general fund; special funds held by State agencies; and moneys deposited by cities, counties and other entities into the Local Agency Investment Fund (LAIF). At the end of June 2016, the PMIA portfolio totaled approximately \$75.4 billion. The daily investment activity in June 2016 averaged \$1.523 billion.

Investment Division staff invest PMIA funds in a wide range of securities, using more than 100 brokers, dealers, banks and direct issuers of commercial paper and corporate debt. By law, PMIA moneys can be invested only in the following categories: U.S. government securities, securities of federally-sponsored agencies, domestic corporate bonds, interest-bearing time deposits in California banks, savings and loan associations and credit unions, prime-rated commercial paper, repurchase and reverse repurchase agreements, security loans, banker's acceptances, negotiable certificates of deposit and loans to various bond funds.

Through the PMIA, the Investment Division manages two programs of particular note: the LAIF and time deposits.

The LAIF allows cities, counties and special districts to place money in a major portfolio and, at no additional costs to taxpayers, use the expertise of Investment Division staff. Participating agencies can withdraw their funds from the LAIF at any time. At the end of June 2016, the LAIF had 2,464 participating agencies and a balance of \$22.7 billion.

Under the time deposit program, the PMIA provides money to community banks at competitive rates. Eligible institutions are commercial banks, savings banks and credit unions that are federally insured and licensed to accept deposits in the State of California. Banks which receive time deposit funds can use the money to expand economic opportunity and create jobs in the communities they serve. At the end of June 2016, the PMIA had 239 time deposits totaling \$5.5 billion in 77 institutions.

Pooled Money Investment Account

Fast Facts - June 2016

Ending Portfolio

\$75.4 billion

Average Workday Investment Activity

\$1.523 billion

Average Effective Yield

0.58 percent

Average Investment Life

167 days

Local Agency Investment Fund Ending Portfolio

\$22.7 billion

Time Deposits Ending Portfolio

\$5.5 billion, 239 deposits, 77 institutions

CITY OF SEASIDE
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF JUNE 30, 2016

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 9,911,589.41
General Checking	Rabobank	Market	\$ 938,335.56
Money Market	Rabobank	Market	\$ 6,182,114.55
York Tail Claims	Bank of America	Market	\$ 39,712.25
Bond 2014 Reserve account	US Bank	Market	\$ 0.74
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 339,688.82
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 88.71
	Total		\$ 17,411,530.04

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City's and the Agency's anticipated expenditure requirements for the next six months.
(California Code Section 53646)

Investments in this report meet the requirements of the City of Seaside's Investment Policy.

Respectfully submitted,

Craig Malin
City Manager

CITY OF SEASIDE
CASH AND INVESTMENT REPORT - DETAIL AS OF
JUNE 30, 2016

Exhibit B

		Yield	Book Value	% of Total	Market Value
<u>Investments</u>					
State Treasurer LAIF	- City	0.55%	9,911,589.41	56.93%	9,911,589.41
<u>Checking Account</u>					
Rabobank - General Checking		0.00%	938,335.56	5.39%	938,335.56
Rabobank - Money Market		0.20%	6,182,114.55	35.51%	6,182,114.55
Bank of America-York Checking		0.00%	39,712.25	0.23%	39,712.25
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>					
Installment Payment, Reserve		0.00%	0.74	0.00%	0.74
<u>US Bank - Golf Course 2006 Bonds</u>					
Installment Payment, Reserve		0.03%	339,688.82	1.95%	339,688.82
<u>Wells Fargo Bank</u>					
Pension Obligation Bond Program Reserve Account		0.00%	88.71	0.00%	88.71
Total Cash and Investments			17,411,530.04	100.00%	17,411,530.04

CITY OF SEASIDE
CASH AND INVESTMENT ACTIVITY REPORT AS OF
APRIL 1, 2016
THROUGH
JUNE 30, 2016

<u>INSTITUTION</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
<u>INVESTMENTS</u>					
LAIF - City	\$ 6,703,851.12	3,200,000.00	-	7,738.29	\$ 9,911,589.41
<u>CHECKING ACCOUNT</u>					
Rabobank - General Checking	\$ 1,005,161.33	16,528,433.61	16,595,259.38	-	\$ 938,335.56
Rabobank, Money Market	\$ 5,179,551.97	5,600,000.00	4,600,000.00	2,562.58	\$ 6,182,114.55
York Tail Claims	\$ 38,592.79	20,005.77	18,886.31	-	\$ 39,712.25
<u>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</u>					
Bond 2014 Accounts - Reserve, Interest	\$ 0.74	-	-	-	\$ 0.74
Bond 2006 Accounts - Reserve, Installment	\$ 339,634.55	-	-	54.27	\$ 339,688.82
Wells F Pension Obligation Bond Prog-Reserve Acct.	\$ 482,048.12	-	481,984.19	24.78	\$ 88.71
	<u>\$ 13,748,840.62</u>	<u>25,348,439.38</u>	<u>21,696,129.88</u>	<u>10,379.92</u>	<u>\$ 17,411,530.04</u>



California State Treasurer
John Chiang



[Home](#) | [Open Government](#) | [Careers](#) | [Contact](#)



[Home](#) [PMIA Home](#) [PMIA Contacts](#) [Time Deposits](#) [LAIF](#)

[Home](#) --> [PMIA](#) --> PMIA Average Monthly Effective Yields



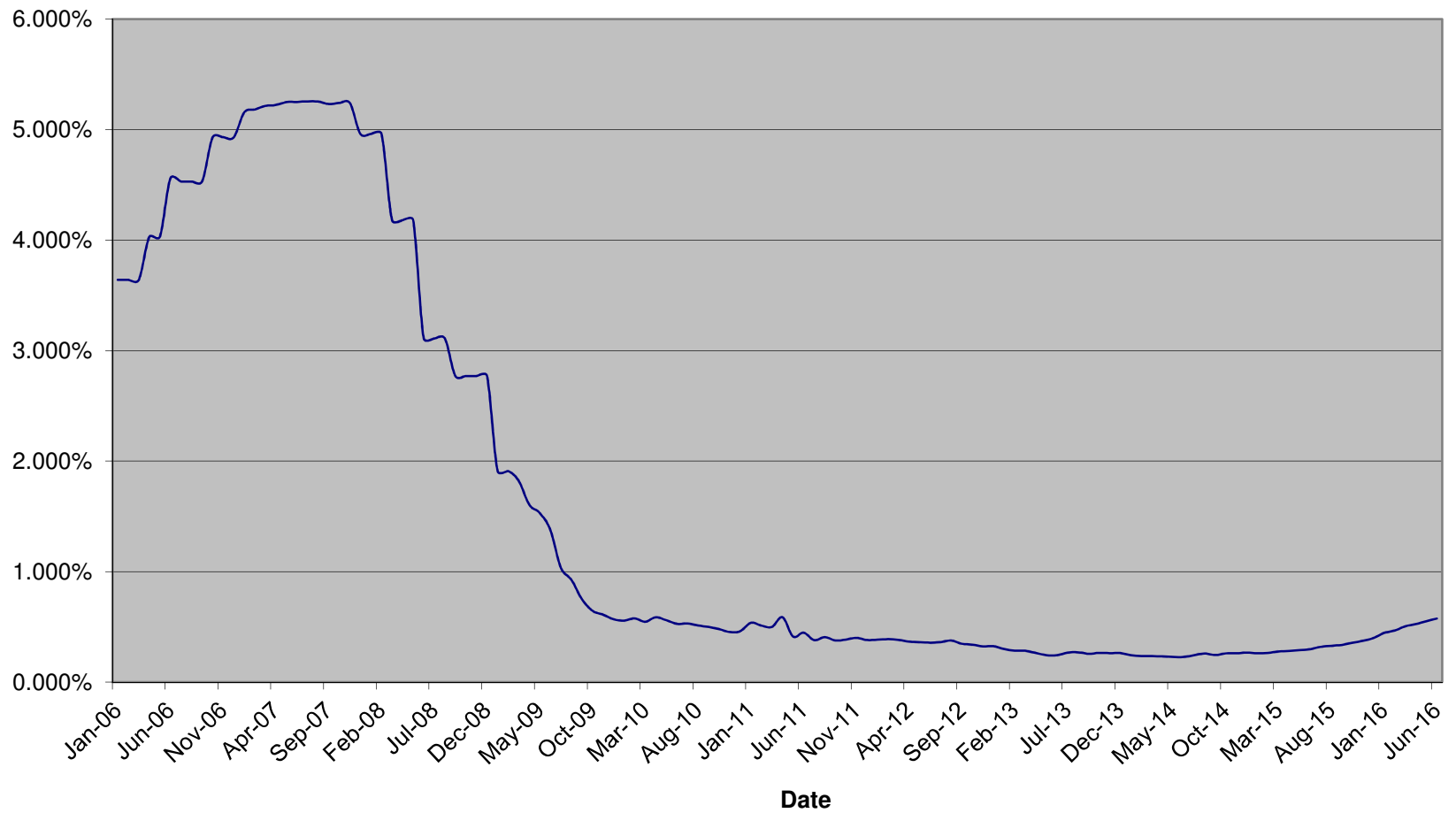
POOLED MONEY INVESTMENT ACCOUNT

PMIA Average Monthly Effective Yields

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1977	5.770	5.660	5.660	5.650	5.760	5.850	5.930	6.050	6.090	6.090	6.610	6.730
1978	6.920	7.050	7.140	7.270	7.386	7.569	7.652	7.821	7.871	8.110	8.286	8.769
1979	8.777	8.904	8.820	9.082	9.046	9.224	9.202	9.528	9.259	9.814	10.223	10.218
1980	10.980	11.251	11.490	11.480	12.017	11.798	10.206	9.870	9.945	10.056	10.426	10.961
1981	10.987	11.686	11.130	11.475	12.179	11.442	12.346	12.844	12.059	12.397	11.887	11.484
1982	11.683	12.044	11.835	11.773	12.270	11.994	12.235	11.909	11.151	11.111	10.704	10.401
1983	10.251	9.887	9.688	9.868	9.527	9.600	9.879	10.076	10.202	10.182	10.164	10.227
1984	10.312	10.280	10.382	10.594	10.843	11.119	11.355	11.557	11.597	11.681	11.474	11.024
1985	10.579	10.289	10.118	10.025	10.180	9.743	9.656	9.417	9.572	9.482	9.488	9.371
1986	9.252	9.090	8.958	8.621	8.369	8.225	8.141	7.844	7.512	7.586	7.432	7.439
1987	7.365	7.157	7.205	7.044	7.294	7.289	7.464	7.562	7.712	7.825	8.121	8.071
1988	8.078	8.050	7.945	7.940	7.815	7.929	8.089	8.245	8.341	8.397	8.467	8.563
1989	8.698	8.770	8.870	8.992	9.227	9.204	9.056	8.833	8.801	8.771	8.685	8.645
1990	8.571	8.538	8.506	8.497	8.531	8.538	8.517	8.382	8.333	8.321	8.269	8.279
1991	8.164	8.002	7.775	7.666	7.374	7.169	7.098	7.072	6.859	6.719	6.591	6.318
1992	6.122	5.863	5.680	5.692	5.379	5.323	5.235	4.958	4.760	4.730	4.659	4.647
1993	4.678	4.649	4.624	4.605	4.427	4.554	4.438	4.472	4.430	4.380	4.365	4.384
1994	4.359	4.176	4.248	4.333	4.434	4.623	4.823	4.989	5.106	5.243	5.380	5.528
1995	5.612	5.779	5.934	5.960	6.008	5.997	5.972	5.910	5.832	5.784	5.805	5.748
1996	5.698	5.643	5.557	5.538	5.502	5.548	5.587	5.566	5.601	5.601	5.599	5.574
1997	5.583	5.575	5.580	5.612	5.634	5.667	5.679	5.690	5.707	5.705	5.715	5.744
1998	5.742	5.720	5.680	5.672	5.673	5.671	5.652	5.652	5.639	5.557	5.492	5.374
1999	5.265	5.210	5.136	5.119	5.086	5.095	5.178	5.225	5.274	5.391	5.484	5.639
2000	5.760	5.824	5.851	6.014	6.190	6.349	6.443	6.505	6.502	6.517	6.538	6.535
2001	6.372	6.169	5.976	5.760	5.328	4.958	4.635	4.502	4.288	3.785	3.526	3.261
2002	3.068	2.967	2.861	2.845	2.740	2.687	2.714	2.594	2.604	2.487	2.301	2.201
2003	2.103	1.945	1.904	1.858	1.769	1.697	1.653	1.632	1.635	1.596	1.572	1.545
2004	1.528	1.440	1.474	1.445	1.426	1.469	1.604	1.672	1.771	1.890	2.003	2.134
2005	2.264	2.368	2.542	2.724	2.856	2.967	3.083	3.179	3.324	3.458	3.636	3.808
2006	3.955	4.043	4.142	4.305	4.563	4.700	4.849	4.946	5.023	5.098	5.125	5.129
2007	5.156	5.181	5.214	5.222	5.248	5.250	5.255	5.253	5.231	5.137	4.962	4.801
2008	4.620	4.161	3.777	3.400	3.072	2.894	2.787	2.779	2.774	2.709	2.568	2.353
2009	2.046	1.869	1.822	1.607	1.530	1.377	1.035	0.925	0.750	0.646	0.611	0.569
2010	0.558	0.577	0.547	0.588	0.560	0.528	0.531	0.513	0.500	0.480	0.454	0.462
2011	0.538	0.512	0.500	0.588	0.413	0.448	0.381	0.408	0.378	0.385	0.401	0.382
2012	0.385	0.389	0.383	0.367	0.363	0.358	0.363	0.377	0.348	0.340	0.324	0.326
2013	0.300	0.286	0.285	0.264	0.245	0.244	0.267	0.271	0.257	0.266	0.263	0.264
2014	0.244	0.236	0.236	0.233	0.228	0.228	0.244	0.260	0.246	0.261	0.261	0.267
2015	0.262	0.266	0.278	0.283	0.290	0.299	0.320	0.330	0.337	0.357	0.374	0.400
2016	0.446	0.467	0.506	0.525	0.552	0.576						

HISTORICAL LAIF INTEREST RATES

Interest Rate





**JOHN CHIANG
TREASURER
STATE OF CALIFORNIA**



PMIA Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
07/14/16	0.58	0.58	169
07/15/16	0.59	0.58	170
07/16/16	0.59	0.58	170
07/17/16	0.59	0.58	170
07/18/16	0.59	0.58	168
07/19/16	0.59	0.58	166
07/20/16	0.59	0.58	168
07/21/16	0.59	0.58	171
07/22/16	0.60	0.58	170
07/23/16	0.60	0.59	170
07/24/16	0.60	0.59	170
07/25/16	0.60	0.59	170
07/26/16	0.60	0.59	169
07/27/16	0.60	0.59	171

*Daily yield does not reflect capital gains or losses

LAIF Performance Report

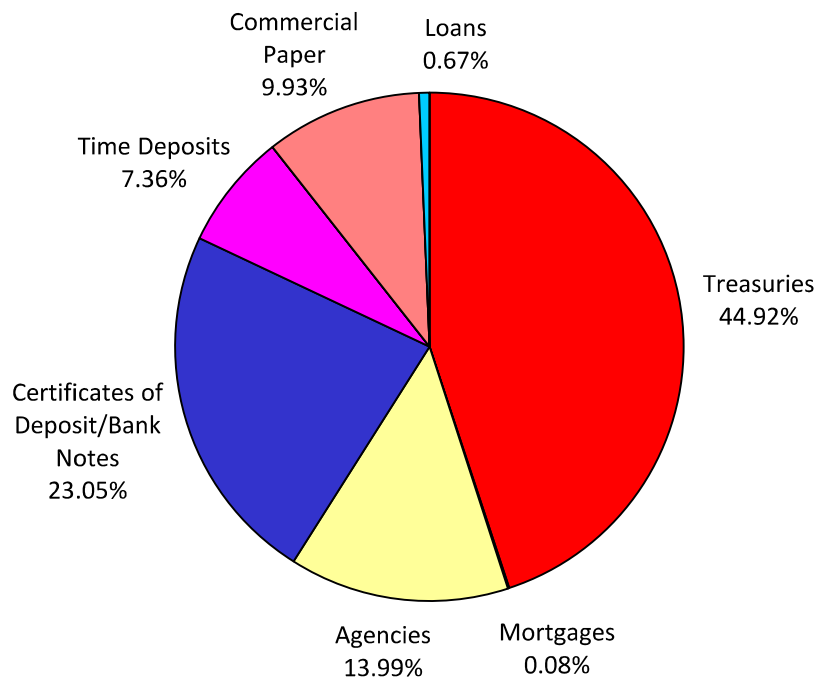
Quarter Ending 06/30/16

Apportionment Rate: 0.55%
 Earnings Ratio: 0.00001495296852820
 Fair Value Factor: 1.000621222
 Daily: 0.58%
 Quarter to Date: 0.55%
 Average Life: 167

**PMIA Average Monthly
Effective Yields**

Jun 2016 0.576%
 May 2016 0.552%
 APR 2016 0.525%

**Pooled Money Investment Account
Portfolio Composition
06/30/16
\$75.4 billion**



Based on data available as of 7/27/2016



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Riedl, City Engineer

DATE: August 18, 2016

**SUBJECT: APPROVE THE TRAFFIC ADVISORY COMMITTEE (TAC)
RECOMMENDATIONS**

PURPOSE

The purpose of this item is to consider the Traffic Advisory Committee (TAC) recommendations from their July 19th regular meeting.

RECOMMENDATION

It is recommended for the City Council to approve a Traffic Advisory Committee (TAC) recommendation for a disabled parking space at 1 Valmar Court.

BACKGROUND

The Traffic Advisory Committee acts as an advisory board to the City Council per Chapter 2.37 of the Municipal Code. Recommendations made by the TAC are to be ratified by the City Council prior to implementation. The TAC reviews all requests for traffic safety, regulatory or control devices, signs and marking, and conducts studies as well as offers recommendations to the City Council, Planning Commission or appropriate City Department.

The Traffic Advisory Committee reviewed and provided a recommendation for a request for a disabled parking space at 1 Valmar Court. A summary is provided below.

STAFF ANALYSIS

Mr. Shelby Malone is requesting a disabled parking space at 1 Valmar Court. The request indicated that the apartment complex residents use the on-street parking on Valmar Court leaving no available on street parking for Valmar Court residents, see attachment 1. Further correspondence with the applicant revealed that Mr. Malone has difficulty accessing the front of his house from the driveway due to the slope of the pathway. Mr. Malone recently suffered

from a stroke which has further limited his mobility and motor skills.

Roadway Characteristics

Valmar Court is located south of Broadway Avenue just west of Yosemite Street. Valmar Court is a one-way street that is separated from Yosemite by a landscaped island. On street parking is permitted along the island. 1 Valmar Court is located where Valmar Court merges into Yosemite Street. Del Mar Manor apartment complex is located directly across from Valmar Court, see attachment 2. The driveway at 1 Valmar Court is gated by a chain link fence and is approximately 15 feet wide and 50 feet long that leads to a single car garage. At the time of the site visits there was a covered car parked in the driveway. The driveway appears to be flat and there is a pathway that leads to the front of the house. Valmar Court slopes upward to the south with an approximate 5% incline. There is approximately 40 feet of on street parking along the frontage of 1 Valmar Court, enough for 2 vehicles to park. There is approximately 31 feet of red curb for a fire hydrant located between the two houses at 1495 Yosemite Street and 1 Valmar Court.

Recommendation

Disabled parking spaces are considered when resident's driveway is considered to be inaccessible. The driveway at 1 Valmar Court appears to be flat, however the slope of the pathway that leads to the house has the same incline as the sidewalk. Due to Mr. Malone's limited mobility and ease of access from the street versus the driveway, the Traffic Advisory Committee recommends approving request for a disabled parking space at 1 Valmar Court.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301: Existing Facilities Class 1 exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use.

Evidence: The proposed project would consist of installation of a handicap sign with associated reserved parking space which would not result in an expansion or significant modification of the existing roadway and sidewalk. Therefore there are no significant impacts associated with the installation of on-street handicap parking space.

FISCAL IMPACT

There is not fiscal impact associated with this item. The applicant is responsible for the installation costs of a disabled parking space.

ATTACHMENTS

1. Disabled Parking Request
-

2. Aerial Image

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



\$52.00

Request Application

The following information is required to process all Traffic Advisory Committee requests. This information will be used to contact the applicant should staff have questions or needs clarification on the request. This information will also appear in the staff report presented to the Traffic Advisory Committee and/or City Council.

The Traffic Advisory Committee meets the 3rd Tuesday of every month at 5:00 PM in the City of Seaside's City Hall Conference room. This meeting is open to the public and applicants are encouraged to attend.

Name: Shelly Malone - Audrey (wife) 32916 Date:

Address: 122 Valmar Ct Phone: 394 8925

Type of Request (check all that apply):

- ☐ Parking Designations ☐ Crosswalk ☒ Curb Markings (White, Yellow, etc.)
☒ Disabled Parking* ☐ Warning Sign ☐ Traffic Signal/Stop Sign
☐ Other _____ ☐ Signing/Striping

*A copy of DMV issued disabled placard must accompany requests for disabled parking spaces.

FEES WILL APPLY FOR PARKING AND CURB MARKING REQUESTS

Request: parking on the curb marking

(Mr Malone lives by the projects + there is absolutely no parking available once he moves his car) 20 3-29-16

Request Procedures are outlined on the back of this form. For any questions regarding the Traffic Advisory Committee (TAC) please contact 899-6825.

Rec #: 00218150
Packet Page 28

TAC REQUEST PROCEDURE

The Traffic Advisory Committee (TAC) acts as an advisory board to the City Council per Chapter 2.37 of the Municipal Code. Recommendations made by the TAC are to be ratified by the City Council prior to implementation. The TAC consists of five members: a Council Member; Director of Public Works; Chief of Police; Director of Community Development; and the Fire Chief. The TAC reviews all requests for traffic safety regulatory or control devices, signs and markings, and conducts studies as well as offers recommendations to the City Council, Planning Commission or appropriate City department.

Upon submittal of a request, staff will place the request on the TAC agenda for the next scheduled meeting. All TAC's action will be forwarded for City Council consideration at their next scheduled meeting.

Fees

Fees will be collected prior to installation of any approved requests that directly benefits the applicant, such as limited timed parking, white zones, etc. Prior to any required maintenance of the improvement, the same fee will apply and be billed to the applicant. The following fees have been determined based upon the cost of staff time and material for installation:

Description	Fee*
Marking curb – per curb (20' maximum length)	Per current adopted fee schedule
Installation of one sign	

* Fees subject to change per City Council approved fee schedule. Fee determined by date of application.

PLEASE COMPLETE FOR PARKING AND CURB MARKING REQUESTS

TAC REQUEST ACKNOWLEDGEMENT STATEMENT

I, Shelby Malone understand that should my request be approved by the Traffic Advisory Committee and City Council, I will be responsible for the fee prior to the installation of my request. I also understand that if approved by City Council the improvements will be reviewed annually or whenever deemed appropriate by the Public Works Department for any required maintenance and I will be charged the corresponding fee.

Shelby Malone
Applicant Signature

3-29-15
Date

REMOVE FROM MIRROR BEFORE DRIVING VEHICLE

CALIFORNIA



"WARNING: The illegal use of a disabled parking placard could result in a maximum fine of \$4,200."

PARKING PLACARD

DISABLED PERSON



EXPIRES JUNE 30

2017

862207 F

PURCHASE OF FUEL (Business & Professions Code 13660)
State law requires service stations to refuel a disabled person's vehicle at self-service rates, except at service facilities with only one employee on duty.

DEPARTMENT OF MOTOR VEHICLES

PLACARD NUMBER: 862207F

DISABLED PERSON

PLACARD IDENTIFICATION

CARD/RECEIPT

EXPIRES: 06/30/2017

DATE ISSUED: 03/27/2015

This identification card or facsimile copy is to be carried by the placard owner. Present it to any peace officer upon demand. Immediately notify DMV by mail of any change of address. When parking, hang the placard from the rear view mirror, remove it from the mirror when driving.

When your placard is properly displayed,

you may park in or on:

- * Disabled person parking spaces (blue zones)
- * Street metered zones without paying.
- * Green zones without restrictions to time limits.
- * Streets where preferential parking privileges are given to residents and merchants.

You may not park in or on:

- * Red, Yellow, White or Tow Away Zones.
- * Crosshatch marked spaces next to disabled person parking spaces.

It is considered misuse to:

- * Display a placard unless the disabled owner is being transported.
- * Display a placard which has been cancelled or revoked.
- * Loan your placard to anyone, including family members.

Misuse is a misdemeanor (section 4461VC) and can result in cancellation or revocation of the placard, loss of parking privileges, and/or fines.

TYPE: N1

TV: 92

CO: 27

DOB: 08/26/1927

ISSUED TO

**MALONE SHELBY
1 VALMAR CT**

SEASIDE

CA 93955

**Purchase of fuel
(Business & Professions Code 13660):**

* State law requires service stations to refuel a disabled person's vehicle at self-service rates, except self-service facilities with only one cashier.

Shelby Malone
1 Valmar Court
Seaside, CA 93955
(831) 394-8924

Tim O'Halloran, P.E.
City Engineer/Public Works Service Manager

RE: Traffic Advisory Committee Meeting Tuesday, June 21st at 5:00 p.m.
5C. Disabled Parking space for resident at 1 Valmar Court

Dear Sir/Madam:

I am the resident living at 1 Valmar Court, Seaside, California. I am a senior citizen (88 years old) and a disabled veteran. I am requesting a disabled parking space directly in front of my house as I am having difficulty obtaining a nearby parking space that allows direct access to my front gate and ramp going up my front porch. There is a major apartment complex directly across the street, and the residents and visitors frequently fill up on the parking available on the street. I do not utilize the parking in my driveway, as it is very difficult to walk up the slope from my driveway to the front porch and gain access to my home. In addition, I have gates on my driveway, which would require me to get in and out of my vehicle to open and close the gates. I do not wish to remove the gates, as the gates act as a deterrent to stray animals and criminals/trespassers that attempt to use my property to pass through to the next block. Also, I will be backing out of my driveway directly into busy street traffic. My wife frequently drives me to the doctor and various other appointments. It is most difficult for me to get into the passenger's side of a vehicle in my driveway. However, with the curb elevation in front of my house, I have a much easier time loading into a vehicle on the passenger's side.

Thank you for your consideration.

Sincerely,

SHELBY MALONE

Shelby Malone
1 Valmar Court
Seaside, CA 93955
(831) 394-8924

June 29, 2016

Tim O'Halloran, P.E.
City Engineer/Public Works Service Manager

**RE: Traffic Advisory Committee Meeting, Tuesday, July 19th at 5:00 p.m.
5C. Disabled Parking Space for Resident at 1 Valmar Court**

Dear Sir/Madam:

As a follow up to my previous correspondence, please be advised I suffered a stroke on June 18, 2016. The stroke has further limited my mobility and motor skills. After speaking with my doctors, I was informed that it is imperative that I use the front gate and walkway leading up to the ramp and front door to my home. This process would be simplified if the disabled parking space is permitted to be placed in front of my residence.

Thank you for your consideration.

Sincerely,

SHELBY MALONE





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Supervisor
Nancy Towne, Recreation Services Director

DATE: August 18, 2016

**SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF
HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL
REY, ALLSTON AND HILLSDALE FOR THE CITY OF SEASIDE'S
BIRTHDAY CELEBRATION ON OCTOBER 22, 2016 AND TREE
LIGHTING CEREMONY ON DECEMBER 9, 2016**

PURPOSE

The purpose of this item is to request that Council approve a resolution permitting the closure of Harcourt Avenue to through traffic at Canyon del Rey, Allston and Hillsdale on Saturday October 22, 2016 for the City of Seaside's Birthday and City Hall's 50th Anniversary Celebration and Friday, December 9, 2016 for the annual Winter Wonderland and Tree Lighting Ceremony.

RECOMMENDATION

It is recommended that Council approve the closure of Harcourt Avenue on Saturday October 22, 2016 between the hours of 10:00 a.m. to 6:00 p.m and Friday, December 9, 2016 between the hours of 3:00 p.m. to 10:00 p.m.

BACKGROUND

The City of Seaside will be holding the City's 62nd Birthday Party and City Hall's 50th Anniversary Celebration on Saturday October 22, 2016 from 1:00 p.m. to 5:00 p.m. and the annual Winter Wonderland and Tree Lighting Ceremony on Friday, December 9, 2016 from 6:00 p.m. to 9:00 p.m. on the lawn at Seaside City Hall. These events will need to utilize Harcourt Avenue for a portion of program use. The closure of Harcourt Avenue will greatly enhance the event and will allow for greater safety for the participants and staff. This year's Winter Wonderland Celebration event will be featuring a special ice skating rink that will be located on the lawn at Seaside City Hall. Because staff anticipates a large turnout, extra space

will be required for the Tree Lighting Ceremony and other activities for the Birthday Party and Anniversary as well. All the residents living on this portion of Harcourt will be contacted by department staff in advance of the event.

FISCAL IMPACT

There is no fiscal impact associated with the proposed action.

ATTACHMENTS

1. Draft Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING THE CLOSURE OF HARCOURT AVENUE AT CANYON DEL REY TO
THROUGH TRAFFIC AT ALLSTON AND HILLSDALE**

WHEREAS, the City of Seaside sponsors the Birthday Celebration, City Hall's 50th Anniversary and the Annual Winter Wonderland Celebration.

WHEREAS, the closing of Harcourt Avenue at Canyon del Rey, Allston and Hillsdale Avenue is necessary between the hours of 10:00 a.m. and 6:00 p.m. on October 22, 2016 and between the hours of 3:00 p.m. and 10:00 p.m. December 09, 2016 to insure the safety of the public and staff;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby approves the closure of Harcourt Avenue at Canyon del Rey, Allston and Hillsdale Avenue to ensure the safety of the public using this portion of roadway during this event.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the ____ day of _____, 2016 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Vicki Myers, Police chief

DATE: August 18, 2016

SUBJECT: RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR ONE YEAR WITH THE SAN MATEO COUNTY SHERIFF'S OFFICE, ON BEHALF OF THE NORTHERN CALIFORNIA REGIONAL INTELLIGENCE CENTER, TO PROVIDE AN INTELLIGENCE ANALYST FOR THE MONTEREY PENINSULA REGIONAL VIOLENCE AND NARCOTICS TEAM, UTILIZING DEDICATED AB 109 FUNDS.

PURPOSE

The purpose of this item is for the City Council to authorize the City Manager to sign a one year professional services agreement with the San Mateo County Sheriff's Office, on behalf of the Northern California Regional Intelligence Center (NCRIC), to provide an Intelligence Analyst for the Monterey Peninsula Regional Violence and Narcotics Team (PRVNT), utilizing dedicated AB 109 Funds.

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution authorizing the City Manager to sign a one year professional services agreement with the San Mateo County Sheriff's Office, on behalf of NCRIC, to provide an Intelligence Analyst for the PRVNT, utilizing dedicated AB 109 Funds.

BACKGROUND

In 2011, Governor Jerry Brown Signed Assembly Bill (AB) 109 into law. Known as the 2011 Realignment Legislation, AB 109 is a landmark law that gave responsibility for lower level criminal offenders and parolees from the state to local jurisdiction. The subsequent passage of Proposition 30 in 2012 was to establish a dedicated revenue stream to fund public safety services realigned to local government.

In FY 2012-13 state budget augmentations provided approximately \$24.5 million to cities throughout California to support increased police services to help mitigate the impact of the increased numbers of offenders in the community. An allocation formula (negotiated and agreed upon by the California Police Chiefs Association and Governor Brown's Administration) was established. The allocation of these funds must be collectively agreed upon by the **municipal** police departments in each county, of which there are twelve in Monterey County. Marina Police Department (selected as the fiduciary and fiscal agent for disbursement of AB 109 Funds for the Monterey County municipal law enforcement agencies) is responsible for distributing the money to the individual police department(s), to a task force geared to monitoring offenders, or to another agreed-upon agency.

Monterey County has received the following realignment funds:

- FY 2012-13 \$222,862
- FY 2013-14 \$255,364
- FY 2014-15 \$371,436

Initially, the municipal chiefs met and collectively agreed to commit and allocate the funds to establish a Monterey County Compliance Team (MCCT) for a minimum of three years. The focus of the MCCT was high risk and very high risk adult offenders who reside within the incorporated city limits served by the municipal police departments of Monterey County. The MCCT was staffed through the Monterey County Adult Probation Department.

The three year agreement for the MCCT ended June 30, 2015. The Monterey County municipal chiefs elected to divide the remaining funds, with \$127,316.00 dedicated to the City Police Departments of Carmel, Marina, Monterey, Pacific Grove, Sand City and Seaside. These City Police Departments are also PRVNT partners.

Through a series of meetings, the Chiefs unanimously agreed that the most effective use of the remaining AB109 funds was to hire a Crime Analyst and assign the Crime Analyst to PRVNT.

To that end, in Fiscal Year 2014/15 the City of Seaside City Council established a classification of Crime Analyst and added the classification to the position allocation list.

Since then, AB 109 funds have decreased, with additional decreases in AB109 funding being projected. As a result, the PRVNT Board is concerned about the funding for and sustainability of a full time crime analyst. Therefore the PRVNT Board is instead requesting the City of Seaside to enter into a contract with the San Mateo County Sheriff's Office for Fiscal Year

2016-17, on behalf of NCRIC, for an Intelligence Analyst, to be assigned to PRVNT, rather than hire a full time employee. San Mateo County Sheriff's Office is the designated fiduciary and fiscal agent for NCRIC, just as the City of Seaside is the designated fiduciary and fiscal agent for PRVNT.

Contracting for an Intelligence Analyst will allow the participating PRVNT agencies to identify alternate funding sources for Fiscal Year 2017-18.

In accordance with the AB109 Fund requirements, the City of Marina has disbursed the AB 109 funds for the cities of Carmel, Marina, Monterey, Pacific Grove, Sand City and Seaside, to the City of Seaside as the City of Seaside is the designated fiduciary agent for the PRVNT.

FISCAL IMPACT

A fee schedule is attached, not to exceed \$125,000 for Fiscal Year 2016-17. There is no impact to the general fund as there are \$140,000.00 in AB109 funds for Expense Account 243-0-6110-2073 that are available for this purpose.

ATTACHMENTS

1. Draft Resolution
 2. Intelligence Contract for PRVNT
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 16-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AUTHORIZING A ONE YEAR AGREEMENT BETWEEN THE CITY OF SEASIDE AND THE SAN MATEO COUNTY SHERIFF'S OFFICE, ON BEHALF OF THE NORTHERN CALIFORNIA HIGH INTENSITY DRUG TRAFFICKING AREA, TO PROVIDE A LEAD INTELLIGENCE ANALYST FOR THE MONTEREY PENINSULA REGIONAL VIOLENCE AND NARCOTICS TEAM, UTILIZING DEDICATED AB 109 FUNDS.

WHEREAS, violent crime and illegal narcotics activity occur within or have a nexus to cities on the Monterey Peninsula; and,

WHEREAS, the PRVNT Board has determined that additional expert assistance from an Intelligence Analyst is needed in certain criminal investigations and to assist the participating cities with crime prevention; and,

WHEREAS, the Monterey Peninsula Violence and Narcotics Team has received approximately \$127,000.00 of dedicated AB 109 Funds for the purpose of funding an Intelligence Analyst in Fiscal Year 2016/2017; and,

WHEREAS, the Northern High Intensity Drug Trafficking Areas (HIDTA) has determined it is appropriate to contract for one year with the City of Seaside for reimbursement of services provided by an Intelligence Analyst, not to exceed \$125,000.00; and,

WHEREAS, the City of Seaside is the fiduciary and fiscal agent for the PRVNT, and San Mateo County is the fiduciary and fiscal agent for the HIDTA; and,

WHEREAS, the City of Seaside City Council and the City of Seaside City Manager encourage the highest level of service through effective, efficient and collaborative means,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside do hereby authorize the City Manager to enter into a Professional Services Agreement with the San Mateo County Sheriff's Office, on behalf of the North California High Intensity Drug Trafficking Area, to provide a regional lead Intelligence Analyst for the Monterey Peninsula Regional Violence and Narcotics Team.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Seaside, duly held on the 18th day of August, 2016 by the following vote:

AYES: Council Members
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND CITY OF SEASIDE

This Agreement is entered into this _____ day of _____, 2016, by and between the County of San Mateo, a political subdivision of the state of California, hereinafter called "County," and City of Seaside, hereinafter called "City."

* * *

Whereas, pursuant to Government Code §§51300, et seq. County may contract with City for the performance by County of City functions; and

Whereas, it is necessary and desirable that County perform the professional services hereinafter described for City.

Now, therefore, it is agreed by the parties to this Agreement as follows:

1. Exhibits and Attachments

The following exhibits and attachments are attached to this Agreement and incorporated into this Agreement by this reference:

Exhibit A - Services

Exhibit B - Payments and Rates

2. Services to be performed by County

In consideration of the payments set forth in this Agreement and in Exhibit B, County shall perform services for City in accordance with the terms, conditions, and specifications set forth in this Agreement and in Exhibit A.

3. Payments

In consideration of the services provided by County in accordance with all terms, conditions, and specifications set forth in this Agreement and in Exhibit A, City shall make payment to County based on the rates and in the manner specified in Exhibit B. In no event shall City's total fiscal obligation under this Agreement exceed **ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$125,000)**.

4. Term

Subject to compliance with all terms and conditions, the term of this Agreement shall be from **JULY 1, 2016**, through **JUNE 30, 2017**.

5. Termination; Availability of Funds

This Agreement may be terminated by County, by the Sheriff or Sheriff's designee, or by City at any time without a requirement of good cause upon thirty (30) days' advance written notice to the other party. In the event of termination, County shall be entitled to receive payment for work/services provided prior to termination of the Agreement.

6. Relationship of Parties

It is expressly understood that this is an agreement between two independent contractors and that no agency, employee, partnership, joint venture or other relationship is established by this Agreement. The intent by both County and City is to create an independent contractor relationship.

7. Mutual Hold Harmless

- a. It is agreed that City shall defend, hold harmless, and indemnify County and its officers, employees, agents, and servants from any and all claims, suits, or actions of every name, kind, and description brought by a third party which arise out of the terms and conditions of this Agreement and which result from the acts or omissions of City and/or its officers, employees, agents, and servants.
- b. City shall defend, hold harmless, and indemnify County from and against any and all claims for wages, salaries, benefits, taxes, and all other withholdings and charges payable to, or in respect to, City's representatives for services provided under this Agreement.
- c. It is agreed that County shall defend, hold harmless, and indemnify City and its officers, employees, agents, and servants from any and all claims, suits, or actions of every name, kind, and description brought by a third party which arise out of the terms and conditions of this Agreement and which result from the acts or omissions of County and/or its officers, employees, agents and servants.
- d. County shall defend, hold harmless, and indemnify City from and against any and all claims for wages, salaries, benefits, taxes, and all other withholdings and charges payable to, or in respect to, City's representatives for services provided under this Agreement.
- e. The duty of each party to defend, hold harmless, and indemnify the other as set forth herein shall include the duty to defend as set forth in Section 2778 of the California Civil Code.
- f. In the event of concurrent negligence (or intentional/reckless acts) of County and/or its officers and employees, on the one hand, and City and/or its officers, employees, agents, and servants, on the other hand, then the liability for any and all claims for injuries or damage to persons and/or property which arise out of terms and conditions of this Agreement shall be apportioned according to the California theory of comparative fault.

8. Assignability and Subcontracting

County shall not assign this Agreement or any portion of it to a third party or subcontract with a third party to provide services required by County under this Agreement without the prior written consent of City.

9. Insurance

a. General Requirements

City shall advise County of any insurance coverage requirements, and County shall provide evidence of appropriate coverage to City upon request.

b. Workers' Compensation and Employer's Liability Insurance

Each party to this agreement shall have in effect during the entire term of this Agreement workers' compensation and employer's liability insurance providing full statutory coverage. In signing this Agreement, each party certifies, as required by Section 1861 of the California Labor Code, that (a) it is aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be

insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and (b) it will comply with such provisions before commencing the performance of work under this Agreement.

c. Liability Insurance

County shall be self-insured during the term of this Agreement under such bodily injury liability and property damage liability insurance as shall reasonably protect County and all of its employees/officers/agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from County's operations under this Agreement, whether such operations be by County, any subcontractor, anyone directly or indirectly employed by either of them, or an agent of either of them.

10. Retention of Records; Right to Monitor and Audit

- a. Each party shall maintain all required records relating to services provided under this Agreement for three (3) years after City makes final payment and all other pending matters are closed, and such records shall be subject to the examination and/or audit by the other party, a Federal grantor agency, and the State of California.
- b. Each party agrees upon reasonable notice to provide to the other party, to any Federal or State department having monitoring or review authority, and/or to any of their respective audit agencies access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules, and regulations, to determine compliance with this Agreement, and to evaluate the quality, appropriateness, and timeliness of services performed.

11. Merger Clause; Amendments

This Agreement, including the Exhibits and Attachments attached to this Agreement and incorporated by reference, constitutes the sole Agreement of the parties to this Agreement and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement, or specification set forth in the body of this Agreement conflicts with or is inconsistent with any term, condition, provision, requirement, or specification in any Exhibit and/or Attachment to this Agreement, the provisions of the body of the Agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications or amendments shall be in writing and signed by the parties.

12. Controlling Law; Venue

The validity of this Agreement and of its terms, the rights and duties of the parties under this Agreement, the interpretation of this Agreement, the performance of this Agreement, and any other dispute of any nature arising out of this Agreement shall be governed by the laws of the State of California without regard to its choice of law or conflict of law rules. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

13. Notices

Any notice, request, demand, or other communication required or permitted under this Agreement shall be deemed to be properly given when both: (1) transmitted via facsimile to the telephone number listed below or transmitted via email to the email address listed below; and (2) sent to the physical address

listed below by either being deposited in the United States mail, postage prepaid, or deposited for overnight delivery, charges prepaid, with an established overnight courier that provides a tracking number showing confirmation of receipt.

In the case of County, to:

San Mateo County Sheriff's Office
Carlos G. Bolanos, Sheriff
400 County Center
Redwood City, CA 94063
Email: gbalkus@smcgov.org

In the case of City, to:

City of Seaside Police Department
Chief Vicki Myers
440 Harcourt Avenue
Seaside, CA 93955
Email: Vmyers@ci.seaside.ca.us

14. **Electronic Signature**

If both County and City wish to permit this Agreement and future documents relating to this Agreement to be digitally signed in accordance with California law and County's Electronic Signature Administrative Memo, both boxes below must be checked. Any party that agrees to allow digital signature of this Agreement may revoke such agreement at any time in relation to all future documents by providing notice pursuant to this Agreement.

For County: ☒ If this box is checked by County, County consents to the use of electronic signatures in relation to this Agreement.

For City: ☐ If this box is checked by City, City consents to the use of electronic signatures in relation to this Agreement.

* * *

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

COUNTY OF SAN MATEO

*A Political Sub-division of the
State of California*

BY: _____
PRESIDENT, BOARD OF SUPERVISORS

DATE: _____

ATTEST:

BY: _____
CLERK OF SAID BOARD

CITY OF SEASIDE

BY: _____
(SIGNATURE)

(PRINTED NAME)

DATE: _____

EXHIBIT A

WHEREAS, in 1997, ten bay area counties were designated as the Northern California High Intensity Drug Trafficking Area ("HIDTA"), which operates under the authority of the United States Marshal's Office, DEA, FBI and Criminal Investigation Division of the IRS, with cooperation from the State Bureau of Narcotics Enforcement and Department of Justice, and local law enforcement agencies, working towards the common goal of reducing drug-related crime, violence and abuse in our communities; and

WHEREAS, in 2004, a Department of Homeland Security Law Enforcement Grant was awarded to the County of San Mateo to create and operate the Northern California Regional Terrorism Threat Assessment Center (NC RTTAC), to develop collaborative relationships among federal, state and local entities relative to terrorism, specifically with regard to the disciplines of law, fire, public health and emergency medical services, to improve terrorism preparedness and information sharing; and

WHEREAS, the most efficient way to administer the NC RTTAC program was to co-locate it with HIDTA and for HIDTA Administration to oversee the NC RTTAC as well as the NC HIDTA; and

WHEREAS, the Northern California HIDTA is managed by an Executive Committee, which has designated the San Mateo County Sheriff's Office to serve as the fiduciary and fiscal agent for HIDTA and RTTAC; and

WHEREAS, in that capacity the Sheriff receives state and federal funding for HIDTA and RTTAC, which funds are deposited with the San Mateo County Treasurer and disbursed as directed by the HIDTA Executive Committee by contracts to which the County is a party; and

WHEREAS, disbursement of HIDTA and RTTAC funds require the County to act in its capacity as fiduciary and fiscal agent for HIDTA/ RTTAC; and

WHEREAS, because HIDTA and RTTAC were created as a funding mechanism, they have no full time employees, and are staffed by a combination of independent contractors and employees of member law enforcement agencies, which employees are assigned to HIDTA or RTTAC; and

WHEREAS, in 2007, the United States Department of Homeland Security and the State of California Office of Homeland Security designated the NCHIDTA/NCRTTAC as the regional Fusion Center also referred to as the Northern California Regional Intelligence Center (NCRIC) for the San Francisco Bay Area; and

WHEREAS, the Northern California HIDTA Executive Committee has determined that it is appropriate to contract with the City of Seaside for reimbursement of services provided by an Intelligence Analyst from the NCRIC, with the understanding that the City of Seaside is acting as an independent contractor, and not as an employee or agent of the County of San Mateo or any of the members of the NCRIC and with the understanding that compensation will be paid solely with a combination of state and federal funding that is administered by the City of Seaside; and

WHEREAS, it is necessary and desirable that Contractor be engaged by the NCRIC for the purpose of performing the professional services relating to the NCRIC; and

WHEREAS, pursuant to Government Code Section 31000, County may contract with independent contractors for the furnishing of special services to or for County or any Department thereof.

* * *

In consideration of the payments set forth in Exhibit B, County shall provide the following services:

For purposes of this agreement, "County" may alternatively be referred to as "Sheriff" or "Sheriff's Office".

1. DESCRIPTION OF SERVICES TO BE PERFORMED BY COUNTY.

- A. NCRIC will assign an Intelligence Analyst who will be assigned to work with the Monterey Peninsula Regional Violence and Narcotics Team (PRVNT). In the event that the City objects to Intelligence Analyst assigned or reassigned, it will notify Director Mike Sena. Director Sena will give due consideration to the objection. However, the final decision of the personnel assigned remains with the County. The Intelligence Analyst will be to provide PRVNT with the following services, and will also provide the PRVNT participating Cities that are voting members on the PRVNT Board with the following services:
- 1.) Collection, evaluation, analysis and dissemination of terrorism, gang, organized crime, major criminal activity, critical infrastructure and key resource related information;
 - 2.) Planning terrorism, gang, organized crime, major criminal activity, critical infrastructure and key resource related training for local, state, and federal law enforcement, public safety, public health and critical infrastructure employees;
 - 3.) Correlating new terrorism, gang, organized crime and major criminal activity, critical infrastructure and key resource related information with existing information;
 - 4.) Assisting with the identification, investigation, and prosecution of criminals;
 - 5.) Providing information to assist in coordinating terrorism, gang, organized crime and major criminal activity related investigations between jurisdictions;
 - 6.) Conducting analytical research relating to terrorist groups, organized criminal activity, and critical infrastructure including link analyses;
 - 7.) Providing expert consultation to law enforcement agencies;
 - 8.) Providing liaison to law enforcement agencies, public safety, public health and critical infrastructure personnel to insure a continuing flow of information;
 - 9.) Making presentations to law enforcement, public safety, public health and critical infrastructure personnel;
 - 10.) Preparing reports, publications, correspondence, graphs, and charts relating to terrorism, gang, organized crime, major criminal activity, critical infrastructure and key resource;
 - 11.) Testifying in court;
 - 12.) Assisting law enforcement with collection, evaluation, analysis and dissemination of terrorism, gang, organized crime, major criminal activity and public safety related information at crime scenes.
 - 13.) Promote the use of:
 - a.) Homeland Security Information Network (HSIN), Law Enforcement
 - b.) Online (LEO) and other systems as directed by the California
 - c.) Emergency Management Agency (CalEMA), California Department of Justice (CA DOJ), and the United States Departments of Justice (US DOJ) and Homeland Security (DHS)
 - d.) Terrorism Liaison Officer (TLO) program through meetings and training provided to local law enforcement agencies

- e.) Information sharing and de-confliction services of the Regional Information Sharing System (RISS) through the Los Angeles Regional Criminal Information Clearing House (LA CLEAR) and Western States Information Network (WSIN)
- f.) The National Criminal Intelligence Sharing Plan (NCISP) and the Fusion Center Guidelines prepared and adopted by the United States Department of Justice, Bureau of Justice Assistance
- g.) The Automated Critical Asset Management System (ACAMS)

EXHIBIT B

In consideration of the services provided by County described in Exhibit A and subject to the terms of the Agreement, City shall pay County based on the following fee schedule and terms:

1. AMOUNT AND METHOD OF PAYMENT.

- A. City shall reimburse County for the actual hours worked by the Intelligence Analyst. The hourly rate shall range from:

1.) Straight-time: \$33.86 (minimum) to \$42.32 (maximum), PLUS mandatory benefits such as Unemployment Insurance 0.75%, Medicare 1.45%, Workers' Compensation 0.66%, and Social Security 6.20%.

- B. NCRIC will submit monthly invoices to City for payment. Invoices will be either mailed or emailed, depending on City's preference, to the following:

City of Seaside Police Department
Attn: Ms. Shannon Oster-Gabrielson
440 Harcourt Avenue
Seaside, CA 93955

- C. Payments and questions regarding invoicing shall be directed to the Sheriff's Office Fiscal Services Bureau Manager at (650) 363-1842 or be mailed to:

San Mateo County Sheriff's Office
Northern California Regional Intelligence Center
Fiscal Services Bureau
P. O. Box 36102
San Francisco, CA 94102

- D. In any event, the total payment by City for services outlined in this agreement shall not exceed **\$125,000**.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: August 18, 2016

**SUBJECT: ADOPTION OF TEXT AMENDMENTS TO SECTION 17.12.030.C -
TABLE 2-1 AND SECTION 17.52.030 OF TITLE 17 (ZONING CODE)
OF THE SEASIDE MUNICIPAL CODE (FIRST READING – ROLL
CALL VOTE)**

PURPOSE

In accordance with Section 17.74.050.A of the Seaside Municipal Code (SMC), a public hearing is being conducted to consider the first reading of proposed text amendments to Section 17.12.030.C – Table 2-1 and Section 17.52.050 (Day Care Facilities) of Title 17 of the Seaside Municipal Code, Section.

RECOMMENDATION

It is recommended that the City Council hold a public hearing to conduct the first reading of Seaside Municipal Code Amendment No. 16-02, and after considering all evidence and testimony presented, adopt the draft Ordinance provided as Attachment 1 recommending approval of the proposed text amendments.

BACKGROUND

The proposed text amendments have been initiated by the Community Development Director in response to discussions that the City of Seaside has recently held with the business owner of the Avondale Day Care Center that is currently located within a former MPUSD elementary school site at 1440 Elm Street. The Avondale day care center currently provides day care services for approximately 100 children between the ages of 2 and 6. In March of 2016, the owner of the Avondale Day Care Center was informed by MPUSD that her lease will be terminated in July of 2017 a MPUSD will be repurposing the school site for MPUSD child care and after school programs beginning in the 2017-2018 school calendar.

In search of alternate locations, the business owner of Avondale Day Care Center has identified

the Successor Agency owned parcel identified as the Troia Building at 1280 and 1284 Broadway Avenue as a viable site to relocate her existing day care services and programs while providing for opportunities to continue to expand and improve her existing services and programs. The business owner has submitted a purchase agreement for the site at the full appraised value subject to the City completing a Text Amendment to the Zoning Code to allow for a day care center at this location. In accordance with Section 17.52.050.D.1 of the SMC, a day care is restricted from being located closer than 500 feet from a RS (Low Density Residential) zoning district. The parcels located to the east of the site that are separated from the rear property line by a 16-foot wide alley are zoned RS-12 (Single Family Residential). The proposed text amendments would be made to Section 17.12.030.C: Table 2-1 and Section 17.52.050 of the Seaside Municipal Code to allow for day care centers to be placed within or close proximity of low density (RS) residential zones subject to the issuance of a use permit. 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 provisions which currently prohibit a Child Day Care Center to be located either in a RS zone district or within 500 feet of a RS zoning district were added to the Zoning Code 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, the prior text changes 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. City staff also finds that the public benefit of an appropriately sited day center with access to arterial and collector streets and adequate play areas is in the best interest of the community. The use permit process would enable the City to protect the general health, welfare, and safety of the community from placing a day center near a single family neighborhood that would result in a significant impact (e.g. noise, traffic, visual blight).

IN ACCORDANCE WITH SECTION 17.74.040 OF THE SEASIDE MUNICIPAL CODE, ON AUGUST 10, 2016 THE PLANNING COMMISSION HELD A PUBLIC HEARING ON THE PROPOSED TEXT AMENDMENTS TO RECEIVE PUBLIC COMMENT AND PROVIDE THE CITY COUNCIL WITH A RECOMMENDATION. THE PLANNING COMMISSION ACTED TO ADOPT PLANNING COMMISSION RESOLUTION NO. 16-10 (SEE ATTACHMENT 2) RECOMMENDING THAT THE CITY COUNCIL ADOPT THE PROPOSED TEXT AMENDMENTS AS CONTAINED IN THE DRAFT ORDINANCE PROVIDED AS ATTACHMENT 1.

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 REPORT

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 based on a single application to convert a single family dwelling located within the middle of a RS zoned neighborhood developed primarily with single family dwellings.

In review of these text amendments, City staff finds that these changes have resulted in unduly impairing the City's ability to provide for 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 in accordance with the land use compatibility checklist listed under Land Use Policy LU-4.1 of the Seaside General Plan. 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:

- 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;
- 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 Land Use Compatibility Checklist to help City staff determine if the project complements existing land uses and enhances the character of the community.. 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 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.

CONCLUSION

City staff recommends the City Council introduce the Ordinance, open the public hearing to accept public testimony/comments, and pass to print the Ordinance for adoption at a second reading.

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 Exhibit "A" to the Draft Ordinance listed as Attachment 1. 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 for this item.

ATTACHMENTS

1. Attachment 1 - Draft Ordinance
2. Exhibit A - Initial Study for Day Care Center Amendment
3. Attachment 2 - Planning Commission Resolution No. 16-10

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING TEXT AMENDMENTS TO TITLE 17 OF THE SEASIDE MUNICIPAL CODE AND MAKING AN ENVIRONMENTAL DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDIN AS FOLLOWS:

Section 1. In accordance with Section 17.74.050 of the Seaside Municipal Code, it is the responsibility of the City Council to consider and weigh the merits of proposed text amendments to the Seaside Municipal Code and the public input received on the proposed text amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

Section 2. On August 10, 2016, the Seaside Planning Commission held a public hearing to provide the City Council with a recommendation on the proposed text amendments and considered all oral comments and written information concerning the proposed Ordinance; and

Section 3. On August 18, 2016, the Seaside City Council introduced the first reading of the draft Ordinance and considered oral comments and written information concerning this Ordinance at a duly noticed public hearing; and on the basis of the record thereof finds the following facts to be true;

Findings:

1. The proposed text amendments are in compliance with the 2004 Seaside General Plan.

Evidence: The proposed text amendments will continue to ensure that all new development will fund its share of community services and facilities (e.g. parks, roads, trails, and utilities); uses quality design and materials; and is compatible with surrounding uses, the site, and available infrastructure.

3. The exemption from the California Environmental Quality Act (CEQA) has been CEQA Guidelines

Evidence: 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" to the Draft Ordinance. 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 text amendments 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

Section 4. The proposed amendments to Title 17 of the Seaside Municipal Code consist of the following:

* **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.

Section 5. Severability.

A. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable.

B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentences, clauses or phrases even if certain parts are held to be unconstitutional, invalid or unenforceable.

Section 6 Legal Construction. The provisions of this Ordinance shall be construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of public health, safety, and welfare.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

Section 8. The City Clerk shall certify to the adoption of this Ordinance and shall, within fifteen (15) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of State of California with the names of City Council members voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Seaside on the 18th day of August, 2016, and

PASSED AND ADOPTED by the City Council of the City of Seaside on the 1st day of September, 2016, by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

APPROVED:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

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).

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.

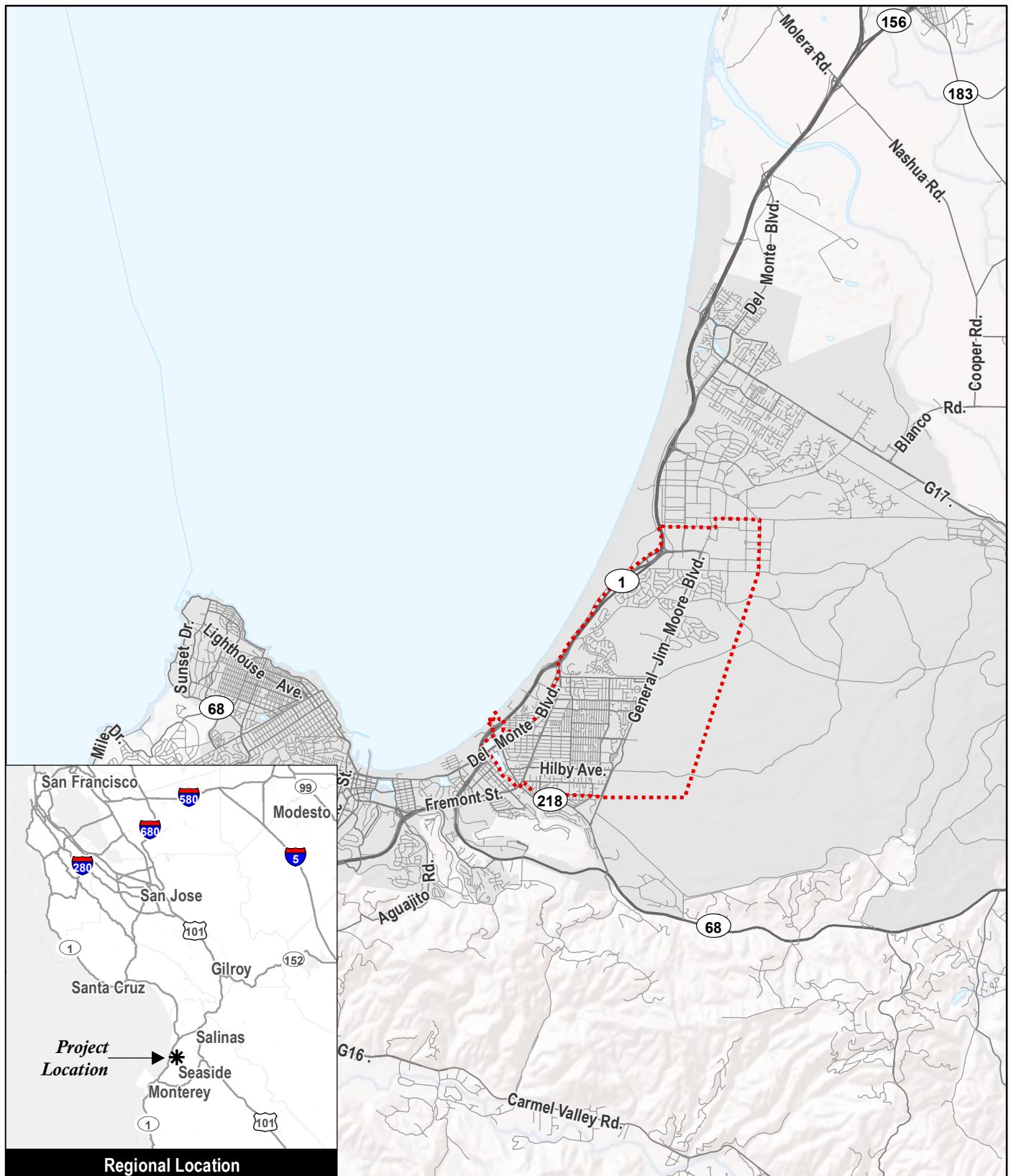
Potential noise sources shall be identified during the Use Permit process, and noise attenuation and sound dampening (e.g. Solid Walls or Landscape Hedge/Buffer) as determined by the review authority shall be addressed-provided.

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



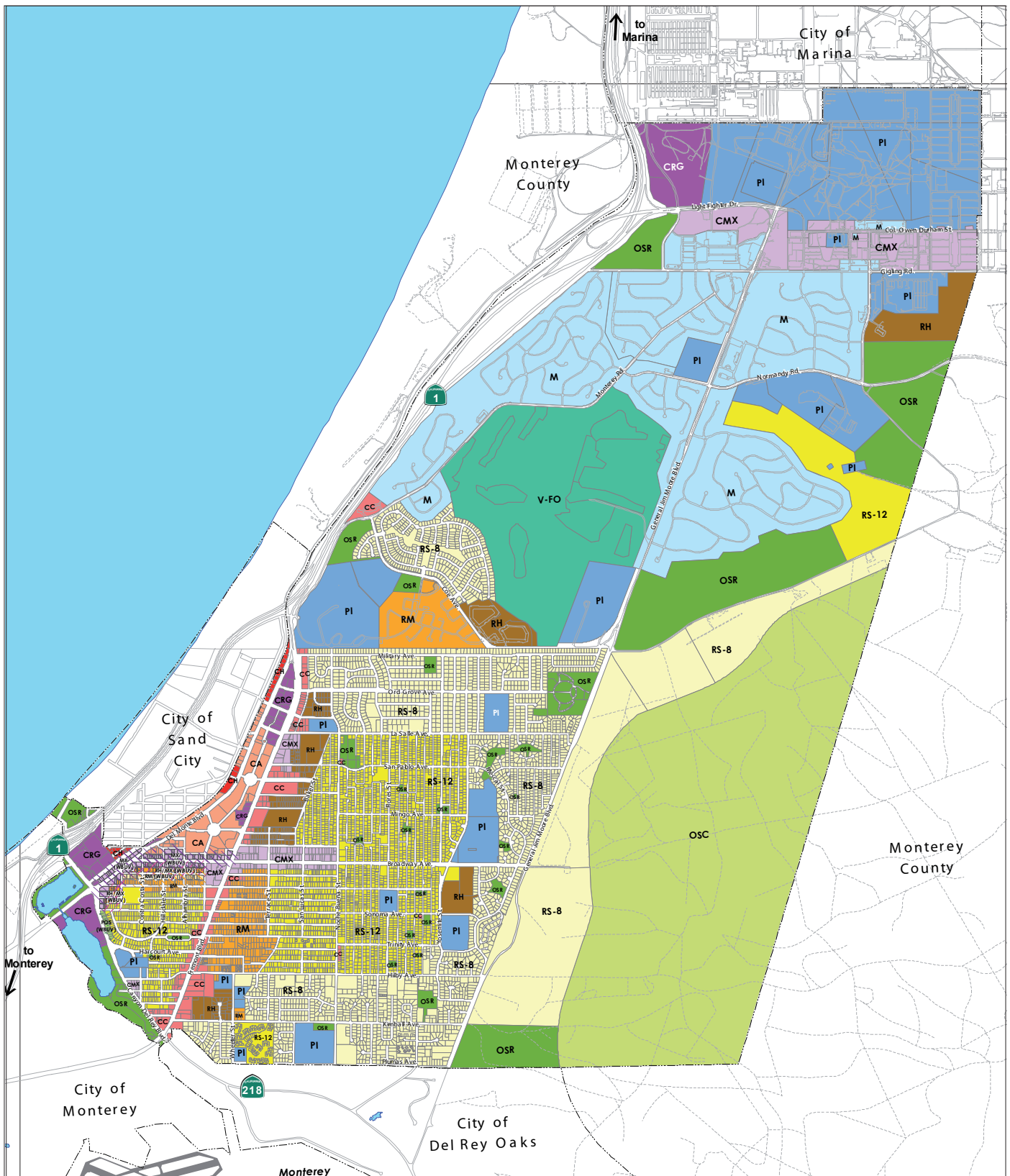
Seaside City Limits

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.

RESOLUTION 16-10

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;
 - (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.

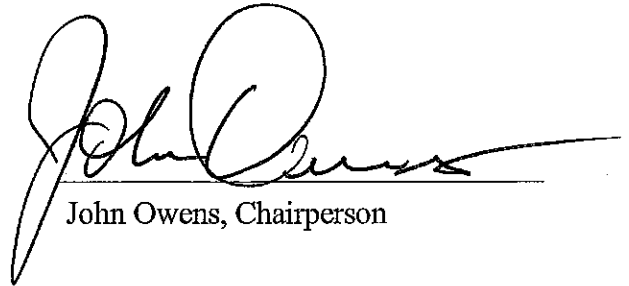
PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of August, 2016, by the following vote:

AYES: Lechman, Ross, Spalletta, Owens

NOES: None

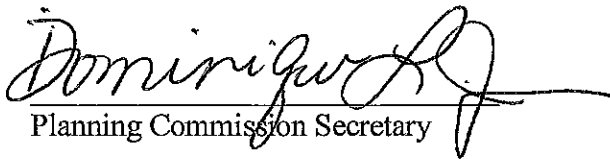
ABSENT: Dodson, La Mica

ABSTAIN: None



John Owens, Chairperson

ATTEST:



Planning Commission Secretary



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: August 18, 2016

SUBJECT: **CONSIDER USE PERMIT APPLICATION NO. UP-14-05 FOR THE CONSTRUCTION OF A 144-BED SENIOR ASSISTED LIVING RESIDENTIAL CARE FACILITY LOCATED AT 550 MONTEREY ROAD IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT.**

PURPOSE

The purpose of this item is for the City Council to consider granting the following entitlements:

1. Approval of use permit application for the construction of a 144-bed Residential Care Facility; and
2. Adoption of a Mitigated Negative Declaration (MND) for the construction of a 144-bed Residential Care Facility.

RECOMMENDATION

It is recommended that the City Council receive the presentation from City staff and the applicant, accept public comments, and adopt a Resolution for the approval of a Mitigated Negative Declaration provided as Attachment 1 and a Resolution for the approval of a Use Permit application for the proposed 144-bed Senior Living development project.

BACKGROUND

Exclusive Negotiating Agreement

On May 16, 2013, the City of Seaside, the Successor Agency to the former Redevelopment Agency and Seasons Management (Applicant) entered into an Exclusive Negotiating Agreement

(ENA) for the proposed development of approximately 5.47 acres of land on the former Fort Ord for a 131-bed residential care facility and a 13-unit co-housing facility.

Applications and Process

Under the ENA, the City has received the following development applications from Seasons Management for the proposed development:

1. Use Permit Application No. UP-14-05 and
2. Board of Architectural Review Application No. BAR-14-20.

In accordance with the California Environmental Quality Act, City staff in coordination with its environmental consultant, LSA Associates, has completed an Initial Study (IS)/Mitigated Negative Declaration (MND) to address the potential environmental impacts associated with the proposed development. The Draft IS/MND was circulated for a 30-day public review beginning on March 18, 2016 and ending on April 18, 2016. The Final IS/MND is available for review at the following web link:

<http://www.ci.seaside.ca.us/511/Seaside-Senior-Living>

A total of three public comments were received during the 30-day public review with a fourth public comment received after the close of the public review period on May 10, 2016. The response to the public comments is provided as Attachment 11

On May 4, 2016, the project was reviewed by the Board of Architectural Review to provide the Planning Commission and City Council with the Board's preliminary assessment of the architectural design and site plan for the project. The following issues were discussed:

1. Location of Co-Housing Building: The following comments were received from the public:
 - The close proximity of the co-housing building to Monterey Road and removal of mature Monterey cypress trees on the south and east side of the co-housing building.
2. Potential loss of views from the Seaside Highlands residential community looking onto the Monterey Bay.
3. Light pollution from parking lot and wall lights on the buildings.
4. Height of Monterey Pines.

A discussion of the Board's response to these comments and the overall assessment of the architectural design elements on the project is provided in the staff analysis.

ND DESCRIPTION

Environmental Setting

The project site is located at 550 Monterey Road, on the north side of Monterey Road at the intersection of Monterey Road and Coe Avenue. The project site is approximately 5.47 acres (Assessor's Parcel Number [APN] 031-141-004). The project site was previously owned by the United States (U.S.) Army. There is currently one 5,000 square foot (sf) structure located on the project site that would be removed as part of the proposed project. The structure was formerly used by the U.S. Army as a convenience store and gas station but is currently vacant.

The project site is bounded by California State Route 1 (SR-1) to the west, residential housing and a large stormwater basin to the east-northeast, Monterey Road and residential housing to the south and southeast, and Monterey Road, open space, and residential housing to the south-southwest. The majority of the project site is currently undeveloped with the exception of the 5,000 sf structure, an asphalt parking area, and the parking lot lights. The project site is generally flat, sloping from Monterey Road downward towards SR-1. There are three bluegum eucalyptus (*Eucalyptus globulus*) and 94 Monterey cypress (*Cupressus macrocarpa*) on the project site, with ice plant (*Carpobrotus edulis*) being the predominant groundcover. The remainder of the project site is primarily characterized by non-native ruderal plant species.

Adjacent land uses are presented in Figure 1, Project Site Adjacent Land Uses. Location Map is provided as Attachment 3. Site Photographs are provided as Attachment 4.

Figure 1: Project Site Adjacent Land Uses

NW	N			NE
	Highway One	Army Housing	Seaside Highlands	
W	Highway One	Project Site	Seaside Highlands	E
	Highway One	Monterey Road	Seaside Highlands	
SW	S			SE

ENVIRONMENTAL REVIEW

An initial study and Mitigated Negative Declaration (MND) were prepared for the project. The initial study identifies potential impacts in the areas of: aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning noise, population and housing, public services, recreation, transportation/traffic. Mitigation measures are presented to reduce all impacts to a less than significant level.

The initial study was circulated for public review from March 18 to April 18, 2016. Comments were received from the following agencies/individual:

Public Agency Comments

1. Cal Trans (Public Agency)

Public Comments

- 1 Yu-Chu Shen (Seaside Resident)
- 2 Seaside Senior Living (Applicant)
- 3 Dave Evans, (Seaside Resident) (1st Comment)
- 4 Dave Evans (Seaside Resident) (2nd Comment submitted)

The response to the comments on the IS/MND is provided on Pages 7-64 of the Final IS/MND.

The Draft Resolution for the approval of the Mitigated Negative Declaration is provided as Attachment 1.

PROJECT DESCRIPTION

Project Description

The proposed project would include the demolition of the existing 5,000 sf structure and the development of a State of California licensed Residential Care Facility for the Elderly (RCFE). A Residential Care Facility for the Elderly means a housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator, or other responsible person; where 75 percent of the residents are 60 years of age or older and where varying levels of care and supervision are provided, as agreed to at time of admission or as determined necessary at subsequent times of reappraisal. Any younger residents must have needs compatible with other residents. The RCFE will be comprised of three buildings that will house three separate facilities on the project site (refer to Attachment 5, Conceptual Site Plan). The three facilities would include an Assisted Living Facility (81,679 sf) (refer to Building A-1 on Attachment 5), a Memory Care Facility (29,707 sf) (refer to Building A-2 on Attachment 6), and a Co-Housing Facility (10,894 sf) (refer to Building B on Attachment 5), for a total of 122,280 square feet of new construction. The proposed project would be constructed in compliance with current California Building Code and Americans with Disability Act Standards. The proposed project would be constructed in one phase. Project construction is anticipated to last approximately 18 months. The Draft Resolution for the approval of the Use Permit is provided as Attachment 2. The project plans are provided as Exhibit A to Attachment 2.

PROJECT OBJECTIVES. The City and the project Applicant have established the following project objectives:

- Create a State Licensed Residential Care Facility for the Elderly (RCFE) providing Assisted Living and Memory Care, with associated amenities, including on-site memory support, healthcare by licensed professionals, and recreational activities along with cultural and therapeutic programs to seniors;
- Offer an assisted living facility for seniors, a type of residential housing not currently provided in the City;

- Create new employment opportunities in the City; particularly for healthcare professionals specializing in care and recreational services for seniors, and supporting fields;
- Contribute to improved residential options for senior citizens within the City by creating a development that incorporates the following design and planning principles as part of the project: safety and security, recreation and therapeutic activities, on-site management and healthcare, and transportation, including shuttle service to local restaurants, shopping, and health services; and
- Design a project that incorporates sustainable features including low-flow water fixtures, energy-efficient mechanical systems, and the use of recycled materials.

PROJECT TECHNICAL, ECONOMIC, AND ENVIRONMENTAL CHARACTERISTICS. The 2004 Seaside General Plan designates the project site as Community Commercial (CC). The City Zoning Ordinance (Title 17 of the Municipal Code) designates the project site as Community Commercial (CC).

DEMOLITION AND UTILITY RELOCATION. The proposed project would include demolition of the existing 5,000 sf structure, on-site pavement, parking lights, and gas pump islands and covers (the gas pumps were previously removed by the U.S. Army in 1996).

The proposed project would also include replacement of the following existing utilities in the same general location, within the western part of the project site bordering SR-1, as they are currently provided: (1) AT&T underground phone lines, (2) Marina Coast Water District's 10-inch pressurized sewage pipe line, and (3) an 8-inch gravity-fed sewage pipe line, which would be replaced with a 12-inch sewage pipe line.

Additionally, the proposed project would require reconstructing the following utilities that run along the westerly side of the project site: (1) a storm drain trunk line and (2) fiber optic cables.

PROJECT COMPONENTS. The proposed project would develop two buildings that would house three related senior living uses on the project site including an Assisted Living Facility (81,679 sf) (refer to Building A-1 on Attachment 5), a Memory Care Facility (29,707 sf) (refer to Building A-2 on Attachment 5), and an Assisted Living Co-Housing Facility (10,894 sf) (refer to Building B on Attachment 5) for a total of 122,280 sf of new development. The specific components and amenities of each facility are provided below.

1. Assisted Living Facility.

The proposed 81,679 sf Assisted Living Facility would be part of a two-story structure containing 88 residential units (Refer to Sheet A3.1 of the project plans in Exhibit of Attachment 2 for the Assisted Living Elevations). A portion of the second story would be located above the adjoining Memory Care Facility. Of the 88 total residential units, there would be 39 studios (averaging 440 sf per unit), 42 one-bedroom units (averaging 550 sf per unit), and seven (7) two-bedroom units (averaging 700 sf per unit). The facility would be designed to serve approximately 100 seniors with daily living services. The studio

units would include a kitchenette while the one- and two-bedroom units would include a full kitchen. All units would include Americans with Disabilities Act (ADA)-compliant bathrooms. The one and two bedroom residential units would be designed to accommodate two individuals; the studio units would be designed to accommodate one individual. The Assisted Living Facility would also provide a Fire Code-approved elevator.

The Assisted Living Facility would offer residents daily meals served in a large dining area, housekeeping services including laundry, transportation, social and therapeutic services, entertainment, and options for personal care. The 81,679 sf facility would include the following amenities for residents: lobby/living room, dining room, wellness clinic, theater, activity/social room, beauty/barber salon, central kitchen, laundry facility, and outdoor recreational spaces.

2. Memory Care Facility.

The proposed 29,707 sf Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level (Refer to Sheet A3.2 of the project plans in Exhibit "A" of Attachment 2 for the Memory Care Elevations). Of the 43 total residential units, there would be 31 private studios (averaging 330 sf per unit) designed for one resident and 12 companion studios (averaging 400 sf per unit) designed for two residents. The facility would be designed to serve approximately 55 mentally impaired seniors with assisted living care and therapeutic programs. The facility would consist of four distinct neighborhoods of approximately 11 units each. Each neighborhood would have access to two secure inner courtyards (2,992 sf outdoors). Each neighborhood would include a therapy kitchen, living room, dining room, and activity areas. All units would include ADA-compliant bathrooms; however, no kitchens or kitchenettes would be available within the units. Additionally, the facility would include staff offices, a staff conference room, a staff lounge, secured medication storage, therapy spa, kitchen prep-room, and a laundry facility.

3. Co-Housing Facility.

The proposed 10,894 sf Co-Housing Assisted Living Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for seniors requiring assisted living facilities (Refer to Sheet A4.1 of the project plans in Exhibit "A" of Attachment for the Senior Co-Housing Elevations). Each unit would be approximately 490 sf and would be designed to serve 1 to 2 people. All units would include ADA-compliant bathrooms and a small kitchenette. All residential units would open to common living areas that would include (1) community kitchen, dining areas, living rooms, a laundry facility and outdoor patios. The building would also provide one Fire Code-approved elevator.

ARCHITECTURAL STYLE.

The buildings would be designed in the traditional California Craftsman architectural style with

the use of Cementitious horizontal lap siding (Hardieplank) and shingle siding (Hardieshingles) as the dominant exterior siding material. Other building materials would consist of some plaster elements and stone masonry/flagstone pier cap details, decorative wood lattice, wood corbels at the roof gables, flower boxes, pyramidal columns at front gable entry feature, and wood fascia to further accentuate and highlight the California Craftsman architectural style. The architectural detail would also be characterized by neo-traditional California Craftsman design including entry porches, hip roofs, overhangs with exposed rafter tails, windows with divided lights, wood castings and head and sill trim around all windows and doors. The roof material would consist of charcoal asphalt shingles in a weathered wood finish. The proposed project includes aluminum-clad French doors and lights and single-hung windows. The exterior color palette will consist of the following colors: (Color sample identified on Sheet A3.3.1a, A3.3.2a and A3.4.1a of the project plans):

1. Frazee "Deck Chair" CL 2684D
 2. Frazee "The Loft" CLC 1210D
 3. Frazee "Mosquito" CL 2875A
 4. Frazee "Burlap" CL 2794D
 5. Frazee "Excalibur" CL 3173M
- A concept color and material board will be available at the meeting.

All services including trash and recycling, emergency power, and delivery areas would be located along the northern extent of the facilities (rear of the building) and would be screened from public view.

One single sided freestanding monument sign, approximately 6-feet (ft) high by 10 ft wide, would be constructed near the project driveway entrance opposite Coe Avenue. The monument sign would be composed of a stone masonry base with an approximately 3 ft. by 6.5 ft. metal sign hung from a wooden lattice-style pergola frame. The sign letters will consist of individual metal letters. Cross section of the monument sign is shown at the bottom of Sheet A3.3 The sign would be externally illuminated with an up lit fixture as depicted on the side elevation detail. Internal directional signage would also be provided on the site.

LIGHTING. On-site lighting for the proposed project would consist of traditional California craftsman style single head carriage lights located in the parking and driveway areas (approximately 12 ft. high), walkway bollard lighting (approximately 3 ft high), landscape lighting, and wall-mounted single-head lights at the building entrances, the sides of the building, and within in the courtyard areas of the assisted living facility, on the Co-Housing area, and the trash and recycling enclosure area (refer to Table II.1, below).

Table II.1: Outdoor Lighting Plan

Lights	Front	Rear	Sides	Total
--------	-------	------	-------	-------

Single-Head Lights: Parking	3	9	3	15
Building Entrances	2	2	0	4
Building Sides	3	8	7	18
Trash & Recycling Enclosure	0	0	1	1
Co-housing Lights	2	1	3	6
Total Count	10	20	14	44

All exterior lighting would be in conformance with the City's Outdoor Illumination Standards (City Municipal Code 17.30.070) and would not result in spill-over to any adjacent properties. The applicant would utilize a dark sky fixture to orient all lighting in a downward direction to the greatest extent possible. Building exterior lights would be surface-mounted and directed away or screened from adjacent residential uses. A photometric lighting plan is included as Sheet SL-1 on the project plans.

LANDSCAPING. The proposed project would include approximately 61,856 square feet of landscaping, including around the exterior perimeter of the primary Assisted Living and Memory Care facility, around the perimeter of the parking areas, and within the courtyards and gardens. California native plants and drought-tolerant species consisting of trees, shrubs, ground covers and grasses would be used on the site. The planting areas would be separated into eight Plant Zones as listed on Sheet L.1.3 of the project plans. The plant materials that would be used within each zone and the water use rating for each plant species are identified under the Plant Legend on Sheet L1.3.

Construction of the proposed project would require the removal of 84 trees – three bluegum and 81 Monterey cypress trees. Thirteen of the existing Monterey cypress located adjacent to SR-1 would remain and would be integrated into the proposed project. 81 of the Monterey cypress trees to be removed by the proposed project would be replanted on the site, 63 of which would be replaced in-kind with minimum 5-gallon containers of Monterey cypress and 18 replaced with different tree species. The different tree species would consist of the following species:

1. Arbutus marina - 24"-Box
2. Fernleaf Catalina Ironwood - 15-gallon
3. Cajeput Tree - 15-gallon
4. Fruitless Olive - 24'-Box
5. Beach pine - 24"-Box

The irrigation system for the proposed project would be designed in compliance with the State of California Green Building Code, Title 24 energy efficiency requirements, and Assembly Bill 1881, which promotes water efficient landscaping. The irrigation system would be designed to reflect the existing site soil conditions and would be installed by hydrozones as established by the planting plan. The irrigation system would also be designed to the recorded static pressure available on site in order to prevent runoff and overspray. The irrigation system would include the following features:

- Automatic irrigation controller with evapotranspiration data and rain sensors.

- All sprinkler heads matched to precipitation.
- No overhead spray used in areas less than 8 ft in width.
- Overhead irrigation set back 24 inches from non-permeable surfaces.
- Irrigation distribution through a mix of: low-flow, high-efficiency spray nozzles; point source drip; subsurface drip; and bubblers.

PARKING. The proposed project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The Assisted Living Facility and Memory Care Facility combined would provide 78 parking spaces for residents, visitors and employees. The Co-Housing Facility would provide 14 parking spaces for residents and visitors. Of the 92 total parking spaces, 8 parking spaces would be ADA-compliant and designated as handicap parking, 6 parking spaces would be designated for low-emitting and fuel-efficient vehicles and provide electric vehicle charging stations, 23 parking spaces would be designated for compact vehicles, and 55 parking spaces would be designated for standard vehicles. An additional 9 spaces would be provided for bicycle parking, and 2 spaces would be provided for motorcycle parking.

ACCESS AND CIRCULATION. Local access to the project site is provided by Monterey Road. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft. east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. Both driveways are proposed to have a single ingress and egress lane.

The intersection at Coe Avenue/Monterey Road would be converted to a four-way stop as part of the proposed project. In order to provide full access to the main entrance, the following lane configurations/reconfigurations would be included as part of the proposed project:

- Northbound Coe Avenue: One left-turn lane, one through lane, and one right-turn lane
- Southbound main project entrance: One left-turn lane, one through lane, and one right-turn lane
- Eastbound Monterey Road: One left-turn lane, one through lane, and one right-turn lane
- Westbound Monterey Road: One left-turn lane, one through lane, and one right-turn lane

The second driveway is located approximately 400 ft. east of the intersection of Monterey Road and Coe Avenue, and is near the eastern end of the project site. The proposed project would provide a stop sign within the development approximately 5 ft. before the terminus of the driveway and its intersection with Monterey Road.

Circulation within the project site would include an internal road forming a “loop” that would provide access to the three facilities, parking, and fire hydrants for emergency fire response. The internal road would provide one lane of travel in each direction and would be accessible from each driveway.

UTILITIES AND SERVICES. The Marina Coast Water District (MCWD) provides water,

wastewater, and recycled water services to the project site. MCWD must issue a water permit for any development or redevelopment activity that would involve the connection or modification of a connection to an existing water or wastewater distribution system, such as the proposed project.

Wastewater from the proposed project would be sent, via lines owned and managed by MCWD, to the Monterey Regional Water Pollution Control Agency's (MRWPCA) Regional Wastewater Treatment Plant where it would be treated. The existing sewer lines within the vicinity of the project site include one 8-inch gravity-fed sewage line and one 10-inch pressurized line. The Assisted Living Facility and Memory Care Facility would connect directly to the 8-inch gravity-fed sewage line, which would be relocated and upgraded to a 12-inch gravity-fed sewage line as part of the proposed project.

Stormwater runoff from the new impervious surfaces would be treated by means of rain gardens (planted depressions allowing stormwater runoff from impervious surfaces the opportunity to be absorbed) permeable pavement, and infiltration on site. The proposed project includes the installation of seven rain gardens (varying in size) located along the exterior perimeter of the three buildings. Throughout the project site, drain inlets and a pipe system would be provided to collect the storm water from the driveways and other impervious surfaces, and direct it to the rain gardens, with the exception of the southerly, undeveloped end of the project site. In this location, the existing vegetation would be protected in place and runoff would infiltrate directly into the ground. Pervious pavers would be installed at interior courtyards and in all parking stalls. The new stormwater drainage system would accommodate storm water up to the 100-year storm.

Sustainable Development. The proposed project would incorporate the following sustainable design features to the greatest extent feasible:

- Use of "Green Building Materials," such as those materials that are resource-efficient, recycled, and manufactured in an environmentally friendly way, including low-volatile organic compound materials and materials free from formaldehyde;
- Installation of energy-efficient mechanical systems and solar systems;
- Supplying of electric auto chargers on site;
- Installation of water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets, and waterless urinals. Plum for recycled water (purple water) and on site gray-water systems;
- Designing buildings to promote the use of natural daylight and increase natural ventilation;
- Installation of occupancy sensor controlling lights in facility hallways, stairwells, offices, restrooms, and amenity areas;
- Installation of shading devices on south and west facing windows to reduce heat transfer from the sun;
- Installation of air conditioning systems free from chlorofluorocarbons (CFCs) and hydrofluorocarbons (HFCs) as part of the refrigerant system;
- Provision of a landscape and development plan for the proposed project that includes:
 - Native and/or drought-tolerant plants;
 - Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
 - Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated

- surfaces) and control runoff; and
- Provision of interior and exterior storage areas for recyclables and green waste from kitchen uses.

DEVELOPMENT REVIEW AND APPROVAL PROCESS

In accordance with Sections 15050 and 15367 of the California Environmental Quality Act (CEQA) Guidelines, the City is the designated Lead Agency for the proposed project and has principal authority and jurisdiction for CEQA actions. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by a proposed project.

The ministerial and discretionary actions to be considered by the City as a part of the proposed project include:

- **Use Permit:** Review and approval by the City Planning Commission and City Council of a Use Permit for the development of a 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, including landscaping and parking areas.
- **Sign Permit:** Review and approval by the City's Board of Architectural Review of a Sign Permit for the proposed project.
- **Plan Review:** Review and approval of the proposed project's Site and Elevation Plan, Lighting Plan, and Landscape Plan by the City's Board of Architectural Review.

STAFF ANALYSIS

General Plan/Zoning Ordinance/Fort Ord Reuse Plan

The project site is designated as Community Commercial on the General Plan Land Use Map and is zoned as Community Commercial (CC).

1. General Plan

The following goals and policies from the 2004 City of Seaside General Plan are applicable to the proposed project:

Goals: Land Use: Goals LU-2, LU-4, LU-5, LU-6, and LU-8
 Circulation: Goal C-4
 Safety: Goals S-1 and S-2
 Noise: Goals N-1 and N-3
 Housing: Goals H-1, H-2, and H-3

Policies: Land Use: Policies LU-2.4, 4.1, 5.1, 5.3, 6.1, 6.2, and 8.2
 Circulation: Policies C-4.1, C-4.2, and C-4.3
 Safety: Policies S-1.1, S-1.2, S-1.3, and S-2.2
 Noise: Policies N-1.1 and N-3.1

Housing: Policies H-1.6, H-1.7, H-2.5, H-2.6, H-2.7, and H-3.1

The proposed project was found to be consistent with all applicable goals and policies found in the 2004 City of Seaside General Plan. General Plan Consistency Table is listed as Attachment 6.

2. Zoning Ordinance

The proposed buildings are being designed as a two-story development consistent with the following Community Commercial Development Standards:

Residential Care Facility (Building A and Building B)

Development Standard	Required	Proposed
Setbacks		
Front	0	45'
Sides	0	40'.52" on south side
Rear	100' (Highway 1 Scenic Corridor Setback)	114'-24"
Setback from Highway 1 Design Corridor	100 feet	114'-24"
Height Limit	4 stories or 48 feet	34 feet
Landscaping	10% of the parking lot (6,488 sq. ft.)	61,856 sq. ft.
Parking	1 space per two units, plus 1 space per 4 units for guest and employees (88 units/2) + 88 units/4)= 66 parking spaces	78 parking spaces
Signs	One monument sign not to exceed 100 square feet and 14 feet in height	One monument sign at 6 feet in height with a single face sign totaling 19 square feet in area

Co-Housing Facility (Building C)

Development Standard	Required	Proposed
Setbacks		
Front	0	16'-10"
Sides	0	140'
Rear	100' (Highway 1 Scenic	100'

	Corridor Setback)	
Setback from Highway 1 Design Corridor	100 feet	100'
Height Limit	4 stories or 48 feet	30'
Landscaping	10% of Parking lot (6,488 sq. ft.)	61,856 sq. ft.
Parking	1 space per two units, plus 1 space per 4 units for guest and employees (13 units/2) + (13 units/4)= 10 parking spaces	14 parking spaces
Signs	One monument sign not to exceed 100 square feet and 14 feet in height	None proposed

The proposed buildings will be two stories in height with varying setbacks between 16-feet and 40 feet on the front (East), 40-feet and 140 feet on the sides (North and South) and 100 feet and 114-feet at the rear (West). The parking areas will be located on the south side and west areas of the site. The proposed project will provide landscaping buffers, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas to the east, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with a multi-family residential use. The monument sign will be at a scale and design that would blend the Craftsman Style architecture and would be compatible with the surrounding residential character to the north and east of the site.

3. Fort Ord Reuse Plan

The project site is located within the jurisdiction of the Fort Ord Base Reuse Plan (BRP). The BRP was created by the Fort Ord Reuse Authority who is responsible for overseeing the redevelopment of the former Fort Ord Army Base. The base was closed in 1994 and the BRP was adopted in 1997 to oversee the redevelopment of the site from military uses to primarily civilian uses and was then reassessed in 2012. The BRP lays out objectives and policies that are intended to guide developers who wish to build within the boundaries of the former base. These objectives and policies are also intended to guide the decision making of the local municipal governments as they create policies and other land use plans. In order for a project to be considered consistent with the BRP it must be consistent with all applicable objectives and policies that are found in the BRP. The following objectives and policies from the Fort Ord Base Reuse Plan are applicable to the proposed project:

Objectives: Land Use Element: Residential Land Use Objectives B and C
Land Use Element: Institutional Land Use Objective D
Conservation Element: Soils and Geology Objective A
Conservation Element: Hydrology and Water Quality Objective C
Noise Element: Objective A
Safety Element: Seismic and Geologic Hazards Objective A

Safety Element: Fire, Flood and Emergency Management Objective A
Safety Element: Hazardous and Toxic Materials Safety Objective A

Policies: Land Use Element: Residential Land Use Policies B-1 and C-1
Land Use Element: Institutional Land Use Policy D-2
Conservation Element: Soils and Geology Policy A-2
Conservation Element: Hydrology and Water Quality Policy C-2
Noise Element: Policies B-8 and B-9
Safety Element: Seismic and Geologic Hazards Policy A-2
Safety Element: Fire, Flood and Emergency Management Policy A-2
Safety Element: Hazardous and Toxic Materials Safety Policy A-1

The proposed project was found to be consistent with the above applicable objectives and policies in the BRP, and therefore, is considered consistent with the BRP. Fort Ord Base Reuse Plan Consistency Table is listed as Attachment 7.

The subject property is also located within the 1,000-foot Highway 1 Design Corridor which has been established by the Fort Ord Reuse Authority for projects on the former Fort Ord east of Highway 1. The boundary map is provided as Attachment 8. Developments shall comply with the following standards:

1. Provide access to bicycle links.
2. Use of Sustainable Building Design approaches.
3. To the maximum extent possible fill gaps between trees that exist between the development and Highway 1.
4. Adhere to 100 foot setback for buildings and 25-foot setback from Highway 1 for the preservation of existing mature trees.
5. Jurisdictions shall encourage compatible signage and common themes so that the look and feel of the corridor retains a connected quality to the environment.
6. Buildings and structures within the 1000-foot design corridor should not exceed the height of a mature Monterey Cypress tree established at 40-feet or 2 ½ stories (40-Feet).

The proposed project will be consistent with the Highway 1 Design Corridor standards as follows:

1. **Bicycle Links:** The project site will not disrupt or cause any changes to the existing bicycle path links that extend along Monterey Road between Seaside High School to the south and the military housing community to the north. The project would not require the development of a new bike path or expansion of an existing bike path.
2. **Sustainable Development:** The proposed project would incorporate the following sustainable design features to the greatest extent feasible:
 - Use of “Green Building Materials,” such as those materials that are resource-efficient, recycled, and manufactured in an environmentally friendly way, including low-volatile organic compound materials and materials free from formaldehyde;

- Installation of energy-efficient mechanical systems and solar systems;
 - Supplying of electric auto chargers on site;
 - Installation of water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets, and waterless urinals. Plum for recycled water (purple water) and on site gray-water systems;
 - Designing buildings to promote the use of natural daylight and increase natural ventilation;
 - Installation of occupancy sensor controlling lights in facility hallways, stairwells, offices, restrooms, and amenity areas;
 - Installation of shading devices on south and west facing windows to reduce heat transfer from the sun;
 - Installation of air conditioning systems free from chlorofluorocarbons (CFCs) and hydrofluorocarbons (HFCs) as part of the refrigerant system;
 - Provision of a landscape and development plan for the proposed project that includes:
 - Native and/or drought-tolerant plants;
 - Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
 - Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff; and
 - Provision of interior and exterior storage areas for recyclables and green waste from kitchen uses.
3. **Tree Planting:** A total of 13 mature Monterey Cypress trees located within 30-feet of the project site will be retained. A total of 63 new Monterey Cypress trees will be planted within 25-30 feet of the design corridor to provide infill tree growth between the project site and the Caltrans right-of-way.
4. **Highway 1 Design Corridor:** The closest building to the Highway 1 Design Corridor boundary will be setback 114-feet from the nearest edge of the 1000-foot design corridor.
5. **Architecture:** The building design will consist of California Craftsman architectural design to blend with the natural environment of the surrounding open space. Additionally, the building heights will be maintained at 34 feet so as to not exceed the height of the existing Monterey Cypress trees which border the Caltrans right-of-way.
6. **Building Heights:** The buildings will be constructed at height of 34 feet for the Residential Care Facility and 30 feet for the Co-Housing Facility. The building heights would be consistent with the maximum heights allowed under the Highway 1 Design Corridor Guidelines.

Aesthetics

The building design will consist of California Craftsman architectural design to blend with the natural environment of the surrounding open space. Additionally, the building heights will be maintained at 34 feet so as to not exceed the height of the existing Monterey Cypress trees which

border the Caltrans right-of-way. At the May 4, 2016 BAR Meeting, the California Craftsman architectural design was generally accepted as a compatible design for the site and the use of varying the building materials and colors were deemed as appropriate to break up the mass of the buildings. The following key issues were discussed by the BAR:

1. **Loss of Views from the Monterey Bay:** In accordance with Section 17.62 of the Seaside Municipal Code, the location of the proposed structures have been staked and flagged to provide the public and decision makers with a visual assessment of the potential impacts on the viewshed of Monterey Bay and Highway 1. The Board determined that the overall height of the flagging in relation to the existing height of the 13 Monterey cypress trees that would remain on-site and the height of the Monterey cypress trees that would remain within the Caltrans Highway 1 right-of-way on the western boundary of the site would not significantly alter or impede the views of Monterey Bay from existing properties.
2. **Light Pollution:** On-site lighting for the proposed project would consist of traditional California craftsman style single-head lights located in the parking and driveway areas (approximately 7 ft high), walkway bollard lighting (approximately 3 ft high), landscape lighting, and wall-mounted single-head lights at the building entrances, along the building sides, and in the courtyard areas, the Co-Housing area, and the trash and recycling enclosure area (refer to Table II.1, below).

Table II.1: Outdoor Lighting Plan

Lights	Front	Rear	Sides	Total
Single-Head Lights: Parking	3	9	3	15
Building Entrances	2	2	0	4
Building Sides	3	8	7	18
Trash & Recycling Enclosure	0	0	1	1
Co-housing Lights	2	1	3	6
Total Count	10	20	14	44

All exterior lighting would be in conformance with the City's Outdoor Illumination Standards (City Municipal Code 17.30.070) and would not result in spill-over to any adjacent properties. Building exterior lights would be surface-mounted and directed away or screened from adjacent residential uses. The lighting cut-sheets are provided as Attachment 9.

3. **Height of Monterey pines:** The residents from Seaside Highlands cited concerns regarding the mass and height of Monterey pines as a replacement tree. The compatibility and long-term health of Monterey pines were also discussed. The BAR recommended that when the final architectural and landscape plans return to the BAR after the approval of the use permit that alternative variety should be proposed in place of a Monterey pine.
4. **Location of the Co-Housing Building:** Concerns were cited that the close proximity of the location of the co-housing building at Monterey Road at the southern of the site would be highly visible to travelers going northbound. Additionally the loss of four Monterey cypress on the south and east side of the structure would add to the visibility of the

building. The co-housing building would be approximately 17 feet at its closest point to the Monterey Road frontage.

Based on the required setback of 100 feet from the Highway Design corridor to the east, the co-housing building could only move an additional four feet to the east to accommodate a greater setback from the Monterey Road frontage. With consideration of the surrounding residential housing 320 feet to the east and the proposed landscaping on the east and south sides of the co-housing building, the BAR considered the implementation of the proposed project as proposed would have a less than significant impact on the existing visual character and quality of the site and its surroundings.

5. **Tree Removal:** The Conservation and Open Space Element of the City's General Plan establishes policies for the City's Tree Ordinance (Municipal Code Chapter 8.54) and landscaping performance standards (Zoning Ordinance Section 17.30.40). The City's Tree Ordinance prohibits removal of any tree on private property in the City without a permit. The ordinance also contains a list of trees, which may not be planted without a permit (including Monterey pine, Monterey cypress, coast redwood, bluegum eucalyptus, willow, cottonwood, and poplar). Any protected tree that is removed must be replaced with a species and at a location approved by the City's BAR.

There are a total of 97 mature (6-inch or larger DBH) trees on the project site including 94 Monterey cypress and 3 bluegum eucalyptus that were planted on the property by Caltrans and the U.S. Army Corps of Engineers (Corps) for landscape improvement and vegetation screening. In addition, there are cypress seedlings and saplings (4-inch DBH or less) on the project site that developed from natural recruitment.

Construction of the proposed project would require the removal of 84 trees – three bluegum and 81 Monterey cypress trees. Thirteen of the existing Monterey cypress located adjacent to SR-1 would remain and would be integrated into the proposed project. Sixty-three (63) of the Monterey cypress trees to be removed by the proposed project but would be replaced, in-kind, on the site, with a minimum 5-gallon container. Eighteen of the Monterey cypress trees would be replaced, on the project site, with a different tree species, with a minimum 5-gallon container. The 3 bluegum trees would be replaced, on the project site, with a different tree species also with a minimum 5-gallon container.

While the City's Tree Ordinance specifies that all trees that are removed shall be replaced on a 1:1 basis, Section 8.54.070 of the City's Tree Ordinance states that this requirement may be modified or waived if it is determined that replacement on a one for one basis constitutes an unreasonable hardship. In the case of the proposed project, the location of the proposed project site improvements (e.g., Buildings, parking lots, and underground utilities) preclude the feasible placement of all 81 Monterey cypress trees. The proposed tree replacement percentage, types of replacement trees to be planted, and locations for replacement trees will require approval from the City's BAR.

The BAR found the tree replacement plan to be acceptable at its meeting on May 4, 2016. The final tree replacement plan would be reviewed and approved by the BAR to ensure

the proper species and sizes are properly grouped.

Construction on the west side of the project site adjacent to SR-1 would be in close proximity to the existing Monterey cypress trees being preserved. Therefore, construction activities would have the potential to impact these existing trees. Mitigation Measure BIO-3 is being prescribed to reduce impacts to existing Monterey cypress trees during construction of the proposed project. With implementation of Standard Condition BIO-2 and Mitigation Measure BIO-3, the proposed project would not conflict with local policies or ordinances protecting biological resources and impacts would be less than significant.

Standard Conditions:

Standard Condition BIO-2: Board of Architectural Review. Prior to project level review by the City Planning Commission, the Developer shall submit the project's Landscaping Plans to the City Board of Architectural Review (BAR) for review and approval. The Landscape Plans shall incorporate all Conditions of Approval as required for the proposed project by the BAR prior to the issuance of a building permit.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure BIO-3: Contracted Arborist. Prior to the issuance of a tree removal permit, the Developer shall submit proof to the City of an executed agreement with a qualified Arborist. The agreement shall include a schedule of the proposed construction timeline for the Project Arborist to ensure compliance with the following measures as detailed in the Arborist Assessment;

- **Exclusionary Fencing:** Prior to commencing grading and construction activities, the construction contractor shall install high visibility exclusionary fencing in a manner that clearly defines the work area, limits unnecessary disturbance and protects the critical root zone (i.e., canopy dripline) of individual trees and tree groupings to be preserved by the proposed project. The Project Arborist shall identify and delineate sensitive root zone areas within and beyond the canopy dripline of retained trees to ensure these trees will be protected and preserved for the duration of the project. The construction contractor shall conduct necessary repairs, modifications, and maintenance to canopy driplines on an as needed basis for the duration of construction.
- **Sedimentation Control:** The construction contractor shall install appropriate sedimentation control measures (e.g., silt fence) along the downslope perimeter of the project site, and, if necessary, apply soil stabilization and erosion control measures (e.g., rice straw mulch, erosion control blankets, all-weather surfaces) to exposed soil surfaces to prevent erosion and sediment

runoff around preserved trees during rain events. The construction contractor shall conduct routine monitoring and necessary maintenance to ensure the erosion control and sedimentation control measures are functioning effectively for the duration of construction.

- **Trunk and Stem Protection:** Where grading and construction activities are occurring within 3 feet of preserved trees, the construction contractor shall install trunk and stem protection measures (e.g., weed free rice straw bales or construction lumber). Tree protection measures shall be securely installed to trees with rope and surrounded by high visibility exclusionary fencing. If it is necessary to perform any pruning, the construction contractor shall use proper tree pruning practices in consultation with the Project Arborist.
- **Root Zone Protection:** To the greatest extent feasible, the construction contractor shall avoid damaging or severing roots located within the critical root zone (i.e., canopy dripline) of preserved trees, especially roots that are 2 inches in diameter or larger. Construction footings shall be designed and excavation cuts performed in a manner to minimize impacts to primary roots. If roots are encountered, efforts shall be made to carefully excavate (e.g., tunnel or dig) under or around primary lateral roots. Trenching operations that may occur in close proximity to preserved trees shall be performed under the guidance and monitoring of the Project Arborist. Tree roots severed or damaged during grading or excavating operations shall be cleanly cut and promptly covered with moist burlap fabric or equivalent until roots are permanently covered with backfill material or until the exposed grading cut and soil profile is permanently stabilized and protected. If burlap-covered cut roots are exposed to the outside environment for a prolonged period of time, the construction contractor shall assign a site attendant the task of regularly wetting burlap-covered roots to prevent root desiccation.
- **Trees Damage:** In accordance with established tree care and preservation Best Management Practices, if protected trees are damaged during construction of the proposed project, the construction contractor shall promptly repair and/or treat the trees as prescribed by the Project Arborists. Remedial or corrective treatments shall depend largely on the condition of the specific tree and the damage or injury sustained.
- **Natural Grade Protection:** To the greatest extent feasible, the construction contractor shall avoid altering the natural grade and applying excessive fill material within the critical root zone of the protected trees to reduce the likelihood of crown rot and root decay disorders from developing. Specifically, applying fill material against the lower trunk and root crown of protected trees should be avoided.
- **Irrigation:** The construction contractor shall irrigate protected trees on a schedule as determined by the Project Arborist at the start of construction. Tree

irrigation shall wet the soil within the tree protection zone to a depth of 30 inches. Irrigation shall continue for the duration of construction of the proposed project.

- **Pruning:** If tree pruning is necessary, the construction contractor shall conduct pruning at the direction of the Project Arborist. The Project Arborist shall oversee pruning activities to ensure that pruning is conducted in a manner that minimizes harmful impacts to trees and reduces potential tree hazards. If feasible, tree pruning shall be performed during the fall through early winter months. Pruning shall be conducted so that cuts are as small as possible and as few living branches as possible are removed.
- **Woodchip Mulch:** The construction contractor shall retain woodchip mulch produced during tree removal operations on the site. This sourced mulch shall be utilized for erosion control (i.e., mulch can be effective at stabilizing and protecting exposed soil surfaces) as well as preventing soil compaction within tree root zones and may be used for future landscaping activities on the project site.
- **Storage:** The construction contractor shall avoid storing construction tools, materials, and equipment within the dripline of protected trees. The construction contractor shall not wash out or dispose of excess materials (e.g., paint) or temporarily store or stockpile materials and/or equipment within the critical root zones of protected trees. If it is unavoidable and necessary to temporarily store or stockpile materials and/or equipment within the dripline of protected trees, the construction contractor shall apply 6–12 inches of clean and properly sourced woodchip mulch within the dripline to prevent substantial soil compaction and root zone disturbance. Once construction activities are complete, the temporary mulch layer shall be removed and reduced to a 3–4 inch layer of woodchip mulch to allow for increased water and oxygen penetration into the subgrade.
- **Site Inspections:** For the duration of construction, the construction contractor shall regularly perform construction site inspections to monitor the condition of protected trees and resource protection measures and to determine if any repairs, adjustments, or modifications are necessary. Additionally, trees impacted by site development shall be periodically monitored and assessed during and following construction to determine if any tree care and management actions are necessary and to make certain trees do not present a hazard to property and/or nearby structures.

The Project Arborist shall submit monthly memorandums to the City during construction and within 2 weeks of the completion of construction, and shall submit a final report summarizing the project's compliance with the measures prescribed above.

LANDSCAPING.

The proposed project would include approximately 17,958 sf of open space and 61,856 sf of landscaping, including around the exterior perimeter of the primary Assisted Living and Memory Care facility, around the perimeter of the parking areas, and within the courtyards and gardens. California native plants and drought-tolerant species would be used on the site.

As noted above, the construction of the proposed project would require the removal of 84 trees – three bluegum and 81 Monterey cypress trees. Thirteen of the existing Monterey cypress located adjacent to SR-1 would remain and would be integrated into the proposed project. Sixty-three of the Monterey cypress trees to be removed by the proposed project would be replaced, in-kind, on the site, with a minimum 5-gallon container. These Monterey cypress will be planted according to standard landscaping practices to allow enough space for the Monterey cypress trees to grow with a dense tree canopy to a height of 30-40 ft. 18 of the Monterey cypress trees would be replaced, on the site, with a different tree species, with a minimum 5-gallon container. The 3 bluegum trees would be replaced, on site, with a different tree species. Of the 84 trees removed by the proposed project, 18 Monterey cypress trees would not be replaced in-kind because the proposed project site improvements (e.g., Buildings, parking lots, and underground utilities) preclude the feasible placement of all 81 Monterey cypress trees.

The irrigation system for the proposed project would be designed in compliance with the State of California Green Building Code, Title 24 energy efficiency requirements, and Assembly Bill 1881, which promotes water efficient landscaping. The irrigation system would be designed to reflect the existing site soil conditions and would be installed by hydrozones as established by the planting plan. The irrigation system would also be designed to the recorded static pressure available on site in order to prevent runoff and overspray. The irrigation system would include the following features:

- Automatic irrigation controller with evapotranspiration data and rain sensors
- All sprinkler heads matched to precipitation
- No overhead spray used in areas less than 8 ft. in width
- Overhead irrigation set back 24 inches from non-permeable surfaces
- Irrigation distribution through a mix of: low-flow, high-efficiency spray nozzles; point source drip; subsurface drip; and bubblers.

Traffic

As noted in the public comments received during and after the public review period on the City’s intent to adopt a Mitigated Negative Declaration for the proposed project, traffic was cited as key land use impact. Table XVI.4, below, summarizes the results of the existing and existing plus project LOS analysis for study area intersections. Table XVI.5 presents the results of the existing and existing plus project LOS analysis for the study area roadway segment.

Table XVI.4: Existing and Existing Plus Project Intersection Level of Service Summary

Study Area Intersection	Time Period	Existing		Existing Plus Project		Delay Increase	Significant Impact?
		Delay	LOS	Delay	LOS		
1. Coe Avenue/Monterey Road	AM	10.1	B	10.5	B	0.4	No
	PM	11.3	B	12.3	B	1.0	No
2. Fremont Boulevard–SR-1 ramps/Monterey Road	AM	30.9	C	31.5	C	0.6	No
	PM	43.9	D	47.5	D	3.6	Yes
<i>With Mitigation</i>	<i>PM</i>	-	-	<i>45.5</i>	<i>D</i>	<i>1.6</i>	<i>No</i>
3. California Avenue–SR-1 southbound on-ramp/Monterey Road–SR-1 northbound off-ramp	AM	5.7	A	5.7	A	0.0	No
	PM	7.0	A	7.1	A	0.1	No
4. Secondary Project Driveway/Monterey Road (proposed)	AM	N/A	N/A	8.8	A	8.8	No
	PM	N/A	N/A	9.4	A	9.4	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

N/A = not applicable

SR-1 = State Route 1

Table XVI.5: Existing and Existing Plus Project Roadway Segment Level of Service Summary

Study Area Roadway Segment	Time Period	Existing		Existing Plus Project		Volume Increase	Significant Impact?
		Volume	LOS	Volume	LOS		
Monterey Road between Fremont Boulevard and Coe Avenue	AM	433	A	455	A	22	No
	PM	852	C	888	C	36	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

As shown in Table XVI.4, all three existing study area intersections operate at satisfactory LOS (defined as LOS C or better) during both peak hours, with the exception of the Fremont Boulevard–SR-1 ramps/Monterey Road intersection (LOS D in the p.m. peak hour). With implementation of the proposed project, the Fremont Boulevard–SR-1 ramps/Monterey Road intersection would continue to operate at unsatisfactory LOS D in the p.m. peak hour. Because the proposed project would increase the deficient delay from 43.9 to 47.5 seconds (more than 2.0 seconds), this would result in a significant impact. Implementation of Mitigation Measure TRA-1, requiring a specific employee shift schedule, would reduce significant impacts at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection to less than significant.

The proposed project is anticipated to generate 47 trips in the p.m. peak hour (24 inbound and 23 outbound). The *Traffic Report* prepared for the proposed project concluded that the p.m. peak-hour trip generation must be reduced by a minimum of 22 trips (11 inbound and 11 outbound) to reduce the intersection impact, to less than significant. In other words, the proposed project can generate up to 25 p.m. peak-hour trips (13 inbound and 12 outbound) before a significant impact occurs at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection.

Because employees would generate the majority of the a.m. and p.m. peak-hour project trips, if

employee shift start/end times are scheduled outside of the typical peak-hour periods, the number of employee peak-hour vehicular trips would be reduced.

Therefore, in order to mitigate the significant impact at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection, project operations must implement the following shift times and employee numbers:

- Day Shift 1: 6:00 a.m. to 2:00 p.m., with 37 employees
- Day Shift 2 : 9:00 a.m. to 6:00 p.m., with 5 employees
- Evening Shift: 2:00 p.m. to 10:00 p.m., with 33 employees
- Night Shift: 10:00 p.m. to 6:00 a.m., with 12 employees

Based on the above schedule, and if each person represents 2 trips (1 inbound trip within 15 minutes before shift start time and 1 outbound trip within 15 minutes after shift end time), then a total employee trip generation of 174 daily trips (87 inbound and 87 outbound) can be represented as follows:

- 5:45 a.m. to 6:00 a.m.: 37 inbound trips
- 6:00 a.m. to 6:15 a.m.: 12 outbound trips
- 8:45 a.m. to 9:00 a.m.: 5 inbound trips
- 1:45 p.m. to 2:00 p.m.: 32 inbound trips
- 2:00 p.m. to 2:15 p.m.: 37 outbound trips
- 6:00 p.m. to 6:15 p.m.: 5 outbound trips
- 9:45 p.m. to 10:00 p.m.: 12 inbound trips
- 10:00 p.m. to 10:15 p.m.: 32 outbound trips

Employees of Day Shift 1, Evening Shift, and Night Shift would generate trips outside of both the a.m. and p.m. peak hours. The 5 employees of Day Shift 2 are anticipated to generate 5 inbound a.m. peak-hour trips and 5 outbound p.m. peak-hour trips.

As previously discussed, the proposed project is anticipated to generate 47 p.m. peak-hour trips (24 inbound and 23 outbound) using ITE trip rates. A maximum of 25 p.m. peak-hour trips (13 inbound and 12 outbound) could be generated by the project before a significant intersection impact occurs at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection. Because the proposed employee shift schedule would limit the p.m. peak-hour trip generation to 5 employee outbound trips, a total of 20 non-employee p.m. peak-hour trips (13 inbound and 7 outbound) could be generated prior to a significant intersection impact occurring at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection. Therefore, it is anticipated that the proposed operational schedule of Mitigation Measure TRA-1 would reduce the total project p.m. peak-hour trip generation to 25 or fewer p.m. peak-hour trips.

With implementation of Mitigation Measure TRA-1, the delay at the Fremont Boulevard–SR-1

ramps/Monterey Road would only increase by 1.6 seconds from existing conditions (from 43.9 to 45.5 seconds), which is below the 2.0 second threshold. Therefore, with implementation of Mitigation Measure TRA-1, traffic impacts associated with the proposed project would be less than significant.

As shown in Table XVI.5, Monterey Road between Fremont Boulevard and Coe Avenue currently operates at satisfactory LOS (defined as LOS C or better) during both peak hours. With implementation of the proposed project, this roadway segment would continue to operate at satisfactory LOS.

Cumulative (year 2035) plus project conditions were also analyzed. Cumulative conditions were developed based on traffic from area-wide approved and proposed long-term projects (i.e., City projects approved by City Planning Department staff). Table XVI.6 summarizes the results of the cumulative plus project LOS analysis for study area intersections. Table XVI.7 presents the results of the cumulative plus project LOS analysis for the study area roadway segment.

Table XVI.6: Cumulative Plus Project Intersection Level of Service Summary

Study Area Intersection	Time Period	Cumulative Plus Project		Significant Impact?
		Delay	LOS	
1. Coe Avenue/Monterey Road	AM	11.1	B	No
	PM	14.1	B	No
2. Fremont Boulevard–SR-1 ramps/Monterey Road	AM	41.4	D	No
	PM	74.8	E	Yes
<i>With Mitigation</i>	<i>AM</i>	<i>12.0</i>	<i>B</i>	<i>No</i>
	<i>PM</i>	<i>14.1</i>	<i>B</i>	<i>No</i>
3. California Avenue–SR-1 southbound on-ramp/Monterey Road–SR-1 northbound off-ramp	AM	5.9	A	No
	PM	7.4	A	No
4. Secondary Project Driveway/Monterey Road (proposed)	AM	8.9	A	No
	PM	9.5	A	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

SR-1 = State Route 1

Table XVI.7: Cumulative Plus Project Roadway Segment Level of Service Summary

Study Area Roadway Segment	Time Period	Cumulative Plus Project			Significant Impact?
		Volume	LOS		
Monterey Road between Fremont Boulevard and Coe Avenue	AM	532	A		No
	PM	992	D		Yes
<i>With Mitigation</i>	<i>AM</i>	<i>241</i>	<i>A</i>		<i>No</i>
	<i>PM</i>	<i>605</i>	<i>B</i>		<i>No</i>

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

As shown in Table XVI.6, three study area intersections are forecast to operate at satisfactory LOS (defined as LOS C or better) during both peak hours under cumulative plus project conditions. The Fremont Boulevard–SR-1 ramps/Monterey Road intersection would operate at an unsatisfactory LOS under the cumulative plus project condition (LOS D in the a.m. peak hour and LOS E in the p.m. peak hour). Because the LOS at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection would degrade from LOS C to D in the a.m. peak hour and from LOS D to E in the p.m. peak hour from existing plus project to cumulative plus project conditions, a significant cumulative impact would result at this intersection. Implementation of Mitigation Measure TRA-2, requiring payment into the Fort Ord Reuse Authority (FORA) Fee, would reduce significant cumulative impacts at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection to less than significant.

PUBLIC NOTICE

A public notice has been published in the Monterey Weekly on Thursday, August 4, 2016 and a public notice was mailed to all property owners located within 500-feet of the project site on Friday, August 5, 2016.

NEXT STEPS

After the City Council receives public testimony and considers the proposed Mitigated Negative Declaration and use permit application, the project applications (i.e. Use Permit, Design Review) and the IS/MND will then be reviewed by the Fort Ord Reuse Authority (FORA) for consistency with the Fort Ord Base Reuse Plan.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1 - IS/MND Resolution
 2. Attachment 1 - Exhibit "A" - Final IS/MND
 3. Attachment 2 - Use Permit Resolution
 4. Attachment 2 -Exhibit A - Project Plans
 5. Attachment 3 - Location Map
 6. Attachment 4 - Site Photographs
 7. Attachment 5 - Site Layout
 8. Attachment 6 - General Plan Consistency Table
 9. Attachment 7 - Fort Ord Base Reuse Plan Consistency Table
 10. Attachment 8 - Highway 1 Design Guidelines Boundary Map
 11. Attachment 9 - Lighting Cut Sheets
-

Meeting Date: August 18, 2016

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 16-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY SEASIDE OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE APPROVAL OF A 144-BED RESIDENTIAL CARE FACILITY LOCATED AT 550 MONTEREY ROAD.

WHEREAS, the Seasons Management has applied for the construction of a 144-bed residential care facility comprised of 131-unit Residential Care Facility and 13-unit Co-Housing Facility at 550 Monterey Road (project site); and

WHEREAS, the proposed development of the residential care facility is subject to the preparation of an Initial Study in accordance with the California Environmental Quality Act (CEQA) guidelines; and

WHEREAS, the City of Seaside has prepared a Final Initial Study and Mitigated Negative Declaration provided as Exhibit “A” to evaluate the potential environmental impacts associated with the project; and

WHEREAS, the Initial Study and the Notice of Intent to Adopt a Mitigated Negative Declaration for the proposed amendments were circulated for a period of 30 days beginning on March 18, 2016 and ending on April 18, 2016; and

WHEREAS, the proposed project is designed to conform with the Seaside General Plan, Title 17 (Zoning Code) of the Seaside Municipal Code, and Fort Ord Base Reuse Plan; and

WHEREAS, the Planning Commission held a public hearing on May 25, 2016 to consider and weigh the merits of the Mitigated Negative Declaration and proposed project in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in making its recommendation to the City Council for the adoption of a Mitigated Negative Declaration for the residential care facility; and

WHEREAS, it is the responsibility of the City Council to consider and weigh the merits of the Planning Commission recommendation to adopt a Mitigated Negative Declaration of the proposed 144-bed residential care facility in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Seaside City Council, at a duly noticed public hearing on August 18, 2016 considered oral comments and written information concerning the Final Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration for the proposed 144-bed residential care facility.

NOW, THEREFORE, BE IT RESOLVED that the City Council has considered the Final Initial Study and Mitigated Negative Declaration for Use Permit Application No. 14-05 and is acting to adopt the Final Initial Study and Mitigated Negative Declaration provided as “Exhibit “A” to this Resolution based on the following findings:

1. A Mitigated Negative Declaration has been prepared and circulated in accordance with the California Environmental Quality Act (CEQA) Guidelines.

Evidence: The Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration for the proposed project were prepared, posted and circulated for a period of thirty days with the Monterey County Records Office and State Clearinghouse and is on file with the City of Seaside Community Development Department located at 440 Harcourt Avenue, Seaside, California.

Evidence: All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Program for Mitigation Monitoring and/or Reporting on Conditions of Approval (**hereafter “the MMRP”**) has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed and mitigated, may have a significant effect on the environment.

Evidence: The project does not involve impacts which are individually limited but cumulatively considerable, because the described project will incorporate both project-specific mitigation measures and cumulative mitigation measures to avoid significant impacts of the project in the context of continued growth and development in the City of Seaside.

Evidence: The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because all adverse effects of the project will be mitigated to an insignificant level.

Evidence: All comments received on the Initial Study have been considered as well as all evidence in the record, whether or not substantial which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the City’s independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. The conclusions of the Mitigated Negative Declaration are reasoned and based on factual foundation.

2. The proposed project is consistent with the following goals and policies of the 2004 Seaside General Plan listed in Table 1 below.

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
Goal LU-2: Revitalize existing commercial area. Policy LU-2.4: During redevelopment and revitalization activities, ensure quality architectural and design themes.	Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 feet (ft) east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space. The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development.

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods. Policy LU-4.1: Require that all new development 1) funds its share of community services and facilities; 2) uses quality design and materials; 3) is compatible with surrounding uses, the site, and available infrastructure.	Evidence: The proposed project will complement the existing site and enhance the character of the community as follows: 1. The proposed project will consist of demolishing an abandoned gas station/convenience store and redeveloping the site with an Assisted Living Facility; a Memory Care Facility; and a Co-Housing Assisted Living Facility. The Assisted Living Facility and the Memory Care Facility are contained in an 111,386 sf building. Of the 111,386 sf building, 81,679 sf will be used by the Assisted Living Facility and 29,707 sf will be used by the Memory Care Facility (refer to Building A-1 for the Assisted Living Facility and Building A-2 for the Memory Care Facility on Figure 1-2). The Co-Housing Assisted Living Facility will be 10,894 sf. The project will be able to fund its share of infrastructure improvements by re-constructing all required gas, water, and sewer lines to serve the development and pay the required Fort Ord Reuse Agency Fees. 2. The proposed project is being designed such that the height and setback of the buildings are similar to (e.g., two-story) or greater than (e.g., setbacks varying from approximately 16 to 63 ft) the neighboring residential areas. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. The project would be designed in the traditional California Craftsman architectural style. The architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables, flower boxes, and wood fascia. The architectural detail would also be characterized by neo-traditional California Craftsman design including entry porches, hip roofs, overhangs with exposed rafter tails, windows with divided lights, and wood castings and head and sill trim around all windows and doors. The roofs would consist of asphalt shingles in a weathered wood finish. The proposed project includes aluminum-clad French doors and lights and single-hung windows. The City Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design plans before the proposed project is considered and approved by the Planning Commission and the City Council. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development. The proposed project will water conservation measures to comply with Title 24 of the 2013 California Building Code and a planting and

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
	irrigation system in compliance with the State Model Landscape Ordinance. The proposed project would also be designed to conform to Section R2.1 Occupancy, of the most current California Building Code (CBC), which includes building code requirements for residential care facilities for the elderly with more than six non-ambulatory residents. 3. The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City’s standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project’s final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR’s review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City’s General Plan. Furthermore, because the proposed project would include the development of residential housing for seniors, the land use character of the project site would be similar to the surrounding residential uses so the proposed project would not substantially change the character of the views currently experienced by off-site viewers. As mentioned above, the proposed project includes landscaping along the perimeter of the project site and around each of the two buildings to buffer the view of the facilities from passing motorists and off-site viewers. Furthermore, the proposed project will allow for the relocation of existing infrastructure system on-site and will not require any expansion in the capacity of the existing infrastructure system.
Goal LU-5: Collaborate with local and regional water suppliers to continue to provide quality water supply and treatment capacity to meet community needs. Policy LU-5.1: Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without negatively impacting the existing community. Policy LU-5.3: Actively promote water conservation by	Evidence: Operation of the proposed senior assisted living facility would result in a projected water demand of approximately 40.8 af/yr.¹ This does not include any reduction that would be obtained through incorporation of the sustainability features listed in Section II.B of this IS/MND. Based on the current and 10-year annual water consumption rates provided by the Marina Coast Water District, there is sufficient water allocation remaining in the 1,012 af/yr Ord Community/City of Seaside water allocation limit to meet the water supply needs of the proposed project. Therefore, water supply is available to meet the incremental increase in demand from the proposed project. The project would not necessitate new or expanded water entitlements, and the MCWD would be able to accommodate the increased demand for potable water. Evidence: Provision of a landscape and development plan for the proposed project that includes:

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
City residents and businesses.	• Native and/or drought-tolerant plants; • Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls; • Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Provision of ultra-high efficiency water fixtures within the living units and dining area facilities in accordance with the Marina Coast Water District standards.
Goal LU-6: Ensure that sewer services and facilities are provided and maintained to adequately meet the community's current and future need for sewer collection and treatment. Policy LU-6.1: Maintain the existing sewer system to provide a high level of service to community neighborhoods. Policy LU-6.2: Ensure new development and redevelopment projects provide adequate sewage collection infrastructure.	Evidence: Wastewater from the proposed project would be sent, via lines owned and managed by MCWD, to the Monterey Regional Water Pollution Control Agency's (MRWMD) Regional Wastewater Treatment Plant where it would be treated. The existing sewer lines within the vicinity of the project site include one 8-inch gravity-fed sewage line and one 10-inch pressurized line. Buildings would connect directly to the 8-inch gravity-fed sewage line, which would be relocated and upgraded to a 12-inch gravity-fed sewage line as part of the proposed project. The MCWD facilities would receive wastewater generated from the proposed project. The wastewater is ultimately pumped to the Monterey Regional Water Pollution Control Agency (MRWPCA) regional treatment plant for processing, which is located 2 miles north of the City of Marina in northern Monterey County. Any future development on the project site would be serviced by the MRWPCA regional treatment facility. The regional treatment facility is responsible for the disposal of treated wastewater. MRWPCA has provided the Applicant with a will service letter (see Appendix B of this IS/MND) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. Evidence: The MRWPCA regional treatment facility has been designed to treat typical wastewater flows from different land uses in the region, including within the City. The proposed project would generate wastewater flows typical of residential and commercial uses in the City. Therefore, the proposed project would not produce wastewater atypical of flows received at the MRWPCA regional treatment plant. MRWPCA has provided the Applicant with a will service letter (see Appendix B of IS/MND) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. In addition, as discussed in Response XVII(b) of the environmental checklist, the proposed project is anticipated to generate approximately 24,000 gallons of wastewater per day, which is a fraction of 0.1 percent of the available daily treatment capacity at MRWPCA. Therefore, the increased wastewater flows from the proposed

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
	project can be accommodated within the existing design capacity of the MRWPCA regional treatment plant, would be typical of wastewater flows in the City, and would not result in the MRWPCA regional treatment facility exceeding its wastewater treatment requirements.
Goal LU-8: Provide a level of flood control and protection that meets the needs of the community. Policy LU-8.2: Ensure developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State and federal standards.	Evidence: Throughout the project site, drain inlets and a pipe system would be provided to collect the storm water from the driveways and other impervious surfaces, and direct it to the rain gardens, with the exception of the southerly, undeveloped end of the project site. In this location, the existing vegetation would be protected in place and runoff would infiltrate directly into the ground. Pervious pavers would be installed at interior courtyards and in all parking stalls. The new stormwater drainage system would accommodate storm water up to the 100-year storm. Prior to the issuance of a grading permit, the Applicant shall prepare a Final Stormwater Control Plan. The Final Stormwater Control Plan shall be prepared by a qualified hydrologist or Professional Engineer. The Final Stormwater Control Plan shall be prepared consistent with the post-construction requirements of the Monterey Regional Stormwater Management Program (MRSWMP), including the Stormwater Technical Guide for Low Impact Development and the Stormwater Control Plan Template. The Final Stormwater Control Plan shall specify Best Management Practices (BMPs) to be incorporated into the design of the proposed project. In addition, the Final Stormwater Control Plan shall demonstrate that the storm water controls comply with the Fort Ord Reuse Authority requirement that 100 percent of the on-site storm water from a 24-hour 100-year storm event be infiltrated on the site. The Final Stormwater Control Plan shall include pre-project and post-project flow calculations to demonstrate that the rain gardens are designed to infiltrate 100 percent of the runoff from a 100-year storm. The Applicant shall provide the Final Stormwater Control Plan to the City of Seaside Public Works Department for review and approval.
Goal C-4: Ensure adequate parking is provided on-site Policy C-4.1: Require off-street parking in new development and redevelopment projects.	Evidence: The proposed project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The Assisted Living Facility and Memory Care Facility combined would provide 78 parking spaces for residents, visitors and employees. The Co-Housing Facility would provide 14 parking spaces for residents and visitors. Of the 92 total parking spaces, 8 parking spaces would be ADA-compliant and designated as handicap parking, 6 parking spaces would be designated for low-emitting and fuel-efficient vehicles and provide electric vehicle charging stations, 23 parking spaces would be designated for compact vehicles, and 55 parking spaces would be designated for standard vehicles. An additional 9 spaces would be provided for bicycle parking, and 2 spaces would be provided for motorcycle parking.

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
Goal S-1: Reduce the risks to people and property from hazards related to seismic activity, flooding, geologic conditions, and wildfires	
Policy 8-S.1: Reduce the risk of impacts from seismic and geologic hazards.	Evidence: The project site is located in a region characterized by moderate to high seismic activity, which could result in damage to the proposed buildings. There are several faults in the vicinity of the project site that are capable of producing strong ground motion. A fault search conducted as part of the <i>Geotechnical Investigation Report</i> identified 24 active faults and potentially active faults mapped within a 62-mile radius of the project site. These 24 faults, their distance from the site, and their estimated mean moment magnitude are listed in Table VI.VI.1. During an earthquake along any of these faults, seismically induced ground shaking at the project site would be expected to occur. The severity of the shaking would be influenced by the distance of the project site to the seismic source, the soil conditions, and the depth to groundwater. According to the <i>Geotechnical Investigation Report</i>, the Rinconada Fault is the closest known fault to the project site and, because of the fault's proximity, has the greatest potential to generate the highest level of ground shaking at the project site. The probabilistic maximum considered earthquake (MCE)² for the project site is estimated to result in a peak ground acceleration of 0.56 g.³ Due to the proximity of the project site to the Rinconada Fault, the Blanco section of the Reliz Fault and the Monterey Bay-Tularcitos Fault and other active faults in the area, it is likely that the project site would be subjected to strong ground shaking from at least one moderate to severe earthquake during the lifespan of the proposed project. Therefore, strong seismic ground shaking generated by seismic activity is considered a potential constraint that may affect the proposed project. All applicable guidelines, including compliance with the California Building Code and the City of Seaside Building Code, accepted industry standards, and other regional and local regulations that address seismic hazards, would be incorporated into the project's building plans.
Policy S-1.2: Protect the community from flooding hazards.	Evidence: According to the City's General Plan Safety Element (2004), the project site is not located within a 100-year flood zone. In addition, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is not located within a 100-year special flood hazard area. The project site is mapped as Zone X, Other Flood Areas, which is defined as areas of 0.2 percent annual chance floodplain (500-year floodplain), areas of 1 percent annual chance flood (100-year flood) with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood (Map No. 06053C0290G; April 2, 2009).
Policy S-1.3: Reduce the risk of wildfire hazard in the community.	Evidence: According to the City's General Plan Safety Element, the project site is located within a Fire Hazard Area. Although located in a Fire Hazard Area, the project site is surrounded by residential development to the east and south and SR-1 to the west and north. During operation, the project site would be developed with structures and landscaping and surrounded by

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
	urban development and roadways. In addition, the proposed use of the site would be typical of urban development and would have a low risk of igniting a wildfire. Because of the urban nature of the project site and surrounding development, and the proposed on-site uses, the risk of wildfire during operation would be low.
Goal 8-2: Protect the community from public safety hazards related to human activities. Policy 8-2.2: Minimize the risk to the community associated with hazardous materials.	Evidence: Construction of the proposed project would involve the use of chemical agents, solvents, paints, and other hazardous materials that are associated with construction activities. The amount of hazardous chemicals present during construction would be limited and would be handled in compliance with existing government regulations. The potential for the release of hazardous materials during project construction is low and, in the unlikely event that a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials used during construction. Construction of the proposed project would result in the disturbance of soils on the project site, which was once a gas station for Fort Ord. The project site previously contained three 1,000 gallon underground storage tanks (USTs) and associated product piping. The USTs and product piping located on site were properly removed in January 1997. Additionally, soil and soil vapor sampling was conducted to confirm soils on site do not contain any significant residual impacts from the gas station operations. Based on soil and soil vapor sampling conducted, there is no evidence of a petroleum hydrocarbon or VOC release resulting from the former gas station operation. Project operation would involve the use of potentially hazardous materials (e.g., cleaning agents, paints, fertilizers, or pesticides) that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to residents or workers in the vicinity of the project site. The proposed project would not produce hazardous emissions or handle acutely hazardous materials, substances, or waste.
Goal N-1: Provide consistent and effective noise control through proper and use planning. N-3: Minimize non-transportation related noise impacts. Policy N-1.1: Ensure new development and reuse/revitalization projects can be made compatible with the noise environment and existing development.	Evidence: The City of Seaside General Plan requires that interior noise levels be maintained at or below 45 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) for residential uses. Interior noise levels would vary depending upon the design of the buildings (relative window area to wall area) and the selected construction materials and methods but in general, interior noise levels would be up to 58 to 59

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
Policy N-3.1: Reduce the impacts of noise producing land uses, activities, and businesses on noise sensitive land uses.	dBA CNEL. The proposed project will be required to install doors and windows with varying Sound Transmission Class (STC) ratings in units subjected to potentially high interior noise levels. The proposed project will also be required to install forced-air mechanical ventilation in all residential units. These requirements will help maintain interior noise levels below the City's 45 dBA CNEL noise threshold. Evidence: Traffic-related Noise. The project site is located between State Route 1 (SR-1) and Monterey Road just north of the Monterey Road and Coe Avenue intersection in the City of Seaside. Existing ambient noise was compared to projected ambient noise levels after the project is developed to determine if the project would be compatible with the existing noise environment and existing development. The primary existing noise source in the vicinity of the project site is vehicular traffic along SR-1 and local traffic along Monterey Road. Neighborhood traffic along Coe Avenue also affects the noise environment. Traffic-related noise will not be compatible with outdoor patios in three specific locations within the project site. Therefore, the proposed project includes walls around certain patios within the proposed development to ensure that use of the patios does not expose residents to excessive noise. Stationary Noise. The proposed project includes the operation of mechanical ventilation as well as emergency vehicles that may periodically assist residents. Neither the operation of mechanical equipment nor the periodic use of emergency vehicles will generate noise that will impact surrounding sensitive land uses. Mechanical Equipment. The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems. The placement of such equipment would occur on either the interior or the northern boundary of the project site. During daytime hours, typical existing hourly average noise levels range from 64 to 69 dBA L_{eq}, and during nighttime hours, existing noise levels range from 56 to 66 dBA L_{eq}. The nearest mechanical equipment room proposed near the southern property line would be a distance of 180 ft away from on-site residential units. Typical air conditioning units and heat pumps range from approximately 54 to 62 dBA L_{eq} at a distance of 5 ft. At 180 ft, these units would have noise levels below 40 dBA L_{eq}. Any other identified locations for mechanical equipment would be located further than 180 ft from the nearest noise-sensitive receptors. Emergency Response. The proposed senior assisted-living facility may, on occasion, require emergency vehicle assistance, which may include the use of a siren. At a distance of approximately 50 ft, sirens could reach levels of 92 to 94 dBA L_{max}. The nearest existing residences would be located approximately 125 ft from the entrance driveway of the project site, which would result in maximum instantaneous noise levels of 88 to 90 dBA L_{max}. While these levels could be considered to be excessive, they would occur within short time spans and would be in response to emergencies. According to Chapter 9.12.040 of the City's Municipal Code, excessive, unnecessary, or unusually loud noise is

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
	exempt from the established noise regulations.
Goal H-1: Maintain a range of housing opportunities to address the existing and projected needs of the community.	
Policy H-1.6: Support the concept of “aging in place” by maintaining a range of housing types that allows people to remain in the community as their housing needs change.	Evidence: The proposed project will contribute to improved residential options for senior citizens within the City by creating a development that incorporates a range of housing types for seniors, such as assisted living and memory care. The proposed project will provide seniors currently living in the Seaside/Monterey area an opportunity to “age in place” and remain in the area as they begin to require different housing options and a higher level of care.
Policy H-1.7: Ensure new residential developments are adequately served by infrastructure, including water and sewer, park and recreation areas, libraries, transportation, public safety and other necessary community services.	Evidence: The project proposes to construct 144 new senior living residential units located within three facilities and would be designed to accommodate approximately 174 senior residents. It is expected that the proposed facilities would primarily accommodate seniors that are currently living in the City, although some of the senior residents would relocate to obtain assisted living care in this location. Furthermore, the proposed project will include utilities and recreation areas on-site. Therefore, the proposed project would not substantially increase the demand on existing public services or the need for new or expanded public services.
Goal H-2: Maintain and improve existing neighborhoods and housing.	
Policy H-2.6: Through a design review process, ensure new residential developments and revitalization projects are compatible (i.e. scale, size, height, design, and appearance) with surrounding uses:	Evidence: The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City’s standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project’s final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR’s review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City’s General Plan and that the design is consistent with the surrounding residential neighborhoods.
Policy H-2.7: Support public education programs that promote property maintenance.	Evidence: The proposed project will include a demonstration garden at the south end of the development which will include drought tolerant species native to the Monterey Peninsula.
Goal H-3: Use public-private partnerships and collaborative efforts to ensure that all segments of the community have access to safe and decent housing that meets their special needs.	

Table I: General Plan Consistency

General Plan Goal/Policy	Evidence
Policy H-3.1: Participate in programs assisting in the production and conservation of adequate, safe, and attractive housing affordable to very-low, low, and moderate income households and other special needs groups.	Evidence: The assisted living and memory care facilities will provide housing opportunities for seniors with limited mobility and/or in need of special assistance for daily living functions. This type of housing type is limited within the community. The co-housing facility will provide affordable housing in a dormitory style environment.

¹ Water consumption was calculated based on the Marina Coast Water District's Urban Water Management Plan water demand factors. (144 dwelling units x 0.25 af/yr/dwelling unit) + (0.89 ac landscaping x 2.1 af/yr/ac) + (2,000 sf restaurant x 0.00145 af/yr/sf) = 40.8 af/yr.

² A maximum considered earthquake is defined as an earthquake that is expected to occur once in approximately 2,500 years, that is, it has a 2 percent probability of being exceeded in 50 years.

³ g = acceleration due to gravity 9.8 (m/s²)

ac = acres

af/yr = acre-feet per year

City = City of Seaside

ft = foot/feet

IS/MND = Initial Study/Mitigated Negative Declaration

MCWD = Marina Coast Water District

sf = square feet

Fort Ord Reuse Plan Conformance

The project site is within the former Fort Ord, and subject to consistency with the Fort Ord Reuse Plan. The proposed project has two components, one of which is a legislative action and one of which is a development entitlement. In accordance with Fort Ord Reuse Authority Master Resolution Section 8.01.020, the zoning amendment must be brought to the Fort Ord Reuse Authority Board of Directors for a consistency determination. The proposed youth hostel development project is an entitlement approval, and the consistency determination would be made by the Fort Ord Reuse Authority staff, subject to appeal to the Board of Directors. The Fort Ord Reuse Authority tacitly endorsed the site for this use when it transferred the site to the City specifically for this purpose.

The proposed project was reviewed for consistency with the BRP (refer to Table 2). The following objectives and policies from the BRP are applicable to the proposed project:

Objectives: Land Use Element: Residential Land Use Objectives B and C
Land Use Element: Institutional Land Use Objective D
Conservation Element: Soils and Geology Objective A
Conservation Element: Hydrology and Water Quality Objective C
Noise Element: Objective A
Safety Element: Seismic and Geologic Hazards Objective A
Safety Element: Fire, Flood and Emergency Management Objective A
Safety Element: Hazardous and Toxic Materials Safety Objective A

Policies: Land Use Element: Residential Land Use Policies B-1 and C-1
Land Use Element: Institutional Land Use Policy D-2
Conservation Element: Soils and Geology Policy A-2
Conservation Element: Hydrology and Water Quality Policy C-2
Noise Element: Policies B-8 and B-9
Safety Element: Seismic and Geologic Hazards Policy A-2
Safety Element: Fire, Flood and Emergency Management Policy A-2
Safety Element: Hazardous and Toxic Materials Safety Policy A-1

Table 2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Residential Objective B: Ensure compatibility between residential development and surrounding land Uses. Residential Land Use Policy B-1: Residential Land Use Policy B-1: The City of Seaside shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Residential Objective C: Encourage highest and best use of residential land to enhance and maximize the market value of residential development and realize the economic opportunities associated with redevelopment at the former Fort Ord. Residential Land Use Policy C-1: The City of Seaside shall provide opportunities for developing market-responsive housing in the Fort Ord planning area.	Evidence: The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development. Evidence: The proposed project will provide Senior Housing, which is identified as an underserved housing type within the City of Seaside. By providing an underserved housing type to help maintain a variety of housing types in the City commensurate with projected housing needs, the proposed project would be consistent with the Seaside General Plan.
Institutional Land Use Objective D: Provide for Community Design principles and guidelines for institutional development at the former Fort Ord.	Evidence: Implementation of the proposed project

Table 2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Institutional Land Use Policy D-2: The City of Seaside shall adhere to the General Development Character and Design Objectives of the Fort Ord Reuse Plan Framework for institutional development at the former Fort Ord.	would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space.
Conservation Element: Soils and Geology Objective A: Prevent the loss and transport of soil resulting from wind and water erosion and promote construction practices that recognize soils with development limitations. Conservation Element Soils and Geology Policy A-2: The City shall require developers to prepare and implement erosion control and landscape plans for projects that involve high erosion risk. Each plan shall be prepared by a registered civil engineer or certified professional in the field of erosion and sediment control and shall be Fort Ord subject to the approval of the public works director for the City of Seaside. The erosion component of the plan must at least meet the	Evidence: During construction of the proposed project, the total disturbed soil area would be approximately 5.47 acres. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. The on-site slopes composed of cohesionless dune sand materials are potentially subject to erosion. Concentration of surface runoff has the potential to result in severe erosion where the ground is

Table 2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
requirements of Storm Water Pollution Prevention Plans (SWPPPs) required by the California State Water Resources Control Board.	included and unprotected. Because the proposed project disturbs greater than 1 acre of soil, the project is subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002) (Construction General Permit). Under the Construction General Permit, the project would be required to prepare a SWPPP and implement construction Best Management Practices (BMPs) detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.
Conservation Element: Hydrology and Water Objective C: Control nonpoint and point water pollution sources to protect the adopted beneficial uses of water. Hydrology and Water Quality Policy C-2: At the project approval stage, the City shall require new development to demonstrate that all measures will be taken to ensure that on-site drainage systems are designed to capture and filter out urban pollution.	Evidence: The project site consists of approximately 1.34 acres of impervious surface area (approximately 24.4 percent of the project site). The proposed project would increase impervious surface areas on the project site by approximately 1.66 acres to approximately 3.0 acres of impervious surface area (approximately 54.8 percent of the project site). Pollutants of concern associated with project operations include suspended solids/sediments, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, and trash and debris. A <i>Preliminary Stormwater Control Plan</i> has been prepared for the proposed project that details Low Impact Development (LID) and Source Control BMPs that would be implemented to target pollutants of concern in stormwater runoff and reduce impacts to water quality during operation of the proposed project. The LID BMPs proposed in the <i>Preliminary Stormwater Control Plan</i> include pervious pavement within the interior building courtyards and vehicle parking stalls. In addition bioswales that resemble dry streambeds and rain gardens featuring native plants would be incorporated into the project's landscaping design. In addition to the LID BMPs, Source Control BMPs would also be implemented that focus on reducing or eliminating runoff and controlling sources of pollutants during operation of the proposed project.

Table 2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	As a Condition of Approval, the Developer will be required to prepare a Final Stormwater Control Plan that includes LID BMPs to ensure that on-site drainage systems are designed to capture and filter out urban pollution.
Noise Element Objective A: Ensure that application of land use compatibility criteria for noise and enforcement of noise regulations are consistent throughout the Fort Ord Planning area. Noise Policy B-8: If the ambient DNL exceeds the normally acceptable noise range for public or institutional uses (passively and actively used open spaces; auditoriums, concert halls, and amphitheaters; schools, libraries, churches, hospitals and nursing homes; golf courses, riding stables, water recreation areas, and cemeteries), as identified in Table 4.5-3, new development shall not increase ambient Ldn by more than 3 dBA measured at the property line. Noise Policy B-9: The City shall require construction contractors to employ noise-reducing construction practices.	Evidence: Neither the long-time traffic nor stationary noise sources would cause an increase in ambient noise levels of more than 3 A-weighted decibels (dBA) within the project vicinity as measured at the property line. Evidence: As a Condition of Approval, the Construction Contractor will be required to prepare a construction noise plan that includes implementation of Best Management Noise Reduction Practices.
Safety Element: Seismic and Geologic Hazards Objective A. Seismic and Geologic Hazards Policy A-2: The City shall use the development review process to ensure that potential seismic or geologic hazards are evaluated and mitigated prior to construction.	Evidence: A <i>Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California</i> (December 2014) was prepared for the proposed project. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code and the City of Seaside Building Code and the recommendations of the project geotechnical consultant as summarized in the final written Geotechnical Report.
Safety Element: Fire, Flood and Emergency Management Objective A. Fire, Flood, and Emergency Management Policy A-2: The City shall provide fire suppression water system guidelines and implementation plans for existing and acquired former Fort Ord lands equal to those recommended in the Fort Ord Infrastructure Study (FORIS Section Table 4.1.8) for fire protection water volumes, system distribution upgrades, and emergency water storage.	Evidence: Fire protection services for the project site are provided by the Seaside Fire Department. The City operates one fire station located at 1635 Broadway Avenue that is located approximately 2.5 miles from the project site by way of surface streets. The daily staffing for the fire station includes One Chief Officer assigned to a Chevy Tahoe Command Vehicle, three to four firefighters assigned to an Engine company, and three or four firefighters assigned to a Truck company (Chief Brian Dempsey, Personal Communication). The project site will contain sufficient water service and water pressure to service the site for fire suppression

Table 2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Safety Element: Hazardous Materials and Toxic Materials Safety Objective A: Ensure the timely and complete compliance by the U. S. Army with the Remedial Investigation/Feasibility Study and associated remedial action ROD as part of the land transfer process. Hazardous and Toxic Materials Safety Policy A-1: The City shall monitor and report to the public all progress made on the RA-ROD.	purposes. Evidence: A Hazardous Phase I environmental site assessment and a confirmation sampling report for the project was completed. Neither identified any hazardous wastes at the project site. Based on the results, there is no evidence that there are any hazardous materials remaining from the former gas station. Therefore, no remediation is necessary.

City = City of Seaside

ft = foot/feet

ROD = Record of Decision

sf = square feet

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 18th day of August 2016 by the following votes:

FINAL

**INITIAL STUDY/PROPOSED MITIGATED
NEGATIVE DECLARATION**

**SEASIDE SENIOR LIVING PROJECT
CITY OF SEASIDE, CALIFORNIA**

Submitted to:

City of Seaside Planning Division
440 Harcourt Avenue
Seaside, California 93955

Prepared by:

LSA Associates, Inc.
285 South Street, Suite P
San Luis Obispo, California 93401
(805) 782-0745

Project No. SEZ1402

LSA

May 2016

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INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Seaside Senior Living Project
File No.:	UP14-05 and BAR14-20
Project Location:	City of Seaside, California
Name of Property Owner:	Seaside Senior Living, LLC
Name of Applicant:	Ricardo de la Cruz
Assessor's Parcel Number(s):	APN 031-141-004
Acreage of Property:	5.47 acres
General Plan Designations:	Community Commercial
Zoning:	Community Commercial
Lead Agency:	City of Seaside
Prepared By:	LSA Associates, Inc. 285 South Street, Suite P San Luis Obispo, California 93401
Date Prepared:	May 2016
Contact Person:	Rick Medina
Phone Number:	(831) 899-6726

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II. ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION

A. Environmental Setting

The project site is located in the central portion of the City of Seaside (City), a coastal community of approximately 35,000 residents on the south side of Monterey Bay. The City is within the County of Monterey (County) and is located approximately 18 miles (mi) southwest of the City of Salinas and 3 mi east-northeast of Monterey city center (refer to Figure II-1, Project Vicinity and Location). The project site is located at 550 Monterey Road, on the north side of Monterey Road at the intersection of Monterey Road and Coe Avenue. The project site is bounded by California State Route 1 (SR-1) to the west, residential housing and a large stormwater basin to the east-northeast, Monterey Road and residential housing to the south and southeast, and Monterey Road, open space, and residential housing to the south-southwest.

B. Project Description

The project site is approximately 5.47 acres (Assessor's Parcel Number [APN] 031-141-004). The project site was previously owned by the United States (U.S.) Army. Following the closure of Fort Ord in 1994, the parcel was transferred to the City under the Fort Ord Reuse Authority Act (FORA). There is currently one 5,000 square foot (sf) structure located on the project site that would be removed as part of the proposed project. The structure was formerly used by the U.S. Army as a convenience store and gas station but is currently vacant.

The majority of the project site is currently undeveloped with the exception of the 5,000 sf structure, the asphalt parking area, and the parking lot lights. The project site is generally flat, sloping from Monterey Road downward towards SR-1. There are three bluegum eucalyptus (*Eucalyptus globulus*) and 94 Monterey cypress (*Cupressus macrocarpa*) on the project site, with ice plant (*Carpobrotus edulis*) being the predominant groundcover. The remainder of the project site is primarily characterized by non-native ruderal plant species.

The proposed project would include demolition of the existing 5,000 sf structure and the development of a State of California licensed Residential Care Facility for the Elderly (RCFE). A Residential Care Facility for the Elderly means a housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator, or other responsible person; where 75 percent of the residents are 60 years of age or older and where varying levels of care and supervision are provided, as agreed to at time of admission or as determined necessary at subsequent times of reappraisal. Any younger residents must have needs compatible with other residents.¹ The RCFE will be comprised of two buildings that will house three related uses on the project site (refer to Figure II-2, Conceptual Site Plan). Building A-1 will house the Assisted Living Facility (81,679 sf) (refer to Building A-1 on Figure II-2), Building A-2 will house the Memory Care Facility (29,707 sf) (refer to Building A-2 on Figure II-2), and Building B will be used for the Assisted Living Co-Housing Facility (10,894 sf) (refer to Building B on Figure 1-2), for a total of 122,280 sf of new construction. The proposed project would be constructed in compliance with current California Building Code and Americans with Disability

¹ State of California, Department of Social Services, Health and Human Services Agency. Title 22, Division 6, Chapter 8, Page 24. *Residential Care Facilities for the Elderly*. March 5, 2008.

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Figure II-1: Project Vicinity and Location

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Figure II-2: Conceptual Site Plan

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Act Standards. The proposed project would be constructed in one phase. Project construction is anticipated to last approximately 18 months.

Project Objectives. The City and the project Applicant have established the following project objectives:

- Create a State Licensed Residential Care Facility for the Elderly (RCFE) providing Assisted Living and Memory Care, with associated amenities, including on-site memory support, healthcare by licensed professionals, and recreational activities along with cultural and therapeutic programs to seniors;
- Offer an assisted living facility for seniors, a type of residential housing not currently provided in the City;
- Create new employment opportunities in the City, particularly for healthcare professionals specializing in care and recreational services for senior and supporting fields;
- Contribute to improved residential options for senior citizens within the City by creating a development that incorporates the following design and planning principles as part of the project: safety and security, recreation and therapeutic activities, on-site management and healthcare, and transportation, including shuttle service to local restaurants, shopping, and health services; and
- Design a project that incorporates sustainable features including low-flow water fixtures, energy-efficient mechanical systems, and the use of recycled materials.

Project Technical, Economic, and Environmental Characteristics. The 2004 Seaside General Plan designates the project site as Community Commercial (CC). The City Zoning Ordinance (Title 17 of the Municipal Code) designates the project site as Community Commercial (CC).

Demolition and Utility Relocation. The proposed project would include demolition of the existing 5,000 sf structure, on-site pavement, parking lights, and gas pump islands and covers (the gas pumps were previously removed by the U.S. Army in 1996).

The proposed project would also include replacement of the following existing utilities in the same general location, within the western part of the project site bordering SR-1, as they are currently provided: (1) AT&T underground phone lines, (2) Marina Coast Water District's 10-inch pressurized sewage pipe line, and (3) an 8-inch gravity-fed sewage pipe line, which would be replaced with a 12-inch sewage pipe line.

Additionally, the proposed project would require reconstructing the following utilities that run along the westerly side of the project site: (1) a storm drain trunk line and (2) fiber optic cables.

Project Components. The proposed project would develop two buildings that would house three related senior living uses on the project site including an Assisted Living Facility (81,679 sf) (refer to Building A-1 on Figure II-2), a Memory Care Facility (29,707 sf) (refer to Building A-2 on

Figure II-2), and an Assisted Living Co-Housing Facility (10,894 sf) (refer to Building B on Figure II-2) for a total of 122,280 sf of new development. The specific components and amenities of each facility are provided below.

Assisted Living Facility. The proposed 81,679 sf Assisted Living Facility would be part of a two-story structure containing 88 residential units (refer to Figure II-3a, Assisted Living Elevations). A portion of the second story would be located above the adjoining Memory Care Facility. Of the 88 total residential units, there would be 39 studios (averaging 440 sf per unit), 42 one-bedroom units (averaging 550 sf per unit), and seven (7) two-bedroom units (averaging 700 sf per unit). The facility would be designed to serve approximately 100 seniors with daily living services. The studio units would include a kitchenette while the one- and two-bedroom units would include a full kitchen. All units would include Americans with Disabilities Act (ADA)-compliant bathrooms. The one and two-bedroom residential units would be designed to accommodate two individuals; the studio units would be designed to accommodate one individual. The Assisted Living Facility would also provide a Fire Code-approved elevator.

The Assisted Living Facility would offer residents daily meals served in a large dining area, housekeeping services including laundry, transportation, social and therapeutic services, entertainment, and options for personal care. The 81,679 sf facility would include the following amenities for residents: lobby/living room, dining room, wellness clinic, theater, activity/social room, beauty/barber salon, central kitchen, laundry facility, and outdoor recreational spaces.

Memory Care Facility. The proposed 29,707 sf Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level (refer to Figure II-3b, Memory Care Elevations). Of the 43 total residential units, there would be 31 private studios (averaging 330 sf per unit) designed for one resident and 12 companion studios (averaging 400 sf per unit) designed for two residents. The facility would be designed to serve approximately 55 mentally impaired seniors with assisted living care and therapeutic programs. The facility would consist of four distinct neighborhoods of approximately 11 units each. Each neighborhood would have access to two secure inner courtyards (2,992 sf outdoors). Each neighborhood would include a therapy kitchen, living room, dining room, and activity areas. All units would include ADA-compliant bathrooms; however, no kitchens or kitchenettes would be available within the units. Additionally, the facility would include staff offices, a staff conference room, a staff lounge, secured medication storage, therapy spa, kitchen prep-room, and a laundry facility.

Co-Housing Facility. The proposed 10,894 sf Co-Housing Assisted Living Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for seniors requiring assisted living facilities (refer to Figure II-3c, Senior Co-Housing Elevations). Each unit would be approximately 490 sf and would be designed to serve 1 to 2 people. All units would include ADA-compliant bathrooms and a small kitchenette. All residential units would open to common living areas that would include a community kitchen, dining areas, living rooms, a laundry facility and outdoor patios. The building would also provide one Fire Code-approved elevator.

Figure II-3a: Assisted Living Elevations

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Figure II-3b: Memory Care Elevations

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Figure II-3c: Senior Co-Housing Elevations

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Architectural Style. The proposed project would be designed to conform with Section R2.1 Occupancy, of the most current California Building Code (CBC), which includes building code requirements for residential care facilities for the elderly with more than six non-ambulatory residents.

The project would be designed in the traditional California Craftsman architectural style. The architectural design includes horizontal- and Craftsman shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables, flower boxes, and wood fascia. The architectural detail would also be characterized by neo-traditional California Craftsman design including entry porches, hip roofs, overhangs with exposed rafter tails, windows with divided lights, and wood castings and head and sill trim around all windows and doors. The roofs would consist of asphalt shingles in a weathered wood finish. The proposed project includes aluminum-clad French doors and lights and single-hung windows. The City of Seaside Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design plans before the proposed project is considered and approved by the Planning Commission and the City Council.

All services including trash and recycling, emergency power, and delivery areas would be located along the northern extent of the facilities (rear of the building) and would be screened from public view.

One freestanding monument sign, approximately 6-feet (ft) high by 10 ft wide, would be constructed near the front door of the building, which is just north of the project driveway entrance opposite Coe Avenue. The monument sign would be composed of a stone masonry base with an approximately 3 ft by 6.5 ft wooden sign hung from a wooden lattice-style pergola frame. Internal directional signage would also be provided on the site.

Lighting. On-site lighting for the proposed project would consist of traditional California craftsman style double-head lights located in the parking and driveway areas (approximately 7 ft high), walkway bollard lighting (approximately 3 ft high), landscape lighting, and wall-mounted single-head lights at the building entrances, along the building sides, and in the courtyard areas, the Co-Housing area, and the trash and recycling enclosure area (refer to Table II.1, below).

Table II.1: Outdoor Lighting Plan

Lights	Front	Rear	Sides	Total
Double-Head Lights: Parking	3	9	3	15
Building Entrances	2	2	0	4
Building Sides	3	8	7	18
Trash & Recycling Enclosure	0	0	1	1
Co-housing Lights	2	1	3	6
Total Count	10	20	14	44

All exterior lighting would be in conformance with the City's Outdoor Illumination Standards (City Municipal Code 17.30.070) and would not result in spill-over to any adjacent properties. Building exterior lights would be surface-mounted and directed away or screened from adjacent residential uses.

Landscaping. The proposed project would include approximately 17,958 sf of open space and 61,856 sf of landscaping, including around the exterior perimeter of the primary Assisted Living and Memory Care facility, around the perimeter of the parking areas, and within the courtyards and gardens. California native plants and drought-tolerant species would be used on the site.

Construction of the proposed project would require the removal of 84 trees – three bluegum and 81 Monterey cypress trees. Thirteen of the existing Monterey cypress located adjacent to SR-1 would remain and would be integrated into the proposed project. Sixty-three of the Monterey cypress trees to be removed by the proposed project would be replaced, in-kind, on the site, with a minimum 5-gallon container. These Monterey cypress will be planted according to standard landscaping practices to allow enough space for the Monterey cypress trees to grow with a dense tree canopy to a height of 30–40 ft. Eighteen of the Monterey cypress trees would be replaced, on the site, with a different tree species, with a minimum 5-gallon container. The 3 bluegum trees would be replaced, on site, with a different tree species. Of the 84 trees removed by the proposed project, 18 Monterey cypress trees would not be replaced in-kind because the proposed project site improvements (e.g., buildings, parking lots, and underground utilities) preclude the feasible placement of all 81 Monterey cypress trees.

The irrigation system for the proposed project would be designed in compliance with the State of California Green Building Code, Title 24 energy efficiency requirements, and Assembly Bill 1881, which promotes water efficient landscaping. The irrigation system would be designed to reflect the existing site soil conditions and would be installed by hydrozones as established by the planting plan. The irrigation system would also be designed to the recorded static pressure available on site in order to prevent runoff and overspray. The irrigation system would include the following features:

- Automatic irrigation controller with evapotranspiration data and rain sensors
- All sprinkler heads matched to precipitation
- No overhead spray used in areas less than 8 ft in width
- Overhead irrigation set back 24 inches from non-permeable surfaces
- Irrigation distribution through a mix of: low-flow, high-efficiency spray nozzles; point source drip; subsurface drip; and bubblers

Parking. The proposed project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The Assisted Living Facility and Memory Care Facility combined would provide 78 parking spaces for residents, visitors and employees. The Co-Housing Facility would provide 14 parking spaces for residents and visitors. Of the 92 total parking spaces, 8 parking spaces would be ADA-compliant and designated as handicap parking, 6 parking spaces would be designated for low-emitting and fuel-efficient vehicles and provide electric vehicle charging

stations, 23 parking spaces would be designated for compact vehicles, and 55 parking spaces would be designated for standard vehicles. An additional 9 spaces would be provided for bicycle parking, and 2 spaces would be provided for motorcycle parking.

Access and Circulation. Local access to the project site is provided by Monterey Road. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. Both driveways are proposed to have a single ingress and egress lane.

The intersection at Coe Avenue/Monterey Road would be converted to a four-way stop as part of the proposed project. In order to provide full access to the main entrance, the following lane configurations/reconfigurations would be included as part of the proposed project:

- Northbound Coe Avenue: One left-turn lane, one through lane, and one right-turn lane
- Southbound main project entrance: One left-turn lane, one through lane, and one right-turn lane
- Eastbound Monterey Road: One left-turn lane, one through lane, and one right-turn lane
- Westbound Monterey Road: One left-turn lane, one through lane, and one right-turn lane

The second driveway is located approximately 400 ft east of the intersection of Monterey Road and Coe Avenue, and is near the eastern end of the project site. The proposed project would provide a stop sign within the development approximately 5 ft before the terminus of the driveway and its intersection with Monterey Road.

Circulation within the project site would include an internal road forming a “loop” that would provide access to the three facilities, parking, and fire hydrants for emergency fire response. The internal road would provide one lane of travel in each direction and would be accessible from each driveway.

Utilities and Services. The Marina Coast Water District (MCWD) provides water, wastewater, and recycled water services to the project site. MCWD must issue a water permit for any development or redevelopment activity that would involve the connection or modification of a connection to an existing water or wastewater distribution system, such as the proposed project.

Water for the proposed project would be supplied from the MCWD from groundwater wells.

Wastewater from the proposed project would be sent, via lines owned and managed by MCWD, to the Monterey Regional Water Pollution Control Agency’s (MRWMD) Regional Wastewater Treatment Plant where it would be treated. The existing sewer lines within the vicinity of the project site include one 8-inch gravity-fed sewage line and one 10-inch pressurized line. The residential buildings would connect directly to the 8-inch gravity-fed sewage line, which would be relocated and upgraded to a 12-inch gravity-fed sewage line as part of the proposed project.

Stormwater runoff from the new impervious surfaces would be treated by means of rain gardens (planted depressions allowing stormwater runoff from impervious surfaces the opportunity to be absorbed) permeable pavement, and infiltration on site. The proposed project includes the installation of seven rain gardens (varying in size) located along the exterior perimeter of the two buildings (refer to Figure II-2). Throughout the project site, drain inlets and a pipe system would be provided to collect the storm water from the driveways and other impervious surfaces, and direct it to the rain gardens, with the exception of the southerly, undeveloped end of the project site. In this location, the existing vegetation would be protected in place and runoff would infiltrate directly into the ground. Pervious pavers would be installed at interior courtyards and in all parking stalls. The new stormwater drainage system would accommodate storm water up to the 100-year storm.

Sustainable Development. The proposed project would incorporate the following sustainable design features to the greatest extent feasible:

- Use of “Green Building Materials,” such as those materials that are resource-efficient, recycled, and manufactured in an environmentally friendly way, including low-volatile organic compound materials and materials free from formaldehyde;
- Installation of energy-efficient mechanical systems and solar systems;
- Supplying of electric auto chargers on site;
- Installation of water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets, and waterless urinals. Plum for recycled water (purple water) and on site gray-water systems;
- Designing buildings to promote the use of natural daylight and increase natural ventilation;
- Installation of occupancy sensor controlling lights in facility hallways, stairwells, offices, restrooms, and amenity areas;
- Installation of shading devices on south and west facing windows to reduce heat transfer from the sun;
- Installation of air conditioning systems free from chlorofluorocarbons (CFCs) and hydrofluorocarbons (HFCs) as part of the refrigerant system;
- Provision of a landscape and development plan for the proposed project that includes:
 - Native and/or drought-tolerant plants;
 - Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
 - Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff; and
- Provision of interior and exterior storage areas for recyclables and green waste from kitchen uses.

C. Discretionary Actions

In accordance with Sections 15050 and 15367 of the California Environmental Quality Act (CEQA) Guidelines, the City is the designated Lead Agency for the proposed project and has principal authority and jurisdiction for CEQA actions. Responsible Agencies are those agencies that have

jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by a proposed project.

The ministerial and discretionary actions to be considered by the City as a part of the proposed project include:

- **Use Permit:** Review and approval by the City Planning Commission of a Use Permit (Application UP14-05) for the development of a 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, including landscaping and parking areas.
- **Sign Permit:** Review and approval by the City Planning Commission of a Sign Permit for the proposed project.
- **Demolition Permit:** Review and approval by the City Planning Commission of a Demolition Permit to remove a 5,000 sf existing structure on the project site.
- **Plan Review:** Review and approval of the proposed project's Site and Elevation Plan, Lighting Plan, and Landscape Plan by the City's Board of Architectural Review (Application: BAR14-20).

Other public agencies (Responsible Agencies) whose approval is required for project development include:

- Fort Ord Reuse Authority – Entitlement Consistency Determination
- State of California Department of Social Services – State License for a Residential Care Facility
- Marina Coast Water District – Water and Sewer Connection
- Monterey Regional Water Pollution Control Agency – Wastewater Treatment Permit
- California Regional Water Quality Control Board – National Pollutant Discharge Elimination System (NPDES) and Storm Water Pollution Prevention Plan (SWPPP) Permits
- Monterey Bay Unified Air Pollution Control District – Potential construction and operation permits

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III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

The plans checked below are applicable to the proposed project. Their consistency or nonconsistency with project implementation is described below. Referenced documents are listed in Section VIII, References.

General Plan/Area Plan	☒	Air Quality Management Plan	☒
Specific Plan	☐	Airport Land Use Plan	☐
Water Quality Control Plan	☐	Local Coastal Program-LUP	☐
Fort Ord Reuse Plan	☒		

A. General Plan

The proposed project was reviewed for consistency with the 2004 City of Seaside (City) General Plan (refer to Table III.1). The City's General Plan covers the approximate 8 square miles of land that make up the City area. The General Plan is intended as a comprehensive long-term plan to outline the physical growth and development of the community, and is the City's primary document for regulating land use and development. The General Plan includes eight elements to serve as a blueprint for the future growth of the City. These elements consist of: Land Use, Urban Design, Economic Development, Circulation, Conservation/Open Space, Safety, Noise, and Housing. Each element states its own goals and policies to guide land use and development decisions within the City. For a project to be considered consistent with the General Plan, it must be consistent with all applicable goals and policies found in the separate elements.

The following goals and policies from the 2004 City of Seaside General Plan are applicable to the proposed project:

Goals: Land Use: Goals LU-2, LU-4, LU-5, LU-6, and LU-8
Circulation: Goal C-4
Safety: Goals S-1 and S-2
Noise: Goals N-1 and N-3
Housing: Goals H-1, H-2, and H-3

Policies: Land Use: Policies LU-2.4, 4.1, 5.1, 5.3, 6.1, 6.2, and 8.2
Circulation: Policies C-4.1, C-4.2, and C-4.3
Safety: Policies S-1.1, S-1.2, S-1.3, and S-2.2
Noise: Policies N-1.1 and N-3.1
Housing: Policies H-1.6, H-1.7, H-2.5, H-2.6, H-2.7, and H-3.1

The proposed project was found to be consistent with all applicable goals and policies found in the 2004 City of Seaside General Plan.

CONSISTENT.

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
Goal LU-2: Revitalize existing commercial area. Policy LU-2.4: During redevelopment and revitalization activities, ensure quality architectural and design themes.	Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 feet (ft) east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space. The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development.

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods. Policy LU-4.1: Require that all new development 1) funds its share of community services and facilities; 2) uses quality design and materials; 3) is compatible with surrounding uses, the site, and available infrastructure.	Evidence: The proposed project will complement the existing site and enhance the character of the community as follows: 1. The proposed project will consist of demolishing an abandoned gas station/convenience store and redeveloping the site with an Assisted Living Facility; a Memory Care Facility; and a Co-Housing Assisted Living Facility. The Assisted Living Facility and the Memory Care Facility are contained in an 111,386 sf building. Of the 111,386 sf building, 81,679 sf will be used by the Assisted Living Facility and 29,707 sf will be used by the Memory Care Facility (refer to Building A-1 for the Assisted Living Facility and Building A-2 for the Memory Care Facility on Figure 1-2). The Co-Housing Assisted Living Facility will be 10,894 sf. The project will be able to fund its share of infrastructure improvements by re-constructing all required gas, water, and sewer lines to serve the development and pay the required Fort Ord Reuse Agency Fees. 2. The proposed project is being designed such that the height and setback of the buildings are similar to (e.g., two-story) or greater than (e.g., setbacks varying from approximately 16 to 63 ft) the neighboring residential areas. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. The project would be designed in the traditional California Craftsman architectural style. The architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables, flower boxes, and wood fascia. The architectural detail would also be characterized by neo-traditional California Craftsman design including entry porches, hip roofs, overhangs with exposed rafter tails, windows with divided lights, and wood castings and head and sill trim around all windows and doors. The roofs would consist of asphalt shingles in a weathered wood finish. The proposed project includes aluminum-clad French doors and lights and single-hung windows. The City Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design plans before the proposed project is considered and approved by the Planning Commission and the City Council. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
	development. The proposed project will water conservation measures to comply with Title 24 of the 2013 California Building Code and a planting and irrigation system in compliance with the State Model Landscape Ordinance. The proposed project would also be designed to conform to Section R2.1 Occupancy, of the most current California Building Code (CBC), which includes building code requirements for residential care facilities for the elderly with more than six non-ambulatory residents. 3. The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City's standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project's final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR's review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City's General Plan. Furthermore, because the proposed project would include the development of residential housing for seniors, the land use character of the project site would be similar to the surrounding residential uses so the proposed project would not substantially change the character of the views currently experienced by off-site viewers. As mentioned above, the proposed project includes landscaping along the perimeter of the project site and around each of the two buildings to buffer the view of the facilities from passing motorists and off-site viewers. Furthermore, the proposed project will allow for the relocation of existing infrastructure system on-site and will not require any expansion in the capacity of the existing infrastructure system.
Goal LU-5: Collaborate with local and regional water suppliers to continue to provide quality water supply and treatment capacity to meet community needs. Policy LU-5.1: Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without	Evidence: Operation of the proposed senior assisted living facility would result in a projected water demand of approximately 40.8 af/yr.¹ This does not include any reduction that would be obtained through incorporation of the sustainability features listed in Section II.B of this IS/MND. Based on the current and 10-year annual water consumption rates provided by the Marina Coast Water District, there is sufficient water allocation remaining in the 1,012 af/yr Ord Community/City of Seaside water allocation limit to

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
negatively impacting the existing community. Policy LU-5.3: Actively promote water conservation by City residents and businesses.	meet the water supply needs of the proposed project. Therefore, water supply is available to meet the incremental increase in demand from the proposed project. The project would not necessitate new or expanded water entitlements, and the MCWD would be able to accommodate the increased demand for potable water. Evidence: Provision of a landscape and development plan for the proposed project that includes: • Native and/or drought-tolerant plants; • Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls; • Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Provision of ultra-high efficiency water fixtures within the living units and dining area facilities in accordance with the Marina Coast Water District standards.
Goal LU-6: Ensure that sewer services and facilities are provided and maintained to adequately meet the community's current and future need for sewer collection and treatment. Policy LU-6.1: Maintain the existing sewer system to provide a high level of service to community neighborhoods.	Evidence: Wastewater from the proposed project would be sent, via lines owned and managed by MCWD, to the Monterey Regional Water Pollution Control Agency's (MRWMD) Regional Wastewater Treatment Plant where it would be treated. The existing sewer lines within the vicinity of the project site include one 8-inch gravity-fed sewage line and one 10-inch pressurized line. Buildings would connect directly to the 8-inch gravity-fed sewage line, which would be relocated and upgraded to a 12-inch gravity-fed sewage line as part of the proposed project. The MCWD facilities would receive wastewater generated from the proposed project. The wastewater is ultimately pumped to the Monterey Regional Water Pollution Control Agency (MRWPCA) regional treatment plant for processing, which is located 2 miles north of the City of Marina in northern Monterey County. Any future development on the project site would be serviced by the MRWPCA regional treatment facility. The regional treatment facility is responsible for the disposal of treated wastewater. MRWPCA has provided the Applicant with a will service letter (see Appendix B of this IS/MND) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments.

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
Policy LU-6.2: Ensure new development and redevelopment projects provide adequate sewage collection infrastructure.	Evidence: The MRWPCA regional treatment facility has been designed to treat typical wastewater flows from different land uses in the region, including within the City. The proposed project would generate wastewater flows typical of residential and commercial uses in the City. Therefore, the proposed project would not produce wastewater atypical of flows received at the MRWPCA regional treatment plant. MRWPCA has provided the Applicant with a will service letter (see Appendix B of IS/MND) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. In addition, as discussed in Response XVII(b) of the environmental checklist, the proposed project is anticipated to generate approximately 24,000 gallons of wastewater per day, which is a fraction of 0.1 percent of the available daily treatment capacity at MRWPCA. Therefore, the increased wastewater flows from the proposed project can be accommodated within the existing design capacity of the MRWPCA regional treatment plant, would be typical of wastewater flows in the City, and would not result in the MRWPCA regional treatment facility exceeding its wastewater treatment requirements.
Goal LU-8: Provide a level of flood control and protection that meets the needs of the community. Policy LU-8.2: Ensure developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State and federal standards.	Evidence: Throughout the project site, drain inlets and a pipe system would be provided to collect the storm water from the driveways and other impervious surfaces, and direct it to the rain gardens, with the exception of the southerly, undeveloped end of the project site. In this location, the existing vegetation would be protected in place and runoff would infiltrate directly into the ground. Pervious pavers would be installed at interior courtyards and in all parking stalls. The new stormwater drainage system would accommodate storm water up to the 100-year storm. Prior to the issuance of a grading permit, the Applicant shall prepare a Final Stormwater Control Plan. The Final Stormwater Control Plan shall be prepared by a qualified hydrologist or Professional Engineer. The Final Stormwater Control Plan shall be prepared consistent with the post-construction requirements of the Monterey Regional Stormwater Management Program (MRSWMP), including the Stormwater Technical Guide for Low Impact Development and the Stormwater Control Plan Template. The Final Stormwater Control Plan shall specify Best Management Practices (BMPs) to be incorporated into the design of the proposed project. In addition, the Final Stormwater Control Plan shall demonstrate that the storm water controls comply with the Fort Ord Reuse Authority requirement that 100 percent of the on-site storm water from a 24-hour 100-year storm event be infiltrated on the site. The Final Stormwater Control Plan shall include pre-project and post-project flow calculations to demonstrate that the rain gardens are designed to infiltrate 100 percent of the runoff from a 100-year storm. The Applicant shall provide the Final Stormwater Control Plan to the City of Seaside Public Works Department

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
Goal C-4: Ensure adequate parking is provided on-site Policy C-4.1: Require off-street parking in new development and redevelopment projects.	for review and approval. Evidence: The proposed project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The Assisted Living Facility and Memory Care Facility combined would provide 78 parking spaces for residents, visitors and employees. The Co-Housing Facility would provide 14 parking spaces for residents and visitors. Of the 92 total parking spaces, 8 parking spaces would be ADA-compliant and designated as handicap parking, 6 parking spaces would be designated for low-emitting and fuel-efficient vehicles and provide electric vehicle charging stations, 23 parking spaces would be designated for compact vehicles, and 55 parking spaces would be designated for standard vehicles. An additional 9 spaces would be provided for bicycle parking, and 2 spaces would be provided for motorcycle parking.
Goal S-1: Reduce the risks to people and property from hazards related to seismic activity, flooding, geologic conditions, and wildfires Policy 8-S.1: Reduce the risk of impacts from seismic and geologic hazards.	Evidence: The project site is located in a region characterized by moderate to high seismic activity, which could result in damage to the proposed buildings. There are several faults in the vicinity of the project site that are capable of producing strong ground motion. A fault search conducted as part of the <i>Geotechnical Investigation Report</i> identified 24 active faults and potentially active faults mapped within a 62-mile radius of the project site. These 24 faults, their distance from the site, and their estimated mean moment magnitude are listed in Table VI.VI.1. During an earthquake along any of these faults, seismically induced ground shaking at the project site would be expected to occur. The severity of the shaking would be influenced by the distance of the project site to the seismic source, the soil conditions, and the depth to groundwater. According to the <i>Geotechnical Investigation Report</i>, the Rinconada Fault is the closest known fault to the project site and, because of the fault's proximity, has the greatest potential to generate the highest level of ground shaking at the project site. The probabilistic maximum considered earthquake (MCE)² for the project site is estimated to result in a peak ground acceleration of 0.56 g.³ Due to the proximity of the project site to the Rinconada Fault, the Blanco section of the Reliz Fault and the Monterey Bay-Tularcitos Fault and other active faults in the area, it is likely that the project site would be subjected to strong ground shaking from at least one moderate to severe earthquake during the lifespan of the proposed project. Therefore, strong seismic ground shaking generated by seismic activity is considered a potential constraint that may affect the proposed project. All applicable

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
Policy S-1.2: Protect the community from flooding hazards. Policy S-1.3: Reduce the risk of wildfire hazard in the community.	guidelines, including compliance with the California Building Code and the City of Seaside Building Code, accepted industry standards, and other regional and local regulations that address seismic hazards, would be incorporated into the project's building plans. Evidence: According to the City's General Plan Safety Element (2004), the project site is not located within a 100-year flood zone. In addition, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is not located within a 100-year special flood hazard area. The project site is mapped as Zone X, Other Flood Areas, which is defined as areas of 0.2 percent annual chance floodplain (500-year floodplain), areas of 1 percent annual chance flood (100-year flood) with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood (Map No. 06053C0290G; April 2, 2009). Evidence: According to the City's General Plan Safety Element, the project site is located within a Fire Hazard Area. Although located in a Fire Hazard Area, the project site is surrounded by residential development to the east and south and SR-1 to the west and north. During operation, the project site would be developed with structures and landscaping and surrounded by urban development and roadways. In addition, the proposed use of the site would be typical of urban development and would have a low risk of igniting a wildfire. Because of the urban nature of the project site and surrounding development, and the proposed on-site uses, the risk of wildfire during operation would be low.
Goal 8-2: Protect the community from public safety hazards related to human activities. Policy 8-2.2: Minimize the risk to the community associated with hazardous materials.	Evidence: Construction of the proposed project would involve the use of chemical agents, solvents, paints, and other hazardous materials that are associated with construction activities. The amount of hazardous chemicals present during construction would be limited and would be handled in compliance with existing government regulations. The potential for the release of hazardous materials during project construction is low and, in the unlikely event that a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials used during construction. Construction of the proposed project would result in the disturbance of soils on the project site, which was once a gas station for Fort Ord. The project site previously contained three 1,000 gallon underground storage tanks (USTs) and associated product piping. The USTs and product piping located on site were properly removed in January 1997. Additionally, soil and soil vapor sampling was conducted to confirm soils on site do not contain any significant residual impacts from the gas station operations. Based on soil

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
	and soil vapor sampling conducted, there is no evidence of a petroleum hydrocarbon or VOC release resulting from the former gas station operation. Project operation would involve the use of potentially hazardous materials (e.g., cleaning agents, paints, fertilizers, or pesticides) that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to residents or workers in the vicinity of the project site. The proposed project would not produce hazardous emissions or handle acutely hazardous materials, substances, or waste.
Goal N-1: Provide consistent and effective noise control through proper and use planning. N-3: Minimize non-transportation related noise impacts. Policy N-1.1: Ensure new development and reuse/revitalization projects can be made compatible with the noise environment and existing development. Policy N-3.1: Reduce the impacts of noise producing land uses, activities, and businesses on noise sensitive land uses.	Evidence: The City of Seaside General Plan requires that interior noise levels be maintained at or below 45 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) for residential uses. Interior noise levels would vary depending upon the design of the buildings (relative window area to wall area) and the selected construction materials and methods but in general, interior noise levels would be up to 58 to 59 dBA CNEL. The proposed project will be required to install doors and windows with varying Sound Transmission Class (STC) ratings in units subjected to potentially high interior noise levels. The proposed project will also be required to install forced-air mechanical ventilation in all residential units. These requirements will help maintain interior noise levels below the City's 45 dBA CNEL noise threshold. Evidence: Traffic-related Noise. The project site is located between State Route 1 (SR-1) and Monterey Road just north of the Monterey Road and Coe Avenue intersection in the City of Seaside. Existing ambient noise was compared to projected ambient noise levels after the project is developed to determine if the project would be compatible with the existing noise environment and existing development. The primary existing noise source in the vicinity of the project site is vehicular traffic along SR-1 and local traffic along Monterey Road. Neighborhood traffic along Coe Avenue also affects the noise environment. Traffic-related noise will not be compatible with outdoor patios in three specific locations within the project site. Therefore, the proposed project includes walls around certain patios within the proposed development to ensure that use of the patios does not expose residents to excessive noise. Stationary Noise. The proposed project includes the operation of

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
	mechanical ventilation as well as emergency vehicles that may periodically assist residents. Neither the operation of mechanical equipment nor the periodic use of emergency vehicles will generate noise that will impact surrounding sensitive land uses. Mechanical Equipment. The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems. The placement of such equipment would occur on either the interior or the northern boundary of the project site. During daytime hours, typical existing hourly average noise levels range from 64 to 69 dBA L_{eq}, and during nighttime hours, existing noise levels range from 56 to 66 dBA L_{eq}. The nearest mechanical equipment room proposed near the southern property line would be a distance of 180 ft away from on-site residential units. Typical air conditioning units and heat pumps range from approximately 54 to 62 dBA L_{eq} at a distance of 5 ft. At 180 ft, these units would have noise levels below 40 dBA L_{eq}. Any other identified locations for mechanical equipment would be located further than 180 ft from the nearest noise-sensitive receptors. Emergency Response. The proposed senior assisted-living facility may, on occasion, require emergency vehicle assistance, which may include the use of a siren. At a distance of approximately 50 ft, sirens could reach levels of 92 to 94 dBA L_{max}. The nearest existing residences would be located approximately 125 ft from the entrance driveway of the project site, which would result in maximum instantaneous noise levels of 88 to 90 dBA L_{max}. While these levels could be considered to be excessive, they would occur within short time spans and would be in response to emergencies. According to Chapter 9.12.040 of the City's Municipal Code, excessive, unnecessary, or unusually loud noise is exempt from the established noise regulations.
Goal H-1: Maintain a range of housing opportunities to address the existing and projected needs of the community. Policy H-1.6: Support the concept of “aging in place” by maintaining a range of housing types that allows people to remain in the community as their housing needs change. Policy H-1.7: Ensure new residential developments are adequately served by infrastructure, including water and sewer, park and recreation	Evidence: The proposed project will contribute to improved residential options for senior citizens within the City by creating a development that incorporates a range of housing types for seniors, such as assisted living and memory care. The proposed project will provide seniors currently living in the Seaside/Monterey area an opportunity to “age in place” and remain in the area as they begin to require different housing options and a higher level of care. Evidence: The project proposes to construct 144 new senior living residential units located within three facilities and would be designed to accommodate approximately 174 senior residents. It is expected that the proposed facilities would primarily accommodate seniors that are currently living in the City, although some of the senior residents would relocate to

Table III.1: General Plan Consistency

General Plan Goal/Policy	Evidence
areas, libraries, transportation, public safety and other necessary community services.	obtain assisted living care in this location. Furthermore, the proposed project will include utilities and recreation areas on-site. Therefore, the proposed project would not substantially increase the demand on existing public services or the need for new or expanded public services.
Goal H-2: Maintain and improve existing neighborhoods and housing.	
Policy H-2.6: Through a design review process, ensure new residential developments and revitalization projects are compatible (i.e. scale, size, height, design, and appearance) with surrounding uses:	Evidence: The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City's standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project's final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR's review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City's General Plan and that the design is consistent with the surrounding residential neighborhoods.
Policy H-2.7: Support public education programs that promote property maintenance.	Evidence: The proposed project will include a demonstration garden at the south end of the development which will include drought tolerant species native to the Monterey Peninsula.
Goal H-3: Use public-private partnerships and collaborative efforts to ensure that all segments of the community have access to safe and decent housing that meets their special needs.	
Policy H-3.1: Participate in programs assisting in the production and conservation of adequate, safe, and attractive housing affordable to very-low, low, and moderate income households and other special needs groups.	Evidence: The assisted living and memory care facilities will provide housing opportunities for seniors with limited mobility and/or in need of special assistance for daily living functions. This type of housing type is limited within the community. The co-housing facility will provide affordable housing in a dormitory style environment.

- ¹ Water consumption was calculated based on the Marina Coast Water District's Urban Water Management Plan water demand factors. $(144 \text{ dwelling units} \times 0.25 \text{ af/yr/dwelling unit}) + (0.89 \text{ ac landscaping} \times 2.1 \text{ af/yr/ac}) + (2,000 \text{ sf restaurant} \times 0.00145 \text{ af/yr/sf}) = 40.8 \text{ af/yr}$.
- ² A maximum considered earthquake is defined as an earthquake that is expected to occur once in approximately 2,500 years, that is, it has a 2 percent probability of being exceeded in 50 years.
- ³ g = acceleration due to gravity $9.8 \text{ (m/s}^2\text{)}$
- ac = acres
af/yr = acre-feet per year
City = City of Seaside
ft = foot/feet
IS/MND = Initial Study/Mitigated Negative Declaration
MCWD = Marina Coast Water District
sf = square feet

B. Air Quality Management Plan

The proposed project was reviewed for consistency with the Monterey Bay Unified Air Pollution Control District's (MBUAPCD) Air Quality Management Plan (AQMP). For a project to be considered consistent with the AQMP the project must not exceed to MBUAPCD significance thresholds or cause a significant impact on air quality. If feasible mitigation measures can be implemented to reduce the project's impact level from significant to less than significant under the California Environmental Quality Act (CEQA), the project is considered to be consistent with the AQMP. Furthermore, since the AQMP is based on projections from local General Plans, projects that are consistent with the local General Plan are considered consistent with the AQMP.

Construction of the proposed project would result in the disturbance (grading and excavation) of approximately 3.25 ac. Since grading would take several weeks, the daily area of disturbance would cover less than 2.2 acres per day and would be below the MBUAPCD threshold of significance. Nevertheless, the proposed project would implement MBUAPCD's standard construction practices (refer to Standard Condition AQ-1 in Section III, Air Quality) to ensure that construction activities would not contribute to substantial short-term air pollution. Implementation of the proposed project would generate 447 daily trips. Long-term operational emissions associated with project-related mobile and stationary sources were calculated with the CalEEMod model (refer to Table VI.III.2 in Section III, Air Quality). Based on the results of the CalEEMod model, project emissions (both stationary sources and vehicular sources) would not exceed the MBUAPCD daily emissions thresholds. Therefore, the construction and operation of the proposed project would not result in a significant air quality impact. In addition, the proposed project is considered to be consistent with the City's General Plan and is, therefore, consistent with the AQMP.

CONSISTENT.

C. Fort Ord Base Reuse Plan

The project site is located within the jurisdiction of the Fort Ord Base Reuse Plan (BRP). The BRP was created by the Fort Ord Reuse Authority who is responsible for overseeing the redevelopment of the former Fort Ord Army Base. The base was closed in 1994 and the BRP was adopted in 1997 to oversee the redevelopment of the site from military uses to primarily civilian uses and was then reassessed in 2012. The BRP lays out objectives and policies that are intended to guide developers

who wish to build within the boundaries of the former base. These objectives and policies are also intended to guide the decision making of the local municipal governments as they create policies and other land use plans. In order for a project to be considered consistent with the BRP it must be consistent with all applicable objectives and policies that are found in the BRP. The proposed project was reviewed for consistency with the BRP (refer to Table III.2). The following objectives and policies from the BRP are applicable to the proposed project:

Objectives: Land Use Element: Residential Land Use Objectives B and C
Land Use Element: Institutional Land Use Objective D
Conservation Element: Soils and Geology Objective A
Conservation Element: Hydrology and Water Quality Objective C
Noise Element: Objective A
Safety Element: Seismic and Geologic Hazards Objective A
Safety Element: Fire, Flood and Emergency Management Objective A
Safety Element: Hazardous and Toxic Materials Safety Objective A

Policies: Land Use Element: Residential Land Use Policies B-1 and C-1
Land Use Element: Institutional Land Use Policy D-2
Conservation Element: Soils and Geology Policy A-2
Conservation Element: Hydrology and Water Quality Policy C-2
Noise Element: Policies B-8 and B-9
Safety Element: Seismic and Geologic Hazards Policy A-2
Safety Element: Fire, Flood and Emergency Management Policy A-2
Safety Element: Hazardous and Toxic Materials Safety Policy A-1

The proposed project was found to be consistent with the above applicable objectives and policies in the BRP, and therefore, is considered consistent with the BRP.

CONSISTENT.

Table III.2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Residential Objective B: Ensure compatibility between residential development and surrounding land Uses. Residential Land Use Policy B-1: Residential Land Use Policy B-1: The City of Seaside shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Residential Objective C: Encourage highest and best use of residential land to enhance and maximize the market value of residential development and realize the economic opportunities associated with redevelopment at the former Fort Ord. Residential Land Use Policy C-1: The City of Seaside shall provide opportunities for developing market-responsive housing in the Fort Ord planning area.	Evidence: The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development. Evidence: The proposed project will provide Senior Housing, which is identified as an underserved housing type within the City of Seaside. By providing an underserved housing type to help maintain a variety of housing types in the City commensurate with projected housing needs, the proposed project would be consistent with the Seaside General Plan.
Institutional Land Use Objective D: Provide for Community Design principles and guidelines for institutional development at the former Fort Ord. Institutional Land Use Policy D-2: The City of Seaside shall adhere to the General Development Character and Design Objectives of the Fort Ord Reuse Plan Framework for institutional development at the former Fort Ord.	Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280

Table III.2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space.
Conservation Element: Soils and Geology Objective A: Prevent the loss and transport of soil resulting from wind and water erosion and promote construction practices that recognize soils with development limitations. Conservation Element Soils and Geology Policy A-2: The City shall require developers to prepare and implement erosion control and landscape plans for projects that involve high erosion risk. Each plan shall be prepared by a registered civil engineer or certified professional in the field of erosion and sediment control and shall be Fort Ord subject to the approval of the public works director for the City of Seaside. The erosion component of the plan must at least meet the requirements of Storm Water Pollution Prevention Plans (SWPPPs) required by the California	Evidence: During construction of the proposed project, the total disturbed soil area would be approximately 5.47 acres. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. The on-site slopes composed of cohesionless dune sand materials are potentially subject to erosion. Concentration of surface runoff has the potential to result in severe erosion where the ground is included and unprotected. Because the

Table III.2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
State Water Resources Control Board.	proposed project disturbs greater than 1 acre of soil, the project is subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002) (Construction General Permit). Under the Construction General Permit, the project would be required to prepare a SWPPP and implement construction Best Management Practices (BMPs) detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.
Conservation Element: Hydrology and Water Objective C: Control nonpoint and point water pollution sources to protect the adopted beneficial uses of water. Hydrology and Water Quality Policy C-2: At the project approval stage, the City shall require new development to demonstrate that all measures will be taken to ensure that on-site drainage systems are designed to capture and filter out urban pollution.	Evidence: The project site consists of approximately 1.34 acres of impervious surface area (approximately 24.4 percent of the project site). The proposed project would increase impervious surface areas on the project site by approximately 1.66 acres to approximately 3.0 acres of impervious surface area (approximately 54.8 percent of the project site). Pollutants of concern associated with project operations include suspended solids/sediments, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, and trash and debris. A <i>Preliminary Stormwater Control Plan</i> has been prepared for the proposed project that details Low Impact Development (LID) and Source Control BMPs that would be implemented to target pollutants of concern in stormwater runoff and reduce impacts to water quality during operation of the proposed project. The LID BMPs proposed in the <i>Preliminary Stormwater Control Plan</i> include pervious pavement within the interior building courtyards and vehicle parking stalls. In addition bioswales that resemble dry streambeds and rain gardens featuring native plants would be incorporated into the project's landscaping

Table III.2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	design. In addition to the LID BMPs, Source Control BMPs would also be implemented that focus on reducing or eliminating runoff and controlling sources of pollutants during operation of the proposed project. As a Condition of Approval, the Developer will be required to prepare a Final Stormwater Control Plan that includes LID BMPs to ensure that on-site drainage systems are designed to capture and filter out urban pollution.
Noise Element Objective A: Ensure that application of land use compatibility criteria for noise and enforcement of noise regulations are consistent throughout the Fort Ord Planning area. Noise Policy B-8: If the ambient DNL exceeds the normally acceptable noise range for public or institutional uses (passively and actively used open spaces; auditoriums, concert halls, and amphitheaters; schools, libraries, churches, hospitals and nursing homes; golf courses, riding stables, water recreation areas, and cemeteries), as identified in Table 4.5-3, new development shall not increase ambient Ldn by more than 3 dBA measured at the property line. Noise Policy B-9: The City shall require construction contractors to employ noise-reducing construction practices.	Evidence: Neither the long-time traffic nor stationary noise sources would cause an increase in ambient noise levels of more than 3 A-weighted decibels (dBA) within the project vicinity as measured at the property line. Evidence: As a Condition of Approval, the Construction Contractor will be required to prepare a construction noise plan that includes implementation of Best Management Noise Reduction Practices.
Safety Element: Seismic and Geologic Hazards Objective A. Seismic and Geologic Hazards Policy A-2: The City shall use the development review process to ensure that potential seismic or geologic hazards are evaluated and mitigated prior to construction.	Evidence: A <i>Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California</i> (December 2014) was prepared for the proposed project. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code and the City of Seaside Building Code and the recommendations of the project geotechnical consultant as summarized in the final written Geotechnical Report.
Safety Element: Fire, Flood and Emergency Management Objective A. Fire, Flood, and Emergency Management Policy A-2: The City shall provide fire suppression water system guidelines and implementation plans for	Evidence: Fire protection services for the project site are provided by the Seaside Fire Department. The City operates one fire station located at 1635 Broadway

Table III.2: Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
existing and acquired former Fort Ord lands equal to those recommended in the Fort Ord Infrastructure Study (FORIS Section Table 4.1.8) for fire protection water volumes, system distribution upgrades, and emergency water storage.	Avenue that is located approximately 2.5 miles from the project site by way of surface streets. The daily staffing for the fire station includes One Chief Officer assigned to a Chevy Tahoe Command Vehicle, three to four firefighters assigned to an Engine company, and three or four firefighters assigned to a Truck company (Chief Brian Dempsey, Personal Communication). The project site will contain sufficient water service and water pressure to service the site for fire suppression purposes.
Safety Element: Hazardous Materials and Toxic Materials Safety Objective A: Ensure the timely and complete compliance by the U. S. Army with the Remedial Investigation/Feasibility Study and associated remedial action ROD as part of the land transfer process. Hazardous and Toxic Materials Safety Policy A-1: The City shall monitor and report to the public all progress made on the RA-ROD.	Evidence: A Hazardous Phase I environmental site assessment and a confirmation sampling report for the project was completed. Neither identified any hazardous wastes at the project site. Based on the results, there is no evidence that there are any hazardous materials remaining from the former gas station. Therefore, no remediation is necessary.

City = City of Seaside
ft = foot/feet
ROD = Record of Decision
sf = square feet

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. Factors

The environmental factors checked below would be potentially affected by the proposed project, as discussed on the following pages.

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

Some proposed applications that are not exempt from California Environmental Quality Act (CEQA) review may have little or no potential for adverse environmental impacts related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a not sensitive environment, and are easily identifiable, and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following findings can be made using the project description, environmental setting, or other information as supporting evidence.

☐	Check here if this finding is not applicable.
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Finding: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation, or maintenance of the proposed project, and no further discussion in the Environmental Checklist is necessary.

Evidence:

- Agriculture and Forestry Resources:** There are no agricultural or forestry resources in the proposed project area. Therefore, implementation of the proposed project would not (1) convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance to a non-agricultural use; (2) conflict with existing zoning for agricultural use or a Williamson Act contract; (3) conflict with existing zoning for forest land, timberland or timberland production; (4) result in the loss of forest land or conversion of forest land to a non-forest use; or (5) involve other changes to the existing environment which, due to their location or nature, could result in conversion of Farmland or forestland to non-agricultural or non-forest uses, respectively.
- Mineral Resources:** No mineral resources have been identified in the proposed project area. Therefore, implementation of the proposed project would not result in the loss of availability of any know mineral resources.

B. 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 evaluated 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 evaluated.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier DEIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier DEIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers, except “No Impact” answers that are adequately supported by the information sources a lead agency cites 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 should be 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 must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must 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, a DEIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program DEIR or other CEQA process, an effect has been adequately analyzed in an earlier DEIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Evaluated. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were evaluated by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - 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 significance.

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VI. ENVIRONMENTAL CHECKLIST

SECTION I: AESTHETICS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:

I(a). Have a substantial adverse effect on a scenic vista? A scenic vista is considered as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Aesthetic components of a scenic vista generally include (1) scenic quality, (2) sensitivity level, and (3) view access.

The City of Seaside (City) and adjacent cities are defined by their proximity to Monterey Bay, which is a notable and visible landmark in the geographic region. The western boundary of the City runs parallel to Monterey Bay and is between 0.0 and 0.75 mile inland from Monterey Bay. The project site is located approximately 0.25 mile inland from Monterey Bay, which can be seen from various locations within the City. However, because the topography of the project site is relatively flat and the western boundary of the project site is bordered by mature Cypress trees, Monterey Bay is not visible from the project site. There are no other scenic vistas that are visible from the project site and the project site is not visible from any scenic vistas. Therefore, implementation of the proposed project would have a less than significant impact on scenic vistas, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

I(b). Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? The California Department of Transportation (Caltrans) Landscape Architecture Program administers the Scenic Highway Program, contained in Streets and Highways Code Sections 260–263. State highways are classified as either Officially Listed or Eligible. There are no State Scenic Highways designated under the Scenic Highway Act located in the project vicinity.¹ In addition, according to the City’s General Plan, there are no designated scenic corridors within the City limits. There are no historic buildings or rock outcroppings located on the project site or in the surrounding vicinity. Furthermore, construction of the proposed project would not result in the removal or damage of scenic resources. Therefore, implementation of the proposed project would not damage scenic resources within a State or locally designated scenic roadway, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

I(c). Substantially degrade the existing visual character or quality of the site and its surroundings? The project site is bounded by California State Route 1 (SR-1) to the west, residential housing and a large stormwater basin to the east-northeast, Monterey Road and residential housing to the south and southeast, and Monterey Road, open space, and residential housing to the south-southwest. In the existing condition, the 5.47-acre project site is partially developed with a 5,000 square feet (sf) vacant structure that was formerly owned by the United States (U.S.) Army as a convenience store and gas station. The majority of the project site is currently undeveloped with the exception of the 5,000 sf structure, existing parking, the asphalt parking area, and the existing parking lot lights. In the existing condition, local access to the project site is provided by Monterey Road. There are three bluegum eucalyptus (*Eucalyptus globulus*) and 94 Monterey cypress (*Cupressus macrocarpa*) on the project site. Ice plant (*Carpobrotus edulis*) is the predominant groundcover on the project site.

Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three related senior living uses on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Assisted Living Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for assisted living services. The two buildings would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and Craftsman shingle-sided

¹ California Scenic Highway Mapping System. Monterey County. Website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm (accessed October 1, 2015).

buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 31,932 sf of landscaping around each of the three facilities, around the perimeter of the associated parking areas, and within the courtyards and gardens.

The project site is surrounded on three sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development.

In addition, as part of the City's standard review process for development projects, the City of Seaside Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR's review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City's General Plan. Furthermore, because the proposed project would include the development of residential housing for seniors, the land use character of the project site would be similar to the surrounding residential uses so the proposed project would not substantially change the character of the views currently experienced by off-site viewers. As mentioned above, the proposed project includes landscaping along the perimeter of the project site and around each of the three facilities to buffer the view of the facilities from passing motorists and off-site viewers. Therefore, with consideration of the architectural design, surrounding residential housing, and proposed landscaping, implementation of the proposed project would have a less than significant impact on the existing visual character and quality of the site and its surroundings, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

I(d). Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? Spill-over light occurs when lighting standards are not properly aimed or shielded to direct light to the desired location and light escapes and partially illuminates a surrounding location. Glare is a result of improperly aimed or blocked lighting sources that are visible

against a dark background such as the night sky. Glare generally does not result in illumination of off-site locations but does result in a visible source of light viewable from a distance.

Currently, the project site does not contain lighting in or around the vacant 5,000 sf structure. The proposed project would introduce new lighting sources on the project site to service the three facilities, and the new lighting could affect nighttime views in the area. The proposed project's outdoor lighting plan includes the following components: 15 traditional California Craftsman-style double-head lights located in the parking and driveway areas (approximately 7 ft high) and 29 single-head lights at the building entrances, along the building sides, and in the courtyard areas, Co-Housing area, and the trash and recycling enclosure area, for a total of 44 outdoor lights.

The proposed lighting would be in conformance with City Outdoor Illumination Standards (City Municipal Code 17.30.070) and would be illuminated from sunset to sunrise (generally 6:00 p.m. to 6:00 a.m., depending on the time of year). Project lighting would be designed to be contained within the project site, and spill light and glare would be reduced by design features (e.g., light shielding). In accordance with the City Outdoor Illumination Standards, no lighting source would produce an illumination level greater than 1 foot-candle on any property within a residential zone except on the site of the light source. In addition, the exterior lights would be surface-mounted and directed away or screened from adjacent residential uses. Furthermore, all interior project lighting would be contained within the insides of the buildings.

To reduce potential impacts associated with project lighting, a Final Lighting Plan would need to be prepared for the proposed project and approved by the City BAR. The proposed project's Final Lighting Plan would include design components such as downward directional lumens, containment to only those areas needed for illumination on and off-site, and unobtrusive lighting design to reduce potentially significant impacts on nighttime views and nighttime light and glare impacts. With implementation of Mitigation Measure AES-1 requiring the preparation and approval of a Final Lighting Plan, potential project-related impacts associated with light and glare would be reduced to less than significant levels.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure AES-1: Lighting Plan. Prior to issuance of a grading permit, a Final Lighting Plan shall be prepared for the proposed project and be submitted for review and approval to the City of Seaside (City) Board of Architectural Review. The Final Lighting Plan shall be prepared by a qualified engineer and shall comply with the requirements of the California Energy Code set forth in the California Code of Regulations (CCR), Title 24, Part 6 and the City's Municipal Code. The Final Lighting Plan shall include the following components to minimize adverse visual effects during nighttime hours:

- Lighting fixtures shall be focused downward within the project site boundaries to avoid light spill upward to the night sky or out on adjacent properties.
- The Final Lighting Plan shall be reviewed by the City's Police Department for consistency with security and safety requirements.
- All proposed interior project lighting shall have a maximum candela value such that the light falls within the buildings.
- The Final Lighting Plan shall also include a photometric survey. The photometric survey shall demonstrate that no direct rays shine onto public streets or adjacent sites and that no on-site lighting source produces an illumination level greater than 1 foot-candle on any property within a residential zone except on the site of the source.

Significance Determination After Mitigation: Less than Significant Impact

SECTION II: AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impact to agricultural resources are significant environmental effects, 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:				
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 non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Refer to Section IV, Environmental Factors Potentially Affected and Determination. The proposed project would have no impact on agricultural and forestry resources, and no mitigation is required.

SECTION III: AIR QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Air Quality Analysis* (LSA, Associates, Inc. [LSA] September 2015) and the *Health Risk Assessment* (LSA, September 2015) (refer to Appendix A).

III(a). Conflict with or obstruct implementation of the applicable air quality plan? The project site is located in the City of Seaside within Monterey County, in the southern portion of the North Central Coast Air Basin (Basin). The Basin encompasses Santa Cruz, San Benito, and Monterey Counties. Air quality within this part of the Basin is under the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). An Air Quality Management Plan (AQMP) describes air pollution control strategies to be taken by a city, county, or region classified as a non-attainment area. The Basin is in non-attainment for the State standards for ozone (O₃) and particulate matter less than 10 microns in diameter (PM₁₀). The main purpose of an AQMP is to bring the area into compliance with federal and State air quality standards. Consistency with MBUAPCD's most current AQMP (adopted in 2008) (2008 AQMP) means that a project is consistent with the goals, objectives, and assumptions in the respective plan to achieve federal and State air quality standards. Specific criteria for determining whether the potential air quality impacts of a proposed project are significant are set forth in the MBUAPCD's *CEQA Air Quality Guidelines*.

The California Environmental Quality Act (CEQA) requires that certain projects be analyzed for consistency with the AQMP. For a project to be consistent with the AQMP adopted by the MBUAPCD, the pollutants emitted from the project should not exceed the MBUAPCD daily

threshold or cause a significant impact on air quality, or the project must already have been included in the AQMP projection. However, if feasible mitigation measures are implemented and shown to reduce the impact level from significant to less than significant, a project may be deemed consistent with the AQMP. As discussed in Responses III (b), (c), and (d), below, the proposed project's emissions would be below the emissions thresholds established in the MBUAPCD's *CEQA Air Quality Guidelines*. In addition, the proposed project is consistent with the City's General Plan and is, therefore, consistent with the projections therein. Therefore, the proposed project would not conflict with the AQMP and would not result in any impacts related to implementation of the AQMP, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

III(b). Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Short-Term (Construction) Emissions. Emissions of pollutants would occur during construction of the proposed project from soil disturbance and equipment exhaust. Emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and type of project. Air quality impacts can nevertheless be acute during construction periods, resulting in significant localized impacts to air quality. Construction emission thresholds published by the MBUAPCD are identified below.

The *CEQA Air Quality Guidelines* published by the MBUAPCD note that construction activities (grading, excavation, and on-site vehicular traffic) would have a significant effect on local air quality if they emit greater than 82 pounds of PM₁₀ near sensitive receptors. MBUAPCD has determined that when minimal earthmoving (grading) takes place, disturbance of greater than 8 acres can exceed the 82-pound-per-day threshold. A construction site with earthmoving activity would have potentially significant PM₁₀ impacts when active construction covers 2.2 acres or more per day.

Construction of projects using typical construction equipment such as dump trucks, scrapers, bulldozers, compactors, and front-end loaders, which temporarily emit precursors of O₃ (i.e., reactive organic gases (ROG) or nitrogen oxides [NO_x]), are accommodated in the emissions inventories of State and federally required air plans and would not have a significant impact on the attainment and maintenance of O₃ Ambient Air Quality Standards (AAQS).

Construction projects that may cause or substantially contribute to the violation of other State or national AAQS or that could emit toxic air contaminants could result in temporary significant impacts.

The total area of disturbance (grading and excavation) for construction of the entire proposed project is anticipated to be approximately 3.25 acres. Per the MBUAPCD threshold, the proposed project is prohibited from disturbing more than 2.2 acres per day during construction. Since grading would take

several weeks, the daily area of disturbance would cover less than 2.2 acres per day and, therefore, would be below the MBUAPCD threshold of significance. In addition, MBUAPCD standard construction practices would be implemented (refer to Standard Conditions AQ-1 and AQ-2, below) as part of the proposed project to ensure that construction activities would not disturb more than 2.2 acres per day or contribute to substantial short-term air pollution. Therefore, with the implementation of Standard Conditions AQ-1 and AQ-2, air quality impacts associated with the proposed project during construction would be less than significant, and no mitigation is required.

Long-Term (Operational) Emissions. Long-term air pollutant emission impacts are associated with any change in permanent use of the project site by on-site stationary and off-site mobile sources that substantially increase emissions. Stationary source emissions include emissions associated with electricity consumption and natural gas usage. Mobile source emissions would result from vehicle trips associated with the proposed project.

The daily operational emissions “significance” thresholds for criteria pollutants with regional effects established by the MBUAPCD are identified below in Table VI.III.1.

Table VI.III.1: Thresholds of Significance for Criteria Pollutants of Concern: Operational Impacts¹

Pollutant	Threshold(s) of Significance
ROGs	137 lbs/day (direct + indirect)
NO _x as NO ₂	137 lbs/day (direct + indirect)
PM ₁₀	82 lbs/day (on site) ²
	AAQS exceeded along unpaved roads (off site)
CO	LOS at intersection/road segment degrades from D or better to E or F; v/c ratio at intersection/road segment at LOS E or F increases by 0.05 or more; delay at intersection at LOS E or F increases by 10 seconds or more; <u>or</u> reserve capacity at unsignalized intersection at LOS E or F decreases by 50 or more
	550 lbs/day (direct) ³
SO _x as SO ₂	150 lbs/day (direct)

Source: LSA Associates, Inc. *Air Quality Analysis* (September 2015).

¹ Projects that emit other criteria pollutant emissions would have a significant impact if emissions would cause or substantially contribute to the violation of State or national AAQS. Criteria pollutant emissions could also have a significant impact if they would alter air movement, moisture, temperature, or climate or create objectionable odors in substantial concentrations. When estimating proposed project emissions, local or proposed project-specific conditions should be considered.

² MBUAPCD-approved dispersion modeling can be used to refute (or validate) a determination of significance if modeling shows that emissions would not cause or substantially contribute to an exceedance of State and national AAQS.

³ Modeling should be undertaken to determine whether the proposed project would cause or substantially contribute (550 lbs/day) to the exceedance of CO AAQS. If not, the proposed project would not have a significant impact.

AAQS = ambient air quality standards

CO = carbon monoxide

lbs/day = pounds per day

LOS = level of service

MBUAPCD = Monterey Bay Unified Air Pollution Control District

NO₂ = nitrogen dioxide

NO_x = nitrogen oxides

PM₁₀ = particulate matter less than 10 microns in diameter

ROG = reactive organic gases

SO₂ = sulfur dioxide

SO_x = sulfuric oxides

v/c = volume-to-capacity

Projects in the Basin with operations-related emissions that exceed any of the emission thresholds are considered potentially significant by the MBUAPCD. Implementation of the proposed project would generate 447 daily trips. Long-term operational emissions associated with project-related mobile and stationary sources were calculated with the CalEEMod model, and are shown in Table VI.III.2, below.

Table VI.III.2: Project Operational Emissions

Source	Pollutants (lbs/day)					
	CO	ROCs	NO _x	SO _x	PM ₁₀	PM _{2.5}
Stationary Source Emissions	3.5	0.25	7.0	0.0015	0.052	0.052
Mobile Source Emissions	2.1	5.5	26	0.043	2.8	0.79
Total Emissions	5.6	5.8	33	0.045	2.9	0.84
MBUAPCD Threshold	550	137	137	150	82	N/A
Exceed MBUAPCD Threshold?	No	No	No	No	No	N/A
Significant Air Quality Impact?	No	No	No	No	No	N/A

Source: LSA Associates, Inc. *Air Quality Analysis* (September 2015).

CO = carbon monoxide

lbs/day = pounds per day

MBUAPCD = Monterey Bay Unified Air Pollution
Control District

N/A = Not Applicable

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in diameter

PM₁₀ = particulate matter less than 10 microns in diameter

ROCs = reactive organic compounds

SO_x = sulfur oxide

As shown in Table VI.III.2, project emissions (both stationary source and vehicular source) would not exceed the MBUAPCD daily emissions thresholds. Therefore, the long-term air quality impacts of the proposed project are less than significant, and no mitigation measure is required.

CO Hot-Spot Analysis. Vehicular trips associated with the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts occur when emissions from vehicular traffic increase as a result of the proposed project. The primary mobile-source pollutant of local concern is carbon monoxide (CO), a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, it disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (residents, school children, the elderly, and hospital patients, etc.). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service (LOS E or F) or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended, to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Existing CO concentrations in the immediate project vicinity are not available. Ambient CO levels monitored at the Salinas Station, the closest station with complete monitored CO data, showed a highest recorded 1-hour concentration of 1.8 parts per million (ppm) (State standard is 20 ppm) and a highest 8-hour concentration of 1.4 ppm (State standard is 9 ppm) during the past 3 years (see Table E in the *Air Quality Analysis* in Appendix A). The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis.

The proposed project would generate net increases of 29 trips in the a.m. peak hour and 47 trips in the p.m. peak hour. All intersections analyzed in the project traffic study (Hatch Mott MacDonald, October 8, 2015) were found to operate at LOS A and B (other than the SR-1 ramps). LOS A and B represent acceptable levels of traffic flow and vehicle delay. Intersections functioning at LOS E or F are the most conducive to the formation of CO hotspots. “Projects that are likely to worsen air quality at signalized intersections having a level of service E, or F, represent a potential for a CO violation and need further analysis” (Caltrans 1977).

Given the relatively low level of CO concentrations in the project area, and no traffic impacts at any intersections, project-related vehicles are not expected to contribute significantly to an increase in CO concentrations such that the CO concentrations would exceed the State or federal CO standards. Because no CO hot spot would occur, there would be no project-related impacts on CO concentrations.

In summary, operation of the proposed project would not violate any air quality standards or contribute to an existing or projected air quality violation. Therefore, operation of the proposed project would result in a less than significant impact, and no mitigation is required.

Standard Conditions:

Standard Condition AQ-1: Dust Control Measures. The City of Seaside (City) Engineer shall ensure, per the Monterey Bay Unified Air Pollution Control District *CEQA Air Quality Guidelines* that the following dust mitigation measures shall be implemented by the Construction Contractor during construction of the proposed project:

- The Construction Contractor shall water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- The Construction Contractor shall apply chemical soil stabilizers on inactive construction areas (disturbed lands within the proposed project’s construction footprint that are unused for at least four consecutive days).
- The Construction Contractor shall apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut-and-fill operations and shall hydroseed the area.
- The Construction Contractor shall cover all trucks hauling dirt, sand, or loose materials to and from the project site.
- The Construction Contractor shall plant vegetative ground cover in disturbed areas as soon as possible.
- The Construction Contractor shall cover inactive storage piles.
- The Construction Contractor shall sweep streets if visible soil material is carried out from the construction site.

- The Construction Contractor shall limit the area under construction at any one time and limit grading to 2.2 acres per day.

Standard Condition AQ-2: Air Pollution Reduction Measures. The City Resource Management Services shall ensure, prior to final site plan approval, that the proposed project site plans include the following written specifications to reduce air pollutants generated by vehicle and equipment exhaust during construction:

- The Construction Contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The Construction Contractor shall ensure that construction grading plans include a statement that all construction equipment shall be tuned and maintained in accordance with the manufacturers' specifications.
- The Construction Contractor shall ensure that construction grading plans include a statement that work crews shall shut off equipment when not in use.
- The Construction Contractor shall time the construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.
- The Construction Contractor shall support and encourage ridesharing and transit incentives for the construction crew.
- California Air Resources Board-approved on-road diesel fuel shall be used in all diesel construction equipment when available.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

III(c). Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? As discussed in Response III(b), above, no exceedance of MBUAPCD criteria pollutant emission thresholds would be anticipated for the proposed project. The projected emissions of criteria pollutants as a result of the proposed project are expected to be below the emissions thresholds established for the region. Cumulative emissions are part of the emission inventory included in the AQMP for the project area. Therefore, implementation of the proposed project would result in a less

than significant impact associated with creating a cumulatively considerable net increase of the criteria pollutants that are in non-attainment status in the Basin, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

III(d). Expose sensitive receptors to substantial pollutant concentrations?

Short-Term (Construction). Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates as well as to a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). These sensitive receptors are not expected to experience a substantial increase in pollutant concentrations during construction of the proposed project due to the small daily area of soil disturbance (less than 2.2 acres). In addition, MBUAPCD standard construction practices would be implemented as part of the proposed project to further reduce or eliminate emissions.

Therefore, with the implementation of Standard Condition AQ-1, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during construction, potential short-term impacts are considered less than significant, and no mitigation is required.

Long-Term (Operational). Operation of the proposed project would not result in higher concentrations of criteria pollutants that would create or worsen an existing air quality violation. Short-term emissions are of concern for analyzing acute health impacts. The acute inhalation, carcinogenic, and chronic inhalation health risks from all nearby pollutant sources to the future residents of the proposed project are shown in Table VI.III.3, below.

Table VI.III.3: Health Risk Levels for Residents of the Proposed Project

Location	Maximum Cancer Risk (risk per million)	Maximum Non-cancer Chronic Risk (Hazard Index)	Maximum Non-cancer Acute Risk (Hazard Index)
30-year resident exposure	1.9	0.0081	0.032
25-year worker exposure	0.91		
MBUAPCD Significance Threshold	10	1.0	1.0
Significant?	No	No	No

Source: LSA Associates, Inc. *Health Risk Assessment* (September 2015).
MBUAPCD = Monterey Bay Unified Air Pollution Control District

As shown in Table VI.III.3, the acute hazard index (HI) for both residents and workers would be 0.032, which is less than the MBUAPCD threshold of 1.0. In addition both maximum cancer risk and chronic HI would be below the established MBUAPCD thresholds.

Therefore, operation of the proposed project would result in a less than significant impact associated with exposing sensitive receptors to substantial pollutant concentrations, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Conditions AQ-1 and AQ-2 in Response III(b), above. No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

III(e). Create objectionable odors affecting a substantial number of people? During construction of the proposed project, some objectionable odors may be present due to diesel-powered construction equipment. However, these odors would be temporary, limited to the construction period (i.e., 18 months), and are not anticipated to be substantial due to the intermittent use of construction equipment. In addition, the proposed uses would follow good waste management procedures and are not anticipated to emit any objectionable odors that would cause a public nuisance. Therefore, implementation of the proposed project would result in a less than significant impact associated with creating objectionable odors affecting a substantial number of people, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

SECTION IV: BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
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?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Biotic Resources Assessment* (Thompson Wildland Management, October 2015) and the *Arborist Report* (Thompson Wildland Management, October 2015) (refer to Appendix A).

IV(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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? The project site consists of a 5,000 sf vacant structure, asphalt parking area, existing parking lot lights, and undeveloped land. There are three bluegum eucalyptus and 94 Monterey cypress on the project site. Ice plant is the predominant groundcover. The land uses surrounding the project site are primarily residential.

The California Natural Diversity Data Base (CNDDDB) was reviewed for special-status plant and wildlife species that are known or have the potential of occurring on the project site. In addition, field surveys in the fall of 2014 and a field survey in the spring of 2015 were conducted to map and describe existing habitats, prepare a floristic list, and survey the project site for the presence of special-status plants and wildlife species.

Based on review of the CNDDDB, 47 special-status plant and wildlife species have the potential to occur on the project site. Of the 47 special-status species identified as having the potential to occur on the project site, only one special-status plant species, Michael's rein orchid (*Piperia michaelii*), was observed in the southeast portion of the project site during the field survey conducted during the spring of 2015. This small patch consisted of less than a dozen plants. This species has a California Native Plant Society (CNPS) rare plant rank of 4.2 (i.e., this species is fairly uncommon and of limited distribution but does not have a State or federal protection status). Though CNPS monitors the status of this species, there is currently no protection or preservation requirements for Michael's rein orchid. No other suitable habitat or special-status species were found to be present on the project site during the 2014 and 2015 field surveys.

The project site has an extremely low likelihood to support California tiger salamander (*Ambystoma californiense*; CTS) or California red-legged frog (*Rana draytonii*; CRLF). Both are listed as threatened species under the Federal Endangered Species Act (FESA) and are California Species of Special Concern (SSC); CTS is also listed as a threatened species under the California Endangered Species Act (CESA). Although the project site is within the historic range of CTS and CRLF, the project site contains no aquatic habitat (for breeding) and would not be considered suitable upland habitat due to the ruderal conditions present on the site, being situated between two major roadways (SR-1 and Monterey Road), and the lack of connectivity to suitable habitat for CTS or CRLF. The closest known records of CTS and CRLF to the project site are from approximately 3 miles to the east and 5 miles to the south, respectively. The maximum reported movement distance from upland burrows to breeding ponds is approximately 1.3 miles (CDFG 2010). Additionally, dispersal from one of these recorded locations to the project site would require traversing vast tracts of developed areas (e.g., housing developments and heavily-traveled roads). Given that neither suitable breeding nor upland habitat occurs within or adjacent to the project site, the recorded locations for CTS and CRLF are greater than the documented movement distances from the project site, and because the project site is isolated by development from occupied or suitable habitat, CTS and CRLF are not expected to occur within the project site. Therefore, no impacts to CTS or CRLF are anticipated as a result of this project.

The project site is not located within designated critical habitat for any special-status species. Due to the lack of suitable habitat and based on the results of the field surveys, implementation of the proposed project would not have a substantial adverse effect on any candidate, sensitive, or special-

status species, as defined by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS). Therefore, any potential impacts to sensitive or special-status species resulting from implementation of the proposed project would be considered less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IV(b). Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? The project site is dominated by non-native ruderal species and does not contain any riparian habitat or sensitive natural communities identified in local or regional plans, policies, or regulations or by the CDFW or the USFWS. No impacts related to riparian habitat or other sensitive natural communities identified in local or regional plans would result from project implementation, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

IV(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? The project site is dominated by non-native ruderal species, and no natural hydrologic features or federally protected wetlands as defined by Section 404 of the Clean Water Act occur on site. Therefore, no direct removal, filling, or hydrological interruption of a wetland area would occur from implementation of the proposed project. The proposed project would not result in any impacts to wetlands, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

IV(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? The project site is bounded by SR-1 to the west, residential housing and a large stormwater basin to the east-northeast, Monterey Road and residential housing to

the south and southeast, and Monterey Road, open space, and residential housing to the south-southwest. The project site is dominated by non-native ruderal species. Because the project site is surrounded by residential development and a freeway, the project site does not function as a wildlife movement corridor.

There are a total of 97 mature (6-inch or larger diameter at breast height [DBH]) trees on the project site (94 Monterey cypress and 3 bluegum eucalyptus). Implementation of the proposed project would remove 44 trees, of which 42 trees would be replaced. The existing grove of Monterey cypress trees may provide suitable habitat for migratory birds and raptors such as Ferruginous hawk (*Buteo regalis*) and Northern harrier (*Circus cyaneus*), which are protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. In addition, on-site trees may provide roosting habitat for bats. If construction of the proposed project occurs during the nesting bird season or bat maternity season, construction activities could result in impacts to nesting birds and roosting bats. Impacts to birds and bats could also occur from the removal of trees on the project site, which could result in loss of nesting and/or roosting habitat. In addition, indirect impacts may occur as a result of noise and increased human activity in the area associated with construction of the proposed project. If construction activities are scheduled during the nesting bird season or bat maternity season, pre-construction nesting bird and roosting bat surveys would be required in order to prevent any impacts to nesting birds or roosting bats, as specified in Mitigation Measure BIO-1. With implementation of Mitigation Measure BIO-1, potential construction-related impacts to nesting birds and roosting bats could be avoided. And therefore, potentially significant impacts would be reduced to less than significant.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure BIO-1: Pre-construction Nesting Bird and Roosting Bat Surveys. To avoid impacts to native bird or roosting bat species that may utilize the project site, if feasible, construction (at a minimum, vegetation clearing and/or preliminary ground disturbance) should take place outside the nesting bird and roosting bat season (i.e., September through mid-January). If these activities are scheduled within the active bird nesting season (January 15 through July 31) or recognized bat maternity season (April 1 through August 31), within 14 days prior to commencement of construction activities, a nesting bird survey and bat roosting survey shall be conducted by a qualified biologist. This requirement shall be reflected as notes on all construction documents to be approved by the City of Seaside (City).

If no active nests or roosts are located, construction activities can proceed. If active nests are located, then construction work should be conducted outside an exclusion zone to be developed by the qualified biologist in coordination with the appropriate regulatory agency based on the geographic setting of the nest and the species (i.e., 50 feet (ft) for common passerine species and up to 500 ft for raptor species). Construction activities should avoid the exclusion zones until the qualified biologist determines that

the young have successfully fledged or the nest is no longer considered active. A qualified biologist should conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. Should roosting bats be found in any of the trees, bats will be humanely evicted from their roosts using a site- and/or species-specific tree trimming protocol developed in coordination and consultation with the California Department of Fish and Wildlife (CDFW).

If applicable, within 1 week of completing the pre-construction nesting bird and bat roosting survey, the qualified biologist shall prepare a memorandum documenting the survey results and submit to the City for review and approval.

Significance Determination After Mitigation: Less than Significant Impact

IV(e). Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? The Conservation and Open Space Element of the City's General Plan establishes policies for the City's Tree Ordinance (Municipal Code Chapter 8.54) and landscaping performance standards (Zoning Ordinance Section 17.30.40). The City's Tree Ordinance prohibits removal of any tree on private property in the City without a permit. The ordinance also contains a list of trees, which may not be planted without a permit (including Monterey pine, Monterey cypress, coast redwood, bluegum eucalyptus, willow, cottonwood, and poplar). Any protected tree that is removed must be replaced with a species and at a location approved by the City's BAR.

There are a total of 97 mature (6-inch or larger DBH) trees on the project site including 94 Monterey cypress and 3 bluegum eucalyptus that were planted on the property by Caltrans and the U.S. Army Corps of Engineers (Corps) for landscape improvement and vegetation screening. In addition, there are cypress seedlings and saplings (4-inch DBH or less) on the project site that developed from natural recruitment.

Construction of the proposed project would require the removal of 84 trees – three bluegum and 81 Monterey cypress trees. Thirteen of the existing Monterey cypress located adjacent to SR-1 would remain and would be integrated into the proposed project. Sixty-three (63) of the Monterey cypress trees to be removed by the proposed project but would be replaced, in-kind, on the site, with a minimum 5-gallon container. Eighteen (18) of the Monterey cypress trees would be replaced, on the project site, with a different tree species, with a minimum 5-gallon container. The 3 bluegum trees would be replaced, on the project site, with a different tree species also with a minimum 5-gallon container.

While the City's Tree Ordinance specifies that all trees that are removed shall be replaced on a 1:1 basis, Section 8.54.070 of the City's Tree Ordinance states that this requirement may be modified or waived if it is determined that replacement on a one-for-one basis constitutes an unreasonable hardship. In the case of the proposed project, the location of the proposed project site improvements (e.g., buildings, parking lots, and underground utilities) preclude the feasible placement of all 81 Monterey cypress trees. The Landscape Plan, proposed tree replacement percentage, types of

replacement trees to be planted, and locations for replacement trees will require approval from the City's BAR. Therefore, the BAR will need to approve the modification of the City's tree replacement policy for the proposed project. Therefore, as specified in Standard Condition BIO-1, the project's Landscaping Plans will be submitted to the BAR for review and approval to ensure compliance with the City's Tree Ordinance prior to the City Planning Commission's review of the proposed project.

Construction on the west side of the project site adjacent to SR-1 would be in close proximity to the existing Monterey cypress trees being preserved. Therefore, construction activities would have the potential to impact these existing trees. Therefore, Mitigation Measure BIO-3 would be implemented to reduce impacts to existing Monterey cypress trees during construction of the proposed project. With implementation of Standard Condition BIO-2 and Mitigation Measure BIO-3, the proposed project would not conflict with local policies or ordinances protecting biological resources and impacts would be less than significant.

Standard Conditions:

Standard Condition BIO-2: Board of Architectural Review. Prior to project level review by the City Planning Commission, the Developer shall submit the project's Landscaping Plans to the City Board of Architectural Review (BAR) for review and approval. The Landscape Plans shall incorporate all Conditions of Approval as required for the proposed project by the BAR prior to the issuance of a building permit.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure BIO-3: Contracted Arborist. Prior to the issuance of a tree removal permit, the Developer shall submit proof to the City of an executed agreement with a qualified Arborist. The agreement shall include a schedule of the proposed construction timeline for the Project Arborist to ensure compliance with the following measures as detailed in the Arborist Assessment;

- **Exclusionary Fencing:** Prior to commencing grading and construction activities, the Construction Contractor shall install high visibility exclusionary fencing in a manner that clearly defines the work area, limits unnecessary disturbance and protects the critical root zone (i.e., canopy dripline) of individual trees and tree groupings to be preserved by the proposed project. The Project Arborist shall identify and delineate sensitive root zone areas within and beyond the canopy dripline of retained trees to ensure these trees will be protected and preserved for the duration of the project. The Construction Contractor shall conduct necessary repairs, modifications, and maintenance to canopy driplines on an as needed basis for the duration of construction.

- **Sedimentation Control:** The Construction Contractor shall install appropriate sedimentation control measures (e.g., silt fence) along the downslope perimeter of the project site, and, if necessary, apply soil stabilization and erosion control measures (e.g., rice straw mulch, erosion control blankets, all-weather surfaces) to exposed soil surfaces to prevent erosion and sediment runoff around preserved trees during rain events. The Construction Contractor shall conduct routine monitoring and necessary maintenance to ensure the erosion control and sedimentation control measures are functioning effectively for the duration of construction.
- **Trunk and Stem Protection:** Where grading and construction activities are occurring within 3 ft of preserved trees, the Construction Contractor shall install trunk and stem protection measures (e.g., weed free rice straw bales or construction lumber). Tree protection measures shall be securely installed to trees with rope and surrounded by high visibility exclusionary fencing. If it is necessary to perform any pruning, the Construction Contractor shall use proper tree pruning practices in consultation with the Project Arborist.
- **Root Zone Protection:** To the greatest extent feasible, the Construction Contractor shall avoid damaging or severing roots located within the critical root zone (i.e., canopy dripline) of preserved trees, especially roots that are 2 inches in diameter or larger. Construction footings shall be designed and excavation cuts performed in a manner to minimize impacts to primary roots. If roots are encountered, efforts shall be made to carefully excavate (e.g., tunnel or dig) under or around primary lateral roots. Trenching operations that may occur in close proximity to preserved trees shall be performed under the guidance and monitoring of the Project Arborist. Tree roots severed or damaged during grading or excavating operations shall be cleanly cut and promptly covered with moist burlap fabric or equivalent until roots are permanently covered with backfill material or until the exposed grading cut and soil profile is permanently stabilized and protected. If burlap-covered cut roots are exposed to the outside environment for a prolonged period of time, the Construction Contractor shall assign a site attendant the task of regularly wetting burlap-covered roots to prevent root desiccation.
- **Trees Damage:** In accordance with established tree care and preservation Best Management Practices, if protected trees are damaged during construction of the proposed project, the Construction Contractor shall promptly repair and/or treat

the trees as prescribed by the Project Arborists. Remedial or corrective treatments shall depend largely on the condition of the specific tree and the damage or injury sustained.

- **Natural Grade Protection:** To the greatest extent feasible, the Construction Contractor shall avoid altering the natural grade and applying excessive fill material within the critical root zone of the protected trees to reduce the likelihood of crown rot and root decay disorders from developing. Specifically, applying fill material against the lower trunk and root crown of protected trees should be avoided.
- **Irrigation:** The Construction Contractor shall irrigate protected trees on a schedule as determined by the Project Arborist at the start of construction. Tree irrigation shall wet the soil within the tree protection zone to a depth of 30 inches. Irrigation shall continue for the duration of construction of the proposed project.
- **Pruning:** If tree pruning is necessary, the Construction Contractor shall conduct pruning at the direction of the Project Arborist. The Project Arborist shall oversee pruning activities to ensure that pruning is conducted in a manner that minimizes harmful impacts to trees and reduces potential tree hazards. If feasible, tree pruning shall be performed during the fall through early winter months. Pruning shall be conducted so that cuts are as small as possible and as few living branches as possible are removed.
- **Woodchip Mulch:** The Construction Contractor shall retain woodchip mulch produced during tree removal operations on the site. This sourced mulch shall be utilized for erosion control (i.e., mulch can be effective at stabilizing and protecting exposed soil surfaces) as well as preventing soil compaction within tree root zones and may be used for future landscaping activities on the project site.
- **Storage:** The Construction Contractor shall avoid storing construction tools, materials, and equipment within the dripline of protected trees. The Construction Contractor shall not wash out or dispose of excess materials (e.g., paint) or temporarily store or stockpile materials and/or equipment within the critical root zones of protected trees. If it is unavoidable and necessary to temporarily store or stockpile materials and/or equipment within the dripline of protected trees, the Construction Contractor shall apply 6–12 inches of clean and properly sourced woodchip mulch within the dripline to prevent substantial soil compaction and root zone disturbance. Once construction activities are complete, the temporary mulch layer shall be removed and reduced to a 3–

4 inch layer of woodchip mulch to allow for increased water and oxygen penetration into the subgrade.

- **Site Inspections:** For the duration of construction, the Construction Contractor shall regularly perform construction site inspections to monitor the condition of protected trees and resource protection measures and to determine if any repairs, adjustments, or modifications are necessary. Additionally, trees impacted by site development shall be periodically monitored and assessed during and following construction to determine if any tree care and management actions are necessary and to make certain trees do not present a hazard to property and/or nearby structures.

The Project Arborist shall submit monthly memorandums to the City during construction and within 2 weeks of the completion of construction, and shall submit a final report summarizing the project's compliance with the measures prescribed above.

Significance Determination After Mitigation: Less than Significant Impact

IV(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? There is presently no adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State habitat conservation plan in the City. Implementation of the proposed project would not interfere with any current local, regional, or State HCPs or NCCPs, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

SECTION V: CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resources as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to §15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site of unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Preliminary Archaeological Reconnaissance for the Seaside Senior Living Project* (Archaeological Consulting, 2014) (refer to Appendix A). The project area for cultural resources, includes the entirety of the parcel (APN 031-141-004), located at 550 Monterey Road in Seaside, Monterey County, California.

V(a). Cause a substantial adverse change in the significance of a historical resources as defined in §15064.5? CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) listed in a local register of historical resources as defined in California Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project’s Lead Agency (PRC Section 21084.1 and *State CEQA Guidelines* Section 15064.5(a)).

In addition, a resource must retain enough of its historic character and appearance to be recognizable as an historical resource and be able to convey the reasons for its significance (California Code of Regulations [CCR] Title 14 Section 4852(c)). Generally, a cultural resource must be 50 years or older to be eligible for the California Register. The existing facility in the project area consists of a vacant gas station and convenience store constructed circa 1990. The gas station and its ancillary facilities are not of sufficient age to be considered a historical resource, nor do they exhibit any extraordinary characteristics to be considered as an exception to minimum age requirements (i.e., >50 years old). Therefore, implementation of the proposed project would not result in any impacts to historical resources as defined in Section 15064.5, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

V(b). Cause a substantial adverse change in the significance of an archaeological resources pursuant to §15064.5? Based on the results of the background research and cultural resources field survey conducted for the proposed project, the project site does not contain surface evidence of archaeological resources. In addition, the review of publications and maps for archaeological and environmental information (e.g., geologic setting), records search, and field survey identified no indication of elevated sensitivity for the presence of previously undocumented buried archaeological resources to occur in the project area. Furthermore, according to the City's General Plan, the project area is not within an area of high sensitivity for possessing archaeological resources.¹ Therefore, the potential for unknown subsurface resources to be encountered during construction activities is low. Construction of the proposed project would require excavation during demolition of the existing gas station and development of three new facilities at the project site (Assisted Living Facility, a Memory Care Facility, and a Co-Housing Facility). If any archaeological resources are discovered during grading and construction activities, work in the area would be required to cease and deposits would be treated in accordance with federal, State, and local guidelines as specified in Standard Condition CULT-1. Compliance with existing regulations as specified in Standard Condition CULT-1 would ensure that potential project-related impacts associated with impacting unknown archaeological resources would be less than significant, and no mitigation is required.

Standard Conditions:

Standard Condition CULT-1: Discovery of Archaeological Resources. If unknown deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 25 feet of the discovery should be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. The developer and the City of Seaside Planning Department should also be notified. Project personnel should not collect or move any archaeological materials. It is recommended that adverse effects to such deposits be avoided by project activities. If such deposits cannot be avoided, they should be evaluated for their California Register of Historical Resources (California Register) eligibility. If the deposit is not eligible, a determination should be made as to whether it qualifies as a "unique archaeological resource" under the California Environmental Quality Act (CEQA). If the deposit is neither a historical nor unique archaeological resource, avoidance is not necessary. If the deposit is eligible for listing in the California

¹ City of Seaside Planning Division. 2004. *Seaside General Plan*.

Register, or is a unique archaeological resource, it will need to be avoided by adverse impacts or such impacts must be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. The data recovery will avoid or substantially reduce the severity of the impact through the professional recovery and analysis of archaeological deposits, and the synthesis of those findings with current archaeological research questions to realize the information potential of the resource. The report should be submitted to City of Seaside and the Northwest Information Center.

Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Prehistoric sites often contain human remains. Historical materials can include wood, stone, concrete footings, walls, and other structural remains; and deposits of wood, glass, ceramics, metal, and other refuse.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

V(c). Directly or indirectly destroy a unique paleontological resource or site of unique geologic feature? Geologic maps of the project area and relevant geological and paleontological literature were consulted to determine which geologic units are present within the project area and whether fossils have been recovered from those or similar geologic units elsewhere in the region. A search for known fossil localities was conducted through the online collections database of the University of California Museum of Paleontology (UCMP) at the University of California, Berkeley, in order to determine the status and extent of previously recorded paleontological resources within and surrounding the project area.

The project site is underlain by Late Pleistocene Older Dune Sand, and deposits of this age elsewhere in the County and across California have produced scientifically significant paleontological resources. As such, these deposits are considered to have high paleontological sensitivity. Because excavation during the course of the proposed project would reach depths of these paleontologically sensitive deposits, there is a potential for the project to impact paleontological resources. Implementation of

Mitigation Measure CULT-2 requires the development of a Paleontological Resource Impact Mitigation Program (PRIMP), the presence of a qualified paleontological monitor during excavation and grading activities in deposits with a high paleontological sensitivity rating, and the methods to be used if a paleontological resource is encountered. Therefore, with implementation of Mitigation Measure CULT-2, project-related impacts to paleontological resources would be reduced to less than significant levels.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure CULT-2: Paleontological Impact Mitigation Program. Prior to the issuance of a grading permit, the Developer shall submit proof of an executed agreement with a qualified Paleontologist to develop a Paleontological Resource Impact Mitigation Program (PRIMP) in order to mitigate adverse impacts to paleontological resources that may exist on the site in on-site sediments. The PRIMP shall follow guidelines developed by the Society For Vertebrate Paleontology (SVP; 1995) and include the methods that shall be used to protect paleontological resources that may exist within the project area, as well as procedures for monitoring, fossil preparation and identification, curation into a repository, and preparation of a report at the conclusion of grading. Excavation and grading activities in deposits with a high paleontological sensitivity rating shall be monitored by a qualified paleontologist following the PRIMP. Specific monitoring levels may be determined based on more detailed excavation plans for the proposed project. If paleontological resources are encountered during the course of ground disturbance, the paleontological monitor shall have the authority to temporarily redirect construction away from the area of the find in order to assess its significance. Collected resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a scientific institution. At the conclusion of the monitoring program, a report of findings shall be prepared to document the results of the monitoring program. In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and a paleontologist should be contacted to assess the find for significance. If determined to be significant, the fossil shall be collected from the field and transported to the laboratory for evaluation and curation.

Significance Determination After Mitigation: Less than Significant Impact

V(d). Disturb any human remains, including those interred outside of formal cemeteries? No human remains are present on the project site, and there are no facts or evidence to support the idea that Native Americans or people of European descent are buried on the project site. However, ground-disturbing activities associated with the project have the potential to disturb previously unknown human remains. In the unlikely event that human remains are encountered during construction activities, the proper authorities would be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities would be implemented, as specified by Standard Condition CULT-3. Therefore, compliance with Standard Condition CULT-3 would ensure that potential project-related impacts to unknown buried human remains are less than significant, and no mitigation is required.

Standard Conditions:

Standard Condition CULT-3: **Discovery of Human Remains.** If human remains are encountered, work within 25 feet of the discovery shall be redirected, and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. The Developer shall also be notified. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Recommendations for the proper treatment of the remains and associated grave goods consist primarily of notifying the MLD and involving the descendant community. Descendant community involvement will ensure that the cultural values of those who ascribe traditional or religious significance to human remains and associated grave goods are considered in the disposition of such remains and goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the Developer, the City, and the Northwest Information Center.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

SECTION VI: GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California* (Haro, Kasunich, and Associates, Inc., December 2014) (refer to Appendix A).

VI(a). Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

VI(a)(i). 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.

The project site is located in a region characterized by moderate to high seismic activity. Therefore, similar to all of Northern California, the project site is subject to strong ground motion resulting from earthquakes on nearby faults. According to the *Geotechnical Investigation Report*, there are no known active or potentially active faults crossing or trending towards the project site. In addition, the project site does not lie within the boundaries of an Alquist-Priolo Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act. Therefore, the potential for ground rupture to affect the project site is considered to be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VI(a)(ii). Strong seismic ground shaking? The project site is located in a region characterized by moderate to high seismic activity, which could result in damage to the proposed buildings. There are several faults in the vicinity of the project site that are capable of producing strong ground motion. A fault search conducted as part of the *Geotechnical Investigation Report* identified 24 active faults and potentially active faults mapped within a 62-mile radius of the project site. These 24 faults, their distance from the site, and their estimated mean moment magnitude are listed in Table VI.VI.1. During an earthquake along any of these faults, seismically induced ground shaking at the project site would be expected to occur. The severity of the shaking would be influenced by the distance of the project site to the seismic source, the soil conditions, and the depth to groundwater.

According to the *Geotechnical Investigation Report*, the Rinconada Fault is the closest known fault to the project site and, because of the fault's proximity, has the greatest potential to generate the highest level of ground shaking at the project site. The probabilistic maximum considered earthquake (MCE)¹ for the project site is estimated to result in a peak ground acceleration of 0.56 g.² Due to the proximity of the project site to the Rinconada Fault, the Blanco section of the Reliz Fault and the Monterey Bay-Tularcitos Fault and other active faults in the area, it is likely that the project site would be subjected to strong ground shaking from at least one moderate to severe earthquake during the lifespan of the proposed project. Therefore, strong seismic ground shaking generated by seismic activity is considered a potential constraint that may affect the proposed project. All applicable guidelines, including compliance with the California Building Code and the City of Seaside Building Code, accepted industry standards, and other regional and local regulations that address seismic hazards, would be incorporated into the project's building plans. With compliance with State and local building code requirements and Standard Condition GEO-1, potential project-related impacts associated with seismic ground shaking would be less than significant, and no mitigation is required.

¹ A maximum considered earthquake is defined as an earthquake that is expected to occur once in approximately 2,500 years, that is, it has a 2 percent probability of being exceeded in 50 years.

² g = acceleration due to gravity 9.8 (m/s²)

Table VI.VI.1: Potential Fault Earthquake Sources in Site Vicinity

Fault Name	Distance to Fault Trace (mi)	Distance to Fault Trace (km)	Compass Direction to Fault	Maximum Earthquake Moment Magnitude (Mw)	UBC Fault Class
Blanco Section of Reliz (Part of Rinconada)	2.9	4.7	North	6.5	B
Rinconada	2.5	4.0	East	7.5	B
Monterey Bay-Tularcitos	5.7	9.2	Southwest	7.3	B
Palo Colorado Sur	13.2	21.3	West	7.0	A
Zayante-Vergeles	14.6	23.5	Northeast	7.0	B
San Andreas 1906 Section	19.5	31.3	Northeast	7.9	A
San Andreas, Pajaro Section	19.5	31.3	East	7.0	A
San Gregorio	20.6	33.1	Northeast	7.2	A
San Andreas, SCM Section	21.1	33.9	Northeast	7.0	A
Sargent	23.7	38.1		6.8	B
Calaveras, South	256	41.2	Northeast	5.8	B
Quien Sabe	30.6	49.3	Northeast	6.4	B
Hosgri	35.7	57.5	South	7.5	B
San Andreas (Peninsula)	36.8	59.2	Northwest	7.1	A
Monte Vista-Shannon	37.6	60.2	Northeast	6.7	B
Hayward (SE Extension)	42.3	68.1	North	6.4	B
Ortitalita	46.6	75	Northeast	6.7	B
Calaveras North of Calaveras Res	53.7	86.4	North	6.8	B
Hayward (Total Length)	53.7	86.4	North	6.7	A
Hayward South	53.7	86.2	North	6.7	A
Great Valley 8	54.2	87.2	Northeast	6.6	B
Great Valley 9	54.7	88.2	East	6.6	B
Greenville	54.7	88.1	North	6.6	B
Great Valley 10	59.0	95.0	East	6.4	B

Source: Haro, Kasunich, and Associates, Inc. *Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California* (December 2014).

km = kilometer

mi = mile/miles

UBC = Uniform Building Code

Standard Conditions:

Standard Condition GEO-1:

Geotechnical Requirements. All grading operations and construction activities shall be conducted in accordance with governing building codes and in conformance with the recommendations included in the *Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California* (December 2014). Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code and the City of Seaside Building Code. Prior to issuance of a grading permit, the City's Building Official, or designee, shall review and approve final project design plans and the recommendations of the project geotechnical consultant as summarized in a final written report.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant

VI(a)(iii). Seismic-related ground failure, including liquefaction? Liquefaction commonly occurs when three conditions are present simultaneously: (1) high groundwater; (2) relatively loose, cohesionless (sandy) soil; and (3) earthquake-generated seismic waves. The presence of these conditions may cause a loss of shear strength and, in many cases, ground settlement. Seismically induced liquefaction and settlement were investigated as part of the *Geotechnical Investigation Report* prepared for the proposed project. Groundwater was not encountered to the maximum depth explored as part of the geotechnical investigation (51.5 ft below ground surface [bgs]). Given the potential depth to groundwater is likely greater than 90 ft bgs and the high soil density above and below the groundwater table, the potential for liquefaction at the project site is considered very low.

Seismically induced settlement of sufficient magnitude to cause structural damage is normally associated with sufficiently strong earthquake shaking combined with poorly consolidated, predominantly sandy soils, or variable consolidation characteristics within the structure area. Although seismic settlement is not a form of liquefaction, it is a related phenomenon that can occur in conjunction with liquefaction. Test borings conducted as part of the *Geotechnical Investigation Report* indicate that the project site is underlain by up to a couple feet of manmade fill consisting of sandy silt. Beneath the existing sandy fill, sands range from loose to very dense as the depth increases. Seismically induced settlement of dry sands can occur and cause ground subsidence during earthquakes in sandy soils with low-to-medium density. In general, the on-site materials range from loose-to-medium-dense sand, with silt, and silty sand, which may be susceptible to seismic settling. Therefore, seismic-related ground failure is considered a potential constraint that may affect the proposed project. Standard Condition GEO-1 requires compliance with the recommendations of the project's *Geotechnical Investigation Report* and the most current California Building Code and City of Seaside Building Code, which contain specific recommendations for addressing seismic-related ground failure. With implementation of Standard Condition GEO-1, potential project-related impacts associated with seismic ground failure, including liquefaction, would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Condition GEO-1. No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IV(a)(iv). Landslides? Due to the absence of steep slopes on or adjacent to the project site, the potential for landslides to impact the proposed project is considered low. Therefore, the potential for people or structures on the project site to be adversely affected by landslides is considered to be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VI(b). Result in substantial soil erosion or the loss of topsoil? On-site slopes composed of cohesionless dune sand materials may be subject to erosion. Concentration of surface runoff from natural topography, historical grading, or development of impermeable surfaces has the potential to result in severe erosion where the ground is included and unprotected.

During construction of the proposed project, soil would be exposed, and there would be an increased potential for soil erosion compared to existing conditions. Additionally, during a storm event, soil erosion could occur at an accelerated rate. The increased erosion potential could result in short-term water quality impacts as identified in Section IX, Hydrology and Water Quality. Under the Construction General Permit, the proposed project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) as well as implement construction Best Management Practices (BMPs) during construction activities. Construction BMPs would include Erosion Control BMPs designed to minimize erosion. In compliance with the Zoning Ordinance (Title 17 of the Municipal Code), graded areas shall be revegetated within 30 days, and disturbed areas of the construction site that are to remain inactive longer than 3 months shall be seeded and watered until grass cover is grown and maintained. With implementation of Mitigation Measure BIO-3 and Standard Condition GEO-2, potential project-related impacts associated with erosion during construction would be less than significant, and no mitigation is required.

As proposed, 54.8 percent of the project site would be impervious surface area and not prone to erosion. The remaining 45.2 percent of the project site would consist of landscaping, swales, and rain gardens that would collect and infiltrate runoff and minimize erosion. Therefore, operational impacts related to erosion would be less than significant, and no mitigation is required.

Standard Conditions:

Standard Condition GEO-2:

Construction General Permit. Prior to issuance of a grading permit, the Construction Contractor shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002) (Construction General Permit). The Construction Contractor shall provide the Waste Discharge Identification Number (WDID) to the City of Seaside Public Works Department to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the

proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities. The construction BMPs identified in the SWPPP shall comply with the revegetation requirements outlined in the Zoning Ordinance (Title 17 of the Municipal Code).

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VI(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? As discussed in Response VI(a)(iv), above, due to the absence of steep slopes on or adjacent to the project site, the potential for landslides to impact the proposed project is considered low.

Lateral spreading is a phenomenon that is associated with liquefaction. Slopes may become unstable during liquefaction, and level areas near descending slopes may move laterally toward the slope as the slope becomes unstable. Because the potential for liquefaction on the project site is considered to be low, the potential for lateral spreading does not represent a geologic hazard to the proposed project.

As discussed in Response VI(a)(iii), the soils on the site range from loose-to-medium dense sand, with silt, and silty sand, which may be susceptible to subsidence. Therefore, subsidence is considered a potentially significant impact that may affect the proposed project. However, given the potential depth to groundwater and the high soil density above and below the groundwater table, the potential for liquefaction at the project site is considered very low.

Hydroconsolidation, or collapse, is a geologic hazard where soil materials undergo settlement when they become saturated. According to the *Geotechnical Investigation Report*, the potential for soil collapse is low, especially in areas where the near surface soils are compacted.

Because soils on site are potentially susceptible to subsidence, impacts related to the project site being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, are considered a potential constraint of the proposed project. Standard Condition GEO-1 requires compliance with the recommendations of the project *Geotechnical Investigation Report* and the most current California Building Code and City of Seaside Building Code, which contain specific recommendations for addressing soil instability. With implementation of Standard Condition GEO-1, impacts related to soil instability would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Condition GEO-1. No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VI(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? The soils at the project site are comprised of sands and silty sands that are expected to have little, if any expansion potential. Therefore, potential project-related impacts associated with expansive soils would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VI(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? The proposed project does not include construction of or connections to septic tanks or alternative waste water disposal systems. Wastewater generated from the project site would be served by the Marina Coast Water District (MCWD) sewer system. Therefore, the proposed project would not result in impacts related to the soil capability to adequately support the use of septic tanks or alternative wastewater disposal systems, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

SECTION VII: GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Air Quality Analysis* (LSA, September 2015) (refer to Appendix A).

Global climate change (GCC) is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures.

Climate change refers to any change in measures of weather (such as temperature, precipitation, or wind) lasting for an extended period (decades or longer). Climate change may result from natural factors, such as changes in the sun's intensity; natural processes within the climate system (e.g., changes in ocean circulation) or human activities, such as the burning of fossil fuels, land clearing, or agriculture. The primary observed effect of GCC has been a rise in the average global tropospheric¹ temperature of 0.36 degrees Fahrenheit (°F) per decade, determined from meteorological measurements worldwide between 1990 and 2005. Climate change modeling shows that further warming may occur, which may induce additional changes in the global climate system during the current century. Changes to the global climate system, ecosystems, and the environment of California could include higher sea levels, drier or wetter weather, changes in ocean salinity, changes in wind patterns, or more energetic aspects of extreme weather, including droughts, heavy precipitation, heat waves, extreme cold, and increased intensity of tropical cyclones. Specific effects in California might include a decline in the Sierra Nevada snowpack, erosion of California's coastline, and seawater intrusion in the San Joaquin Delta.

¹ The troposphere is the zone of the atmosphere characterized by water vapor, weather, winds, and decreasing temperature with increasing altitude.

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced GCC are:¹

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur hexafluoride (SF₆)

These gases vary considerably in terms of global warming potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas in absorbing infrared radiation and the length of time that the gas remains in the atmosphere (“atmospheric lifetime”). GWP of each gas is measured relative to CO₂, the most abundant GHG. The definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO₂ over a specified time period. GHG emissions are typically measured in terms of metric tons (MT)² of “CO₂ equivalents” (CO₂e). For example, N₂O is 265 times more potent at contributing to global warming than CO₂. Table VI.VII.1 identifies the GWP for each type of GHG analyzed in this report.

Table VI.VII.1: Global Warming Potential of Greenhouse Gases

Gas	Atmospheric Lifetime (Years)	Global Warming Potential (100-year Time Horizon)
Carbon Dioxide (CO ₂)	~100	1
Methane (CH ₄)	12	28
Nitrous Oxide (N ₂ O)	121	265

Source: California Air Resources Board. *First Update to the Climate Change Scoping Plan: Building on the Framework* (2014). Website: http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf (accessed September 2015).

Currently, neither the CEQA statutes nor the *State CEQA Guidelines* prescribe specific quantitative thresholds of significance or a particular methodology for performing a GHG emissions impact analysis. Significance criteria are left to the judgment and discretion of the Lead Agency. The discussion below provides an overview of the regulatory considerations and methodological approach related to GHGs for this Initial Study/Mitigated Negative Declaration (IS/MND).

In June 2005, Governor Schwarzenegger established California’s GHG emissions reduction targets in Executive Order (EO) S-3-05. The EO established the following goals for California: GHG emissions

¹ The GHGs listed are consistent with the definition in Assembly Bill 32 (Government Code 38505), as discussed later in this section.

² A metric ton is equivalent to approximately 1.1 tons.

were to be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80 percent below 1990 levels by 2050.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill (AB) 32, the "Global Warming Solutions Act," passed by the California State legislature on August 31, 2006. AB 32 required the California Air Resources Board (ARB) to:

- Establish a statewide GHG emissions cap for 2020, based on 1990 emissions, by January 1, 2008;
- Adopt mandatory reporting rules for significant sources of GHG emissions by January 1, 2008;
- Adopt an emissions reduction plan by January 1, 2009, indicating how emissions reductions would be achieved via regulations, market mechanisms, and other actions; and
- Adopt regulations to achieve the maximum technologically feasible and cost-effective reduction of GHGs by January 1, 2011.

To assist public agencies in the mitigation of GHG emissions or analyzing the effects of GHGs under CEQA, including the effects associated with transportation and energy consumption, Senate Bill (SB) 97 (Chapter 185, 2007) required the Governor's Office of Planning and Research (OPR) to develop *State CEQA Guidelines* on how to minimize and mitigate a project's GHG emissions. The OPR was required to prepare, develop, and transmit these *State CEQA Guidelines* on or before July 1, 2009, and the Natural Resources Agency was required to certify and adopt them by January 1, 2010. On January 8, 2009, the OPR released preliminary draft *State CEQA guideline* amendments. The Natural Resources Agency adopted the *State CEQA Guidelines* Amendments and transmitted them to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, the OAL approved the Amendments and filed them with the Secretary of State for inclusion in the CCR. The Amendments became effective on March 18, 2010. The Amendments encourage Lead Agencies to consider many factors in conducting a CEQA analysis, but preserve the discretion granted by CEQA to Lead Agencies in making their determinations.

State CEQA Guidelines Section 15064.4 states:

"(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

- (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or
- (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project."

State CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

As such, currently neither the CEQA statutes, OPR guidelines, nor the *State CEQA Guidelines* prescribe specific quantitative thresholds of significance or a particular methodology for performing a GHG impact analysis. As with most environmental topics, significance criteria are left to the judgment and discretion of the Lead Agency.

The recommended approach for GHG analysis included in the Governor's OPR June 2008 Technical Advisory is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below significance. The June 2008 OPR guidance provides some additional direction regarding planning documents as follows: "CEQA can be a more effective tool for GHG emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that would reduce GHG emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation. For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of GHG emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Emissions estimates for the proposed project are discussed below. GHG emissions estimates are provided herein for informational purposes only because there is no established quantified GHG emissions threshold. The MBUAPCD is proposing to adopt GHG thresholds to provide guidance to lead agencies for evaluating GHG impacts in accordance with the requirements of CEQA. Under the guidance for consideration by the MBUAPCD, the GHG threshold applicable to this project would be the bright line threshold of 2,000 MT CO₂e per year. While this threshold is still in the proposal phase, and bearing in mind that CEQA does not require "perfection" but instead "adequacy, completeness, and a good faith effort at full disclosure," the analysis below is based on methodologies and information available to the City and the Applicant at the time this analysis was prepared.

Estimation of GHG emissions in the future does not account for all changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a scenario that is worse than that which is likely to be encountered (after energy-efficient technologies have been implemented).

Construction and operation of proposed project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the proposed project's operation (as opposed to during its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings, and less than 20 percent of energy is consumed during construction.¹ As of yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and the use of an individual development.

VII(a). Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction GHG Emissions. GHG emissions associated with the proposed project would occur over the short term from construction activities and would consist primarily of emissions from construction equipment exhaust. Construction activities produce combustion emissions from various sources such as on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Table VI.VII.2 below includes annual construction GHG emissions.

Table VI.VII.2: Short-Term Regional Construction Emissions

Construction Phase	Peak Annual Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	CO ₂ e
2016				
Demolition	41	0.01	0	41
Site Preparation	19	0.0056	0	19
Grading	29	0.0086	0	29
Building Construction	320	0.067	0	330
Architectural Coating	27	0.0028	0	27
2017				
Building Construction	29	0.0059	0	29
Architectural Coating	3.3	0.00032	0	3.3
Paving	22	0.0064	0	22
Total Construction Emissions				500

Source: LSA Associates, Inc. *Air Quality Analysis* (September 2015).

CH₄ = methane

MT/yr = metric tons per year

CO₂ = carbon dioxide

N₂O = nitrous oxide

CO₂e = carbon dioxide equivalent

¹ United Nations Environment Programme (UNEP). 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*. Paris, France. Website: <http://www.unep.fr/shared/publications/pdf/DTIx0916xPA-BuildingsClimate.pdf> (accessed September 2015).

Architectural coatings used in construction of the proposed project may contain volatile organic compounds (VOCs) that are similar to ROGs and are part of O₃ precursors. However, there are no significant emissions of GHGs from architectural coatings. The architectural coating phase in Table VI.VII.2 shows GHG emissions from equipment exhaust and energy use.

Operational GHG Emissions. The following activities associated with the proposed project operation could directly or indirectly contribute to the generation of GHG emissions and they are quantitatively shown in Table VI.VII.3:

Table VI.VII.3: Greenhouse Gas Emissions from Proposed Project Operations

Emission Source	Emissions (MT/yr)				
	CO ₂	CH ₄	N ₂ O	CO ₂ e	Percent of Total
Area	1.4	0.0014	0	1.4	0.19%
Energy	120	0.0045	0.0015	120	16.0%
Mobile	580	0.03	0	580	77.0%
Waste	15	0.91	0	34	4.5%
Water	14	0.18	0.0043	19	2.5%
Total Project Emissions	730	1.1	0.0058	750	

Source: LSA Associates, Inc. *Air Quality Analysis* (September 2015).

Note: Numbers in table may appear to not add up correctly due to rounding to two significant digits.

CH₄ = methane

CO₂ = carbon dioxide

CO₂e = carbon dioxide equivalent

MT/yr = metric tons per year

N₂O = nitrous oxide

- **Area Sources:** Area sources include architectural coatings, consumer products, and landscaping.
- **Energy and Natural Gas Use:** Buildings represent 39 percent of the United States primary energy use and 70 percent of electricity consumption.¹ The proposed project would increase the demand for electricity and natural gas due to the increased building area and number of residents and employees.
- **Mobile Sources:** Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO₂ emissions generated in the State. As for most land use development projects, vehicle miles traveled (VMT) is the most direct indicator of CO₂ emissions from the proposed project, and associated CO₂ emissions function as the best indicator of total GHG emissions. The proposed project would generate 447 daily trips. Assuming an average trip length of 8.5 miles, the project would generate approximately 3,800 VMT per day.

¹ United States Department of Energy. 2012. *2011 Buildings Energy Data Book*. March. Website: http://buildingsdatabook.eren.doe.gov/docs/DataBooks/2011_BEDB.pdf (accessed September 2015).

- **Solid Waste Disposal:** The proposed project would also generate solid waste during project operation. Average waste generation rates from a variety of sources are available from the California Integrated Waste Management Board (CIWMB).¹

Water Use: Water-related energy use consumes 19 percent of California's electricity every year.² Energy use and related GHG emissions are based on electricity used for water supply and conveyance, water treatment, water distribution, and wastewater treatment. The proposed project would generate up to 750 tons of CO₂e/yr of new emissions. The emissions from vehicle exhaust would comprise approximately 77 percent of the proposed project's total CO₂e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City of Seaside.

The remaining CO₂e emissions are primarily associated with building heating systems and increased regional power plant electricity generation due to the proposed project's electrical demands. The proposed project would comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the proposed project's electricity demand.

At present, there is a federal ban on chlorofluorocarbons (CFCs); therefore, it is assumed the proposed project would not generate emissions of CFCs. The proposed project may produce a small amount of hydrofluorocarbon (HFCs) emissions from leakage and service of refrigeration and air-conditioning equipment and from disposal at the end of the life of the equipment. However, the details regarding refrigerants to be used in the proposed project site are unknown at this time. PFCs and SF₆ are typically used in industrial applications, none of which would occur on the proposed project site. Therefore, it is not anticipated that the proposed project would contribute significant emissions of these additional GHGs.

As described above, the only significance threshold for GHG emissions is a proposed MBUAPCD threshold of 2,000 MT CO₂e per year. This analysis shows that the construction of the proposed project could generate a one-time release of 500 MT of CO₂e, and that the operation of the proposed project could release 750 MT/yr of CO₂e. This amount of CO₂e emissions is well below the proposed MBUAPCD threshold of 2,000 MT/yr of CO₂e. Further, it is also below other, more conservative, GHG emissions thresholds in place, such as the Bay Area Air Quality Management District (BAAQMD) bright line threshold of 1,100 MT/yr of CO₂e. Thus, the level of CO₂e emissions anticipated from construction and operation of the proposed project would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

¹ California Integrated Waste Management Board (CIWMB). 2015. Residential Developments: Estimated Solid Waste Generation Rates. Website: <http://www.calrecycle.ca.gov/wastechar/wastegenrates/Residential.htm> (accessed September 2015).

² California Energy Commission. 2005. California's Water-Energy Relationship. November. Website: <http://www.energy.ca.gov/2005publications/CEC-700-2005-011/CEC-700-2005-011-SF.PDF> (accessed September 2015).

VII(b). Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? As identified above, the amount of CO₂e emissions anticipated from construction and operation of the proposed project would be well below the proposed MBUAPCD GHG threshold of 2,000 MT CO₂e per year. The Climate Action Team and ARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the *Climate Action Team Report to Governor Schwarzenegger and the Legislature* (CalEPA 2010), the *Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California Recommended for Board Consideration* (ARB 2007), and the *First Update to the Climate Change Scoping Plan: Building on the Framework Pursuant to AB 32, the California Global Warming Solutions Act of 2006* (ARB 2014).

These reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The Scoping Plan that was adopted in 2008 and updated in 2014 is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table VI.VII.4, below, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets.

Table VI.VII.4: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Energy Efficiency Measures	
Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities).	Compliant with Incorporation of Project Features. The proposed project will comply with the updated Title 24 standards, including the 2013 CBC, for building construction. In addition, the project would implement Standard Condition GHG-1 including measures to incorporate energy-efficient building design features.
Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.	
Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings.	
Water Conservation and Efficiency Measures	
Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute, and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	Compliant. The project would implement Standard Condition GHG-1 including measures to increase water use efficiency.

Table VI.VII.4: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Solid Waste Reduction Measures	
Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero-waste policies that would require manufacturers to design products to be fully recyclable may be necessary.	Compliant. Data available from the CIWMB indicates that the City of Seaside (Monterey County) has achieved the 50 percent diversion rate. ¹ The proposed project would implement Standard Condition GHG-1 including measures to increase solid waste diversion, composting, and recycling.
Transportation and Motor Vehicle Measures	
Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004. Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency. Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles. Low Carbon Fuel Standard. ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.	Compliant. The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.
Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.	Compliant. Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the City of Seaside and Monterey County.
Measures to Reduce High-GWP Gases. ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.	Compliant. New products used or serviced on the project site (after implementation of the reduction of GHGs) would comply with future ARB rules and regulations.

Source: Compiled by LSA Associates, Inc. (2015).

AB = Assembly Bill

ARB = California Air Resources Board

CBC = California Building Code

CIWMB = California Integrated Waste Management Board

GHG = greenhouse gas

GWP = Global Warming Potential

¹ CalRecycle. Website: <http://www.calrecycle.ca.gov/LGCentral/reports/jurisdiction/reviewreports.aspx> (accessed on January 12, 2016).

The strategies listed in Table VI.VII.4 are either part of the project design or requirements under local or State ordinances. With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced. In order to ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, Standard Condition GHG-1 shall be implemented.

Standard Conditions:

Standard Conditions GHG-1: To the extent feasible and to the satisfaction of the City of Seaside, the project architect, project engineer, and Construction Contractor shall incorporate the following measures into the design and construction of the proposed project:

- **Construction and Building Materials**
 - Use locally produced and/or manufactured building materials for construction of the proposed project;
 - Recycle/reuse demolished construction materials; and
 - Use "Green Building Materials," such as those materials that are resource-efficient, and recycled and manufactured in an environmentally friendly way, including low-volatile organic compound materials.
- **Energy Efficiency Measures**
 - Design all proposed project buildings to exceed the California Building Code's Title 24 energy standard, including, but not limited to, any combination of the following:
 - Increase insulation such that heat transfer and thermal bridging are minimized;
 - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; and
 - Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
 - Provide a landscape and development plan for the proposed project that takes advantage of shade, prevailing winds, and drought-resistant landscaping.
 - Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.

- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.
- **Water Conservation and Efficiency Measures**
 - Devise a comprehensive water conservation strategy appropriate for the proposed project and location. The strategy may include the following, plus other innovative measures that might be appropriate:
 - Create water-efficient landscapes within the development;
 - Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
 - Use reclaimed water for landscape irrigation within the proposed project and install the infrastructure to deliver and use reclaimed water;
 - Design buildings to be water-efficient and install water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets, and waterless urinals; and
 - Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- **Solid Waste Measures**
 - Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
 - Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
 - Provide employee education about reducing waste and available recycling services.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

SECTION VIII: HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
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, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
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, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Phase I Environmental Site Assessment* (Phase 1 ESA) (Weber, Hayes & Associates, Inc., April 2015) (refer to Appendix A).

VIII(a). Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? and (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? Hazardous materials are chemicals that could potentially cause harm during an accidental release and are defined as being toxic, corrosive, flammable, reactive, an irritant, or strong sensitizer. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the use, transport, or disposal of hazardous materials is affected by the type of substance, quantity used or managed, and the nature of the activities and operations.

Construction of the proposed project would involve the use of chemical agents, solvents, paints, and other hazardous materials that are associated with construction activities. The amount of hazardous chemicals present during construction would be limited and would be handled in compliance with existing government regulations. The potential for the release of hazardous materials during project construction is low and, in the unlikely event that a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials used during construction. Construction of the proposed project would result in the disturbance of soils on the project site, which was once a gas station for Fort Ord. The project site previously contained three 1,000 gallon underground storage tanks (USTs) and associated product piping. The USTs and product piping located on site were properly removed in January 1997. Additionally, soil and soil vapor sampling was conducted to confirm soils on site do not contain any significant residual impacts from the gas station operations. Based on soil and soil vapor sampling conducted, there is no evidence of a petroleum hydrocarbon or VOC release resulting from the former gas station operation. Therefore, impacts associated with the potential release of hazardous materials that could occur during construction of the proposed project are considered less than significant, and no mitigation is required.

Project operation would involve the use of potentially hazardous materials (e.g., cleaning agents, paints, fertilizers, or pesticides) that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to residents or workers in the vicinity of the project site. The proposed project would not produce hazardous emissions or handle acutely hazardous materials, substances, or waste. Therefore, impacts resulting in a significant hazard to the public and environment through the routine transport use or disposal of hazardous materials are considered less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VIII(c). Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? Central Coast High School, located at 200 Coe Avenue, is located approximately 0.21 mile to the south of the project site. Seaside High School, located at 2200 Noche Buena Street, is located approximately 0.27 mile to the east of the project site. However, as stated previously, construction and operation of the proposed project would involve the use of potentially hazardous materials that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to students or faculty at schools in the vicinity of the proposed project. The amount of hazardous chemicals present would be limited and in compliance with existing government regulations. In addition, the proposed project would not produce or handle acutely hazardous materials, substances, or waste. Therefore, potential impacts to schools within 0.25 mile resulting from hazardous materials used on the project site are considered to be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VIII(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, would it create a significant hazard to the public or the environment? As part of the Phase I ESA prepared for the proposed project, an environmental database report prepared by Environmental Data Resources, Inc. (EDR) was reviewed for local, State, and federal listings for the project site and properties in the vicinity of the project site. Regulatory database lists were reviewed for cases pertaining to leaking USTs and aboveground storage tanks, hazardous waste sites, and abandoned sites within the specified radii of standards established by the American Society for Testing and Materials (ASTM) guidelines.

According to the EDR report, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, the proposed project would not create a significant hazard to the public or the environment. However, the project site is located within the historical Fort Ord military base boundary and is, therefore, part of the study area for the United States Environmental Protection Agency (EPA) National Priorities List (NPL) or Superfund cleanup case that encompasses an area of 24,492 acres that spans portions of the present-day cities of Seaside and Marina. An Environmental Baseline Survey (EBS) conducted in 1997 included the project site. The project site was determined to be free of lead-based paint, radon, radiological contamination, ordnance and explosives, and polychlorinated biphenyls. The USTs located on the project site were removed, and the project site was transferred out of Department of Defense ownership. A number of point sources for soil and groundwater contamination were identified, attributed to historical operations of the former military. Multiple groundwater plumes exist within the former military base from multiple source areas and consist of chlorinated VOCs. The plumes have been evaluated, monitored and remediated. The project site is located at least 2 miles from the nearest detection of these groundwater contaminants. Therefore, because the project site does not contain any recognized environmental conditions and is located 2 miles away from the nearest

groundwater contamination, impacts related to hazardous materials sites would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VIII(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, would the project result in a safety hazard for people residing or working in the project area? and (f). For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? The project site is not located within an airport land use plan or located within 2 miles of a public or private airstrip. The closest nearby public airports are the Monterey Regional Airport, which is located approximately 3 miles south of the project site, and the Marina Municipal Airport, which is located approximately 4 miles northeast of the project site. No private airstrips are located within 2 miles of the project site. Therefore, the proposed project would not result in a safety hazard related to its proximity to an airstrip, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

VIII(g). Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? The proposed project would not physically interfere with any adopted emergency or evacuation plans. According to the City's General Plan Safety Element, the nearest evacuation corridor is SR-1. As discussed in Section XVI, Transportation/Traffic, implementation of the proposed project would not result in any significant traffic impacts at intersections or along roadway segments within the project area. In addition, the proposed project would be developed in accordance with the City's emergency access standards. Access to, from, and on the project site for emergency vehicles would be reviewed and approved by the City and the City of Seaside Fire Department prior to project construction. All proposed structures would be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on the project site for emergency vehicles. Furthermore, the two driveways of the proposed project would be built in accordance with all applicable City standards allowing safe and efficient ingress and egress of emergency vehicles. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VIII(h). Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? According to the City's General Plan Safety Element, the project site is located within a Fire Hazard Area. There is a potential for construction vehicles and equipment to ignite wildfires in areas with dry vegetation. However, Standard Condition AQ-1 in Section III, Air Quality, would require frequent watering (e.g., minimum twice per day) of construction areas for dust control. With implementation of Standard Condition AQ-1, impacts related to wildfires during construction would be less than significant, and no mitigation is required.

Although located in a Fire Hazard Area, the project site is surrounded by residential development to the east and south and SR-1 to the west and north. During operation, the project site would be developed with structures and landscaping and surrounded by urban development and roadways. In addition, the proposed use of the site would be typical of urban development and would have a low risk of igniting a wildfire. Because of the urban nature of the project site and surrounding development, and the proposed on-site uses, the risk of wildfire during operation would be low. Therefore, operational impacts related to wildfires would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Condition AQ-1 in Section III, Air Quality.

Significance Determination After Mitigation: Less than Significant Impact

SECTION IX: HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
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., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
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 substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
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 runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section is based on the *Preliminary Stormwater Control Plan for Seaside Assisted Living and Memory Care* (JF Construction and Engineering Company, October 2015) and the *Hydrology Assessment* (Webber, Hayes & Associates, September 2015) (refer to Appendix A).

IX(a). Violate any water quality standards or waste discharge requirements? Pollutants of concern during construction of the proposed project include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. The on-site slopes composed of cohesionless dune sand materials are potentially subject to erosion. Concentration of surface runoff has the potential to result in severe erosion where the ground is included and unprotected. In addition, chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and concrete-related waste may be spilled or leaked and have the potential to be transported via storm runoff into receiving waters.

During construction of the proposed project, the total disturbed soil area would be approximately 5.27 acres. Because the proposed project disturbs greater than 1 acre of soil, the project is subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002) (Construction General Permit).

As specified in Standard Condition GEO-2, coverage under the Construction General Permit would have to be obtained for the proposed project. Under the Construction General Permit, the project would be required to prepare a SWPPP and implement construction BMPs detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.

During operation, pollutants of concern associated with the proposed development include suspended solids/sediments, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, and trash and debris. In the existing condition, the project site consists of approximately 1.34 acres of impervious surface area (approximately 24.4 percent of the project site). The proposed project would increase impervious surface areas on the project site by approximately 1.66 acres. As a result, in the proposed condition, the project site would contain approximately 3.0 acres of impervious surface area (approximately 54.8 percent of the project site).

A *Preliminary Stormwater Control Plan* has been prepared for the proposed project that details Low Impact Development (LID) and Source Control BMPs that would be implemented to target pollutants of concern in stormwater runoff and reduce impacts to water quality during operation of the proposed project. As specified in Standard Condition WQ-1, a Final Stormwater Control Plan would be

required to be prepared for the proposed project. The LID BMPs proposed in the *Preliminary Stormwater Control Plan* include pervious pavement within the interior building courtyards and vehicle parking stalls. In addition bioswales that resemble dry streambeds and rain gardens featuring native plants would be incorporated into the project's landscaping design. In addition to the LID BMPs, Source Control BMPs would also be implemented that focus on reducing or eliminating runoff and controlling sources of pollutants during operation of the proposed project.

With incorporation of construction and post-construction BMPs that would target pollutants of concern, as specified in Standard Conditions GEO-2 and WQ-1, impacts related to violation of water quality standards or waste discharge requirements would be less than significant, and no mitigation is required.

Standard Conditions:

Standard Condition WQ-1:

Final Stormwater Control Plan. Prior to the issuance of a grading permit, the project engineer shall prepare a Final Stormwater Control Plan. The Final Stormwater Control Plan shall be prepared by a qualified hydrologist or Professional Engineer. The Final Stormwater Control Plan shall be prepared consistent with the post-construction requirements of the Monterey Regional Stormwater Management Program (MRSWMP), including the Stormwater Technical Guide for Low Impact Development and the Stormwater Control Plan Template. The Final Stormwater Control Plan shall specify Best Management Practices (BMPs) to be incorporated into the design of the proposed project. In addition, the Final Stormwater Control Plan shall demonstrate that the storm water controls comply with the Fort Ord Reuse Authority requirement that 100 percent of the on-site storm water from a 24-hour 100-year storm event be infiltrated on the site. The Final Stormwater Control Plan shall include pre-project and post-project flow calculations to demonstrate that the rain gardens are designed to infiltrate 100 percent of the runoff from a 100-year storm. The project engineer shall provide the Final Stormwater Control Plan to the City of Seaside Public Works Department for review and approval.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IX(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., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? The project site is not in a designated groundwater recharge area. Groundwater was not encountered during geotechnical borings for the proposed project, which were advanced to depths ranging from 15 to 51.5 ft bgs. In addition, according to the *Hydrology Assessment*, based upon depth to groundwater data from nearby groundwater monitoring wells for other sites at the former Fort Ord, it appears that groundwater is found at a depth approximately equal to mean sea level (MSL). As such, the depth to first groundwater at the project site is likely to be greater than 90 ft bgs. Due to the depth of groundwater, groundwater is not anticipated to be encountered during construction of the proposed project. The proposed project would increase impervious surface areas on site, which would decrease infiltration. However, this decrease in infiltration would be offset by implementation of the LID BMPs, which would infiltrate all storm water on the site. In addition, operation of the proposed project would not require groundwater extraction. Therefore, impacts related to depletion of groundwater supplies or interference with groundwater recharge would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IX(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 substantial erosion or siltation on-or off-site? and (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 runoff in a manner which would result in flooding on- or off-site? During construction activities, soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. As discussed above in Response IX(a) and specified in Standard Condition GEO-2, the Construction General Permit requires preparation of a SWPPP to identify Construction BMPs to be implemented as part of the proposed project to reduce impacts to water quality during construction, including those impacts associated with soil erosion, siltation, and flooding. With implementation of the Construction BMPs as specified in Standard Condition GEO-2, impacts related to on- or off-site erosion or siltation and flooding would be less than significant, and no mitigation is required.

The proposed project would not alter the path of a stream or river. The existing topography generally slopes toward the west and would not substantially alter the topography or existing drainage patterns on the project site. As discussed above, the proposed project would increase the impervious surface area on site by approximately 1.66 acres, which, without stormwater controls to infiltrate runoff, would increase the volume of runoff from the site. However, the Fort Ord Reuse Authority, which governs reuse of the former Fort Ord Military Base, requires that 100 percent of the on-site storm

water from a 24-hour 100-year storm event be infiltrated on the site. In compliance with this requirement, the proposed project includes rain gardens that would be designed to infiltrate all of the on-site storm water from a 24-hour 100-year storm. As specified in Standard Condition WQ-1, a Final Stormwater Control Plan would be prepared to demonstrate that the design of the rain gardens would achieve infiltration of a 24-hour 100-year storm event. The rain gardens would include space above the biofiltration media to contain a 100-year storm event of 4.71 inches in 24 hours. Therefore, with implementation of Standard Condition WQ-1, operation of the proposed project would not substantially alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation on or off the site, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Conditions GEO-2 and WQ-1. No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IX(e). Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? As discussed in Response IX(c) and IX(d), above, the rain gardens would be designed to percolate all of the on-site storm water from a 24-hour 100-year storm. As specified in Standard Condition WQ-1, a Final Stormwater Control Plan would be prepared to demonstrate that the design of the rain gardens would achieve infiltration of a 24-hour 100-year storm event. Because stormwater runoff would be contained on the site, the proposed project would not exceed the capacity of the storm drain lines. Therefore, with implementation of Standard Condition WQ-1, the proposed project would not contribute runoff water that would exceed the capacity of an existing or planned stormwater drainage system, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Condition WQ-1. No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IX(f). Otherwise substantially degrade water quality? Refer to Response IX(a) above.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Standard Condition WQ-1. No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

IX(g). Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? and

IX(h). Place within a 100-year flood hazard area structures which would impede or redirect flood flows? According to the City's General Plan Safety Element (2004), the project site is not located within a 100-year flood zone. In addition, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is not located within a 100-year special flood hazard area. The project site is mapped as Zone X, Other Flood Areas, which is defined as areas of 0.2 percent annual chance floodplain (500-year floodplain), areas of 1 percent annual chance flood (100-year flood) with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood (Map No. 06053C0290G; April 2, 2009). Therefore, implementation of the proposed project would not place housing or structures within a 100-year flood hazard area. No impacts would occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

IX(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? The Salinas River, which is the river located closest to the project site, is identified in the County of Monterey General Plan as one of two rivers facing the greatest risk of dam failure from two County-owned dams – Nacimiento and San Antonio. According to the Monterey County Dam Inundation Zone map, the project site is not within any of these dam inundation zones. Therefore, implementation of the proposed project would not result in impacts related to exposure of people or structures to risk of loss, injury, or death involving flooding as a result of inundation from failure of a dam or levee, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

IX(j). Inundation by seiche, tsunami, or mudflow? Seiches are standing waves created by seismically-induced ground shaking (or volcanic eruptions or explosions) that occur in large, freestanding bodies of water. Roberts Lake and Laguna Grande Lake are located approximately 2 miles to the west of the project site within the City. The Seaside General Plan Safety Element (2004), concludes that the Laguna Grande Lake and Roberts Lake areas are susceptible to flooding and other impacts from seiches. However, the project site is located 2 miles away from Roberts Lake and Laguna Grande Lake. These lakes would not create a large enough seiche that would put the project site at risk of inundation. Therefore, the risk associated with possible seiche waves is not considered a

potential constraint or a potentially significant impact of the proposed project, and no mitigation is required.

Tsunamis are a series of ocean waves generally caused by tectonic displacement of the seafloor associated with shallow earthquakes, seafloor landslides, rockfalls, and exploding volcanic islands. Tsunamis can damage property through direct wave impacts and wave-associated flooding, but the greater threat is to human health and safety. Although the project site is located approximately 1,350 ft from Monterey Bay, according to the Tsunami Inundation Map for Emergency Planning for the Seaside Quadrangle (2009), the project site is not located within the Tsunami inundation zone. The project site is approximately 1,000 ft away from the Tsunami inundation zone, and elevations on the site range from 88 to 115 ft above mean sea level; therefore, the project site is at an elevation above and at a distance from the ocean that is not known to have historical tsunami impacts. The risk associated with tsunamis is, therefore, not considered a potential hazard or a potentially significant impact, and no mitigation is required.

Mudslides and slumps are described as a shallower type of slope failure, usually affecting the upper soil mantle or weathered bedrock underlying natural slopes and triggered by surface or shallow subsurface saturation. The project site is relatively flat, and no existing landslides are present on the property. Therefore, the risk associated with possible mudflows and mudslides is not considered a potential constraint or a potentially significant impact of the proposed project, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

SECTION X: LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

X(a). Physically divide an established community? The project site is bounded by SR-1 to the west, residential housing and a large stormwater basin to the east-northeast, Monterey Road and residential housing to the south and southeast, and Monterey Road, open space, and residential housing to the south-southwest. In the existing condition, the 5.47-acre project site is partially developed with a 5,000 sf vacant structure that was formerly operated as a convenience store and gas station. The project site is currently designated and zoned as Community Commercial in the City's General Plan and Zoning Ordinance (Title 17 of the Municipal Code), respectively, and no general plan amendment or zone change is required for project implementation. Implementation of the proposed project would not physically divide an established community, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

X(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? The proposed project was reviewed for consistency with the City's General Plan and zoning ordinance and found to be consistent subject to the issuance of a Use Permit. Additionally, the proposed project was reviewed for consistency with the MBUAPCD and the Fort Ord Base Reuse Plan and was found to be consistent with all applicable objectives and policies (refer to Section III, Environmental Factors Potentially Affected and Determination). Therefore,

implementation of the proposed project would not conflict with any land use plans, policies or regulations. A less than significant impact would occur, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

X(c). Conflict with any applicable habitat conservation plan or natural community conservation plan? There is presently no adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan in the City. Implementation of the proposed project would not interfere with any current local, regional, or State HCPs or NCCPs, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

SECTION XI: MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Refer to Section IV, Environmental Factors Potentially Affected and Determination. The proposed project would have no impact on mineral resources.

SECTION XII: NOISE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
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, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The following provides an overview of the characteristics of sound-related impacts associated with the proposed project and the regulatory framework that applies to noise within the vicinity of the project site. The discussion and analysis provided in this section are based on the *Noise and Vibration Assessment*, prepared by Illingworth & Rodkin, Inc., January 2016 (refer to Appendix A).

Characteristics of Sound. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in decibels are calculated on a logarithmic basis. Audible increases in noise levels generally refer to a change of 3.0 dB or greater since this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, refers to a change in the noise level between 1.0 and 3.0 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category includes changes in noise levels of less than 1.0 dB, which are inaudible to the human ear. An increase of 10 dB represents a tenfold increase in

acoustic energy, while 20 dB is 100 times more intense and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements, which better represent how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise-sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. The predominant rating scales for human communities in the State of California are the L_{eq} , the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on A-weighted decibels. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noise occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within 1 dBA of each other and are normally interchangeable. The noise adjustments are added to noise events occurring during the more sensitive hours.

Noise Element of the City of Seaside General Plan. The Noise Element of the City of Seaside General Plan addresses noise sources in the community and identifies ways to reduce the impacts of these noise sources. The Noise Element contains policies and programs to achieve and maintain noise levels compatible with various types of land uses.

One of the policies contained in the Noise Element of the City's General Plan (N-1.1.1 Compatible Development) endeavors to ensure that new development and reuse/revitalization projects are compatible with the noise environment and existing development. Implementation of the policy focuses on the following:

Review discretionary development proposals for potential on- and offsite stationary and vehicular noise impacts per the California Environmental Quality Act (CEQA). Any proposed development located within a 60 dB or higher noise contour shall be reviewed for potential noise impacts and compliance with the noise and land use compatibility standards. The thresholds established in the Zoning Ordinance, Noise Ordinance, the Noise Contours Map, and Table VI.XII.1 of the Noise Element will be used to determine the significance of impacts. If potential impacts are identified, mitigation in the form of noise reduction designs/structures will be required to reduce the impact to a level less than significant. If the impact cannot be reduced to a level less than significant or avoided with accepted noise reduction methods, the proposed project will be determined "Clearly Unacceptable" and will not be approved.

Table VI.XII.1: City of Seaside Interior and Exterior Noise Standards

Land Use	Noise Standards	
	Exterior	Interior
Residential	65 dBA CNEL	45 dBA CNEL
Mixed-Use Residential	70 dBA CNEL	45 dBA CNEL
Commercial	70 dBA CNEL	–
Office	70 dBA CNEL	50 dBA CNEL
Industrial	75 dBA CNEL	55 dBA CNEL
Public Facilities	70 dBA CNEL	50 dBA CNEL
Schools	50 dBA CNEL	50 dBA CNEL

Source: City of Seaside General Plan. 2004.
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibel(s)

The Noise Element also specifies outdoor and indoor noise limits for residential, commercial, office, industrial, public facility, and educational uses. As shown in Table VI.XII.1, City of Seaside Interior and Exterior Noise Standards, the noise standard for exterior living areas is 65 dBA CNEL for residential uses. The indoor residential noise standard is 45 dBA CNEL, which is consistent with the California Noise Insulation Standard.

In addition to establishing exterior and interior noise standards, the City General Plan states that for a proposed project to be approved, the results of an acoustical analysis “must demonstrate that the project is designed to attenuate noise to meet the City’s noise standards.”

City of Seaside Municipal Code. The City has adopted a noise ordinance (Chapter 9.12 of the Municipal Code), which seeks to control noise by setting forth time periods when activities are allowed or prohibited. For example, excessive unnecessary or unusually loud construction noise activity before 7:00 a.m. or after 7:00 p.m. daily (except Saturday, Sunday, and holidays when the hours are before 9:00 a.m. and after 7:00 p.m.) are prohibited. The City’s Municipal Code does not contain quantitative noise limits.

CEQA Significance Criteria-Noise. A project will normally have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or conflict with the adopted environmental plans and goals of the community in which it is located. The applicable noise standards governing the project site are the criteria provided in the City’s General Plan Noise Element and the City’s Noise Ordinance. For purposes of this IS/MND, the proposed project would create a significant noise impact if the noise increase is greater than 3 dBA with the proposed project and the resulting noise level is greater than the established City of Seaside noise standard; or if the noise increase is greater than 5 dBA with the proposed project, but the overall noise level after project implementation is less than the established City of Seaside noise standard.

Vibration. Vibration is the periodic oscillation of a medium or object with respect to a given reference point. Vibration amplitude can be expressed in peak particle velocity (PPV). PPV is defined as the maximum instantaneous positive or negative peak of vibration signal. PPV is typically used in the monitoring of transient and impact vibration and has been found to correlate well to the stresses experienced by buildings; both are expressed in inches per second (inch/sec).

Vibration velocity is expressed in vibration velocity decibels (VdB). Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernible; however, without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source, through intervening soil and rock layers, to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. The occupants may perceive building vibration as the motion of building surfaces, the rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. The vibrating walls, floors, and ceilings that radiate sound waves cause the rumbling noise.

A typical source of groundborne vibration is construction activities (e.g., pavement breaking and operating heavy-duty earth-moving equipment) and occasional traffic on rough roads. Groundborne vibration levels from construction activities very rarely reach levels that can damage structures; however, these levels are perceptible near the active construction site. Caltrans produced one of the seminal works relating to construction-induced vibration. Table VI.XII.2 lists the reactions of people and damage to buildings from continuous or frequent intermittent vibration levels taken from the *Transportation and Construction Vibration Guidance Manual* (Caltrans 2013). While the proposed project is not subject to Caltrans regulations the following groundborne vibration and noise thresholds are commonly used for projects in the State of California.

Table VI.XII.2: Reactions of People and Damage to Buildings from Continuous or Frequent Intermittent Vibration Levels

Velocity Level, PPV (inch/sec)	Human Reaction	Effect On Building
0.01	Barely Perceptible	No effect
0.04	Distinctly Perceptible	Vibration unlikely to cause damage of any type to any structure
0.08	Distinctly Perceptible to Strongly Perceptible	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected
0.1	Strongly Perceptible	Virtually no risk of damage to normal buildings
0.3	Strongly Perceptible to Severe	Threshold at which there is a risk of damage to older residential dwellings such as plastered walls or ceilings
0.5	Severe – Vibrations considered unpleasant	Threshold at which there is a risk of damage to newer residential structures

Source: California Department of Transportation. 2013. *Transportation and Construction Vibration Guidance Manual*. September.

inch/sec = inches per second

PPV = peak particle velocity

CEQA Significance Criteria-Vibration. While the proposed project is not subject to Caltrans regulations in this IS/MND, a significant vibration impact would occur if construction of the proposed project results in vibration levels that exceed 0.3 inch/sec PPV, as such levels could result in cosmetic damage to normal buildings.

Existing Noise Environment. The project site is located between State Route 1 (SR-1) and Monterey Road just north of the Monterey Road and Coe Avenue intersection in the City of Seaside. To

quantify existing ambient noise levels, noise monitoring was completed at the site on December 8-9, 2015. The noise monitoring survey included two long-term and two short-term measurements. Please refer to Figure XII-1 showing the noise monitoring locations. The results of the long-term noise measurements are shown in Table VI.XII.3 while the results of the short-term measurements are shown in Table VI.XII.4. The primary existing noise source in the vicinity of the project site is vehicular traffic along SR-1 and local traffic along Monterey Road. Neighborhood traffic along Coe Avenue also affects the noise environment.

Table VI.XII.3: Long-Term Noise Measurement (dBA)-Existing Conditions

Location	Description	Daytime Noise Levels (7 a.m. to 7 p.m.)	Nighttime Noise Levels (7 p.m. to 7 a.m.)	Community Noise Equivalent Level (CNEL)
LT-1:	Located near the northwestern boundary of the project site, approximately 135 feet from the nearest lane on northbound SR-1	69 – 73 dBA L _{eq}	61 – 69 dBA L _{eq}	74 dBA CNEL
LT-2:	Located northeast of the Monterey Road/Coe Avenue intersection, approximately 40 feet from the Monterey Road centerline	64 – 69 dBA L _{eq}	56 – 66 dBA L _{eq}	69 dBA CNEL

Source: Illingworth & Rodkin, Inc. 2016. *Noise and Vibration Assessment*. January.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

L_{eq} = the average noise level during a specific hour

SR-1 = State Route 1

Table VI.XII.4: Summary of Short-Term Noise Measurements (dBA)-Existing Conditions

Noise Measurement Location (Date, Time)	L _{max}	L ₍₁₎	L ₍₁₀₎	L ₍₅₀₎	L ₍₉₀₎	L _{eq(10)}	CNEL
ST-1: ~145 feet from State Route 1 (12/8/2015, 9:30-9:50 a.m.)	75	75	73	71	68	71	74
	76	75	73	71	69	71	
ST-2: ~95 feet from Monterey Road (12/8/2015, 10:00-10:20 a.m.)	69	66	64	62 ¹	60 ¹	62 ¹	66
	69	66	63	61	59	61	

¹ Slightly elevated due to influence of State Route 1 (SR-1) traffic.

CNEL = Community Noise Equivalent Level

dBA = A-weighted decibel

L₍₁₎ = noise level exceeded for 1 percent of the measurement period

L₍₁₀₎ = noise level exceeded for 10 percent of the measurement period

L₍₅₀₎ = noise level exceeded for 50 percent of the measurement period

L₍₉₀₎ = noise level exceeded for 90 percent of the measurement period

L_{eq} = the average noise level during a specific hour

L_{eq(10)} = the average noise level during a specific hour

L_{max} = maximum sound level during a noise event

Figure XII-1 Noise Monitoring Locations

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Discussion/Conclusion/Mitigation:**XII(a). Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or noise ordinance, or applicable standards of other agencies?**

Short-Term Construction Noise Impacts. Short-term noise impacts would be associated with excavation, grading, and the erection of buildings on site during construction of the proposed project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area at the present time, but would no longer occur once construction of the project is completed.

Two types of short-term noise impacts could occur during construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. As shown in Table VI.XII.5, a single truck passing at a distance of 50 ft would generate a noise level of 84 dBA maximum continuous level ($L_{\max}$). However, the projected construction traffic would be minimal when compared to the existing traffic volumes, particularly along SR-1, and the noise level change associated with construction crew commutes would not be perceptible (less than 3 dBA).

Table VI.XII.5: Typical Maximum Construction Equipment Noise Levels ($L_{\max}$)

Type of Equipment	Acoustical Usage Factor	Suggested Maximum Sound Levels for Analysis (dBA $L_{\max}$ at 50 ft)
Backhoe	40	80
Cement Mixer	50	80
Concrete/Industrial Saw	20	90
Crane	16	85
Excavator	40	85
Generator	50	82
Grader	40	85
Loader	40	80
Paver	50	85
Roller	20	85
Rubber Tire Dozer	40	85
Scraper	40	85
Tractor	40	84
Truck	40	84

Source: Federal Highway Administration. 2006. *Highway Construction Noise Handbook*.

dBA = A-weighted decibel

ft = feet

$L_{\max}$ = maximum continuous noise level

The second type of short-term noise impact is related to noise generated during project construction, during which time there is a substantial, albeit temporary, increase in noise levels at nearby sensitive land uses. Construction activities can generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used.

The proposed project would be built over the course of 24 months. Construction of the proposed project would be undertaken in three discrete steps, each of which has its own mix of equipment, and consequently its own noise characteristics. Phase 1 would include demolition of the existing building and pavement, site clearing, and foliage removal. Phase 2 would include grading and trenching. Phase 3 would involve constructing the building foundations, structures, and interior details. These various sequential phases would change the character of the noise generated on the site. Therefore, noise levels would vary as construction progresses. Table VI.XII.5 shows the average noise level ranges for each type of construction equipment, based on a distance of 50 ft between the equipment and a noise receptor. Despite the variety in the type and size of construction equipment used during each phase, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table VI.XII.6 shows the average noise level ranges, by construction activity, based on a distance of 50 ft between the equipment and a noise receptor. As shown in Table VI.XII.6, typical hourly noise levels range from 81 to 88 dBA L_{eq} at a distance of 50 ft when all pertinent equipment is in operation on-site. Hourly average construction noise levels associated with the erection of the proposed senior assisted-living facility, such as hammer- and drilling-related noise, range from approximately 63 to 71 dBA at a distance of 50 ft. The noise levels associated with construction of the buildings would be substantially less than the noise levels associated with grading and pavement activities during project site preparation.

Table VI.XII.6: Typical Ranges of Construction Noise Levels at 50 Feet (L_{eq} dBA)

	Domestic Housing		Office Building, Hotel, Hospital, School, Public Works		Industrial, Parking Garage, Religious Amusement & Recreations, Store, Service Station		Public Works, Roads & Highways, Sewers, and Trenches	
	I	II	I	II	I	II	I	II
Ground Clearing	83	83	84	84	84	83	84	84
Excavation	88	75	89	79	89	71	88	78
Foundations	81	81	78	78	77	77	88	88
Erection	81	65	87	75	84	72	79	78
Finishing	88	72	89	75	89	74	84	84

Source: United States Environmental Protection Agency. 1973. Legal Compilation on Noise, Vol. 1, p. 2-104.

I- All pertinent equipment present at site.

II- Minimum required equipment present at site.

Construction of the proposed project is anticipated to include the use of gas engine chain saws, a tree chipper, pneumatic jackhammers, loaders, heavy trucks, small bulldozers, backhoes, haul trucks, cranes, pumps, auxiliary engines, generators, and compressors. This equipment would be used on the project site. The nearest existing residential structures, Seaside Highlands, are located approximately 60 ft southeast of the project site. During construction along the southern boundary of the project site, these residences would be exposed to hourly average noise levels ranging from 79 to 86 dBA L_{eq} . When construction occurs along the eastern boundary of the project site, residences located 250 ft northeast of the project boundary would experience construction noise levels that would range from 67 to 74 dBA L_{eq} . Construction activities would be conducted in accordance with the provisions of the City of Seaside Municipal Code, which exempts noise level impacts when construction work occurs between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday and between the hours of 7:00 p.m. and 9:00 a.m. on weekends and holidays. This exemption recognizes that construction

activity is typically short-term in duration and a normal part of the daytime urban environment. Therefore, the threshold of significance associated with short-term construction noise is time dependent. Construction activities would only occur during the hours specified above. Therefore, impacts associated with short-term construction noise would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation: No mitigation is required.

Significance Determination after Mitigation: Less than Significant Impact

Long-Term Project-Generated Traffic Noise Impacts. Traffic-related noise conditions in the vicinity of the project site were calculated as part of the *Noise and Vibration Assessment* (Illingworth & Rodkin, Inc. 2016). The existing and build-out traffic volumes were compared to calculate the project-related increase in traffic noise. A comparison of these two scenarios demonstrated that traffic volumes on all roadways serving the site would increase by 1 dBA CNEL as a result of project implementation. Therefore, existing traffic noise levels would not substantially increase over existing conditions. Therefore, a substantial increase in ambient noise levels in the project vicinity above existing noise levels without the project would not occur and impacts would be less than significant. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation required.

Significance Determination after Mitigation: Less than Significant Impact

Long-Term Project-Generated Stationary Noise Impacts. The proposed project includes the operation of mechanical ventilation as well as emergency vehicles that may periodically assist residents. The potential noise impacts are discussed below:

Mechanical Equipment. The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems. The placement of such equipment would occur on either the interior or the northern boundary of the project site. During daytime hours, typical existing hourly average noise levels range from 64 to 69 dBA L_{eq} , and during nighttime hours, existing noise levels range from 56 to 66 dBA L_{eq} . The nearest mechanical equipment room is proposed to be located at a distance of more than 180 ft away from the southern property line. Typical air conditioning units and heat pumps range from approximately 54 to 62 dBA L_{eq} at a distance of 5 ft. At 180 ft, these units would have noise levels below 40 dBA L_{eq} . Given the nearest noise sensitive residential land uses are beyond the southern boundary of the project site and are therefore more than 180 ft from the proposed mechanical equipment room, noise levels at the nearest noise-sensitive receptors would not change from the existing conditions. Therefore, impacts associated with the operation of mechanical equipment on the site would be less than significant, and no mitigation is required.

Emergency Response. The proposed senior assisted-living facility may, on occasion, require emergency vehicle assistance, which may include the use of a siren. At a distance of approximately 50 ft, sirens could reach levels of 92 to 94 dBA L_{max} . The nearest existing residences would be located approximately 125 ft from the entrance driveway of the project site, which would result in maximum instantaneous noise levels of 88 to 90 dBA L_{max} . While these levels could be considered to be excessive, they would occur within short time spans and would be in response to emergencies. According to Chapter 9.12.040 of the City's Municipal Code, excessive, unnecessary, or unusually loud noise is exempt from the established noise regulations. Therefore, impacts associated with emergency vehicles would be less than significant. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination after Mitigation: Less than Significant Impact

Long-Term On-Site Exterior Traffic-Related Noise Impacts. The project site plan identifies seven outdoor use areas: three courtyards and four outdoor patios. Figure XII-2 shows each of the courtyards, labeled C1 through C3, and each of the outdoor patios, labeled P1 through P4.

Courtyards: Courtyards C1 and C2 would be located within the Memory Care Facility, and Courtyard C3 would be located in the Assisted Living Building. All three courtyards would be completely surrounded by the proposed senior living center and would not have direct line-of-sight to either SR-1 or Monterey Road. The future exterior noise levels at Courtyards C1, C2, and C3 would be below 65 dBA CNEL when accounting for the acoustical shielding provided by the buildings.

Patios: Outdoor Patios P1 and P2 would be located along the western façade of the Memory Care Facility, as shown in Figure XII-2. While Patio P1 would be shielded from traffic along SR-1 by the proposed buildings, the orientation of the building with respect to Monterey Road would expose part of the exterior of the patio to the traffic noise from Monterey Road. The future calculated exterior noise levels at Patios P1 and P2 would reach 64 dBA CNEL and 67 dBA CNEL, respectively.

Two additional outdoor patios are located along the western façade of the Co-Housing Building on the western boundary of the project site. Patio P3 would have direct line-of-sight to both SR-1 and Monterey Road. Due to the orientation of the proposed Co-Housing Building, P4 would be shielded from SR-1, but would have direct line-of-sight to Monterey Road, with a setback of 45 ft. The future calculated exterior noise levels at Patios P3 and P4 would reach 74 dBA CNEL and 69 dBA CNEL, respectively.

The future calculated noise levels at outdoor Patios P2, P3, and P4 would exceed the 65 dBA CNEL threshold by up to 2 dBA, 9 dBA, and 4 dBA CNEL, respectively. Traffic-related exterior noise impacts at the proposed project site would be significant, and mitigation is required.

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Figure XII-2: Noise Sensitive Outdoor-Use Areas

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Mitigation Measure NOI-1 requires the construction of sound walls varying in type, height, and length to reduce exterior noise levels at Patios P2, P3, and P4 (refer to Figure XII-3: Proposed Soundwall Locations). With implementation of Mitigation Measure NOI-1, exterior noise levels would be reduced to a level below the City's 65 dBA CNEL noise threshold.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure NOI-1:

Sound Barriers. Prior to the issuance of an approved grading plan, the City of Seaside (City) Building Official, or designee, shall confirm that the site plan for the proposed project includes the design and construction of the following sound walls:

- **Patio P2:** The Construction Contractor shall construct a sound wall around the perimeter of Patio P2 that shall be attached to the proposed building on both ends. The total length of the sound wall shall be approximately 30 feet (ft). The sound wall shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of 3 pounds per square foot (lbs/ft²) (e.g., 1.0-inch thick marine-grade plywood, 0.5-inch laminated glass concrete masonry units (CMU)). The sound wall shall be at least 5 ft high as measured relative to the base elevation of the outdoor patio.
- **Patio P3:** The Construction Contractor shall construct an 8-inch thick wall, measuring 6 ft tall around the perimeter of Patio P3. The sound wall shall be at least 9 to 10 ft high and shall be at least 85 ft in length.
- **Patio P4:** The Construction Contractor shall construct a sound wall that surrounds the perimeter of the patio that shall be attached to the proposed building on both ends. The total length of the wall shall be at least 40 ft. The sound wall shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of 3 lbs/ft² (e.g., 1.0-inch thick marine-grade plywood, 0.5-inch laminated glass CMU). The sound wall shall be at least 5 ft high.

Significance Determination After Mitigation: Less than Significant Impact

Long-Term On-Site Interior Traffic Related Noise Impacts. The City of Seaside General Plan requires that interior noise levels be maintained at or below 45 dBA CNEL for residential uses.

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Figure XII-3: Proposed Soundwall Locations

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Interior noise levels would vary depending upon the design of the buildings (relative window area to wall area) and the selected construction materials and methods. Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Where exterior noise levels range from 60 to 65 dBA CNEL, the inclusion of adequate forced-air mechanical ventilation is often the method selected to reduce interior noise levels to acceptable levels by closing the windows to control noise. Where noise levels exceed 65 dBA CNEL, forced-air mechanical ventilation systems and sound-rated construction methods are normally required. Such methods or materials may include a combination of smaller window and door sizes as a percentage of the total building façade facing the noise source, sound-rated windows and doors, sound-rated exterior wall assemblies, and mechanical ventilation so windows may be kept closed at the occupant's discretion.

For the proposed project, the interior noise levels would be up to 59 dBA CNEL at the Co-Housing Building and up to 58 dBA CNEL at the Memory Care and Assisted Living Facilities, which exceeds the City's threshold for interior noise by 7 dBA. Therefore, traffic-related interior noise impacts at the proposed project site would be significant, and mitigation is required.

Mitigation Measure NOI-2 requires the installation of doors and windows with varying Sound Transmission Class (STC) ratings in residential units subjected to potentially high interior noise levels. Mitigation Measure NOI-2 also requires the installation of forced-air mechanical ventilation in all residential units proposed as part of the project. Therefore, with implementation of Mitigation Measure NOI-2, interior noise levels would be reduced to a level below the City's 45 dBA CNEL noise threshold.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure NOI-2:

Prior to the issuance of a grading permit, the City shall ensure that the Developer's project plans include the design and construction of building treatments including the following:

- **Co-Housing Building:** The Construction Contractor shall install windows and doors with a minimum Sound Transmission Class (STC) rating of 30 with adequate forced-air mechanical ventilation in the residential units with direct line-of-sight to State Route 1 along the northern, eastern, and western sides of the Co-Housing Building. The Construction Contractor shall also install windows and doors with a minimum STC rating of 26 in all residential units proposed along the southern façade of the Co-Housing Building.
- **Memory Care Facility:** The Construction Contractor shall install windows and doors with a minimum STC rating of 30 in all exterior-facing units along the

northern façade of the Memory Care Facility. The Construction Contractor shall also install windows and doors with minimum STC ratings of 28 to 30 in units proposed along the eastern and western façades and windows and doors with minimum STC ratings of 26 in units proposed along the Monterey Road-facing units on the southern façade of the Memory Care Facility.

- **Assisted Living Building:** The Construction Contractor shall install doors and windows with minimum STC ratings of 30 in all exterior-facing units along the northern façade of the Assisted Living Building. The Construction Contractor shall also install windows and doors with minimum STC ratings of 28 to 30 in all exterior-facing units along the eastern and western façades and windows and doors with a minimum 26 STC rating for units proposed along the southern façade of the Assisted Living Building.
- **All Buildings:** All rooms/units shall include forced-air mechanical ventilation.

Significance Determination After Mitigation: Less than Significant Impact

XII(b). Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Construction Vibration. Construction of the proposed project may generate perceptible vibration associated with the use of heavy equipment or impact tools (e.g. jackhammers, hoe rams, etc.). Construction activities would include site clearing and vegetation removal, demolition of existing building and concrete removal, excavation, grading and trenching, site preparation work, foundation work, and new building framing and finishing. The proposed project is not expected to require pile driving, which can cause excessive vibration.

Table VI.XII.7 presents typical vibration levels that could be expected from construction equipment at a distance of 25 ft. Vibration levels would vary depending on soil conditions, construction methods, and equipment used. Vibration levels from typical construction activities would be expected to be 0.2 inch/sec PPV or less at a distance of 25 ft, below the 0.3 inch/sec PPV significance threshold. The nearest residential structures to the site are located 60 ft or further from the nearest property line of the project site. Vibration levels at a distance of 60 ft would be 0.08 inch/sec PPV or less. Vibration generated by construction activities near the southern and eastern property line of the project site would at times be perceptible to the nearby residences; however, it would be infrequent and only occur during the allowable daytime construction period. Therefore, project-related impacts associated with the generation of excessive groundborne vibration would be less than significant, and no mitigation is required.

Table VI.XII.7: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 Ft (inch/sec)	Approximate L _v at 25 Ft (VdB)
Pile Driver (Impact)	upper range	1.158	112
	typical	0.644	104
Pile Driver (Sonic)	upper range	0.734	105
	typical	0.170	93
Clam shovel drop		0.202	94
Hydromill (slurry wall)	in soil	0.008	66
	in rock	0.017	75
Vibratory Roller		0.210	94
Hoe Ram		0.089	87
Large bulldozer		0.089	87
Caisson drilling		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58

Source: Illingworth & Rodkin, Inc. 2016. *Transit Noise and Vibration Impact Assessment*, January;
United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration,
May 2006.

ft = feet

inch/sec = inches per second

PPV = peak particle velocity

VdB = vibration velocity decibels

Construction Vibration. Operation of the proposed project would not involve any uses that would generate groundborne vibration or groundborne noise levels. Therefore, no impact associated with the generation of excessive groundborne vibration would occur, and no mitigation is required.

Significance Determination: Less Than Significant Impact

Mitigation Measures: No mitigation required.

Significance Determination after Mitigation: Less Than Significant Impact

XII(c). A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

A substantial permanent increase in ambient noise levels associated with the proposed project would occur if the proposed project would cause noise levels to increase by 3 dBA or more. As shown in Section XII(a) above, long-time traffic noise sources would not cause an increase in ambient noise levels of more than 3 dBA.

As for stationary noise sources that might permanently increase ambient noise levels in the project vicinity, the proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems. The mechanical equipment would be located either within the proposed on-site buildings or near the northern boundary of the project site. During daytime hours, typical existing hourly average noise levels range from 64 to 69 dBA L_{eq}, and during nighttime hours, existing noise

levels range from 56 to 66 dBA L_{eq} . Typical air conditioning units and heat pumps range from approximately 54 to 62 dBA L_{eq} at a distance of 5 ft. At a distance of 35 ft from the proposed mechanical equipment, the noise level impact would be below 46 dBA L_{eq} , which is more than 10 dBA less than the existing noise levels. When a noise level impact is more than 10 dBA less than existing noise levels, it is assumed that it would not provide an increase in noise levels. All uses, both on-site and off-site, are located more than 35 ft away from the proposed mechanical rooms. Because the noise levels associated with mechanical equipment are below the existing ambient noise levels at the project site and at the off-site residential uses, impacts associated with the operation of mechanical equipment would be less than significant, and no mitigation is required. Therefore, impacts associated with a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project from mobile and stationary noise sources would be less than significant, and no mitigation is required.

Significance Determination: Less Than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination after Mitigation: Less Than Significant Impact

XII(d). A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Implementation of the proposed project would include construction activities that would result in a substantial temporary increase in ambient noise levels in the project site vicinity above levels existing without the project, but would no longer occur once construction is completed. The closest sensitive receptors in the project vicinity are 60 ft from proposed construction areas. During construction along the southern boundary of the project site, these residences would be exposed to hourly construction-related noise levels ranging from 79 to 86 dBA L_{eq} . When comparing the noise levels related to construction activities to existing ambient noise levels ranging from 64 to 69 dBA L_{eq} , it is expected that temporary daytime noise levels may increase by as much as 15 dBA. When construction occurs along the eastern boundary of the project site, residences located 250 ft northeast of the project boundary would experience construction noise levels that would range from 67 to 74 dBA L_{eq} , approximately 12 dBA less than that of the impacts to the residence to the south, due to distance. As noted above under XII(a), the City of Seaside Municipal Code exempts noise level impacts when construction work occurs between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday, and between the hours of 7:00 p.m. and 9:00 a.m., on weekends and holidays. This exemption recognizes that construction activity is typically short-term in duration and a normal part of the daytime urban environment. Furthermore, implementation of Mitigation Measure NOI-3, which prescribes the implementation of reasonable and feasible best management noise reduction practices to reduce construction noise impacts on adjacent noise sensitive land uses, will greatly reduce construction noise impacts at adjacent noise-sensitive land uses. Therefore, with implementation of Mitigation Measure NOI-3 and adherence to the required hours of construction as prescribed in the City of Seaside's Municipal Code, the substantial temporary increase in ambient noise levels in the project vicinity during construction activities would be less than significant.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure NOI-3:

Best Management Noise Reduction Practices. Prior to issuance of a grading permit, the construction contractor shall develop and implement a construction noise control plan that includes, but is not limited to, the following available Best Management Practices:

- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment when located within 200 ft of adjoining sensitive land uses.
- All construction equipment must have appropriate sound-muffling devices, which shall be properly maintained and used at all times such equipment is in operation.
- The Construction Contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- Unnecessary idling of internal combustion engines shall be prohibited.
- The Construction Contractor shall locate on-site equipment staging areas, material stockpiles, and construction parking areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period.
- The Construction Contractor shall place stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- Ensure noise from construction workers, such as radios, is not audible at existing residences near the project site.
- Neighbors located within a 300 ft radius to the construction site shall be notified of the construction schedule in writing.
- Designate a project liaison that shall be responsible for responding to noise complaints during the construction phase. The name and phone number of the liaison shall be conspicuously posted at construction areas and on all advanced notifications. The liaison shall take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring shall be presented at regular project meetings with the project contractor, and the liaison shall coordinate with the

contractor to modify any construction activities generating excessive noise levels to the greatest extent feasible.

- Require a reporting program that documents complaints received, actions taken to resolve problems, and effectiveness of these actions.
- Hold a preconstruction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise controls and practices (including construction hours, construction schedule, and noise coordinator) are being implemented.

Significance Determination after Mitigation: Less than Significant Impact

XII(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, would the project expose people residing or working in the project area to excessive noise levels?

Monterey Regional Airport is a public-use airport located approximately 2.75 miles south of the project site. Although aircraft-related noise would occasionally be audible at the project site, noise from aircraft would not substantially increase ambient noise levels at the project site. Therefore, there would be less than significant noise impacts due to public airports, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination after Mitigation: Less than Significant Impact

XII(f). For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not in the vicinity of a private airstrip. There would be no impacts related to excessive noise levels from private airstrips, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination after Mitigation: No Impact

SECTION XIII: POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

XIII(a). Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Construction. Construction of the proposed project would provide short-term jobs over an approximately 18-month period. Many of the construction jobs would be temporary or seasonal and would be specific to the variety of construction activities. Although the proposed project would increase the number of employees at the project site during construction activities, it is expected that local and regional construction workers would be available to serve the proposed project's construction needs.

Project-related construction workers would not be expected to relocate their household's place of residence as a consequence of working on the proposed project. Therefore, the proposed project would not induce substantial population growth or demand for housing through increased construction employment, and no mitigation is required.

Operation. Implementation of the proposed project would include the construction of three new residential facilities including an Assisted Living Facility, a Memory Care Facility, and Co-Housing. The three proposed senior living facilities would provide a total of 144 residential units and would be designed to accommodate approximately 174 senior residents. It is expected that the proposed facilities would primarily accommodate seniors that are currently living in the City but who are in need of assisted living care. Although it is expected that some senior residents would relocate to obtain assisted living care in this location, the number of people that would relocate to the area would not be substantial. Since the proposed project would primarily serve people already living in the area, the provision of senior assisted living housing would not cause or result in direct population growth.

The proposed project would generate approximately 54 employees, including healthcare professionals, maintenance employees, and administrative staff. According to the 2010–2014

American Community Survey 5-Year Estimates,¹ the County has a labor force of 200,196 people, with approximately 18,709 people unemployed.² This suggests an available labor pool to serve the long-term employment opportunities offered by the proposed project. Because of the general availability of labor resources and the current unemployment rates in the County, there would be an opportunity to hire local employees to fill the proposed project's employment needs. It is unlikely that a substantial number of employees would need to be relocated from outside the region to meet the need for 54 employees. Any increase in population associated with proposed project would be limited and would not represent a substantial increase in the City's population.

Furthermore, the proposed project would be located within a developed area that is already served by all utilities. The existing regional infrastructure and the established roadway network would be utilized by employees accessing the project site.

Therefore, project operations would not induce population growth either directly or indirectly, and no mitigation is required.

The proposed project would generate approximately 54 employees, including healthcare professionals, maintenance employees, and administrative staff. A majority of the employees, including maintenance and administrative staff positions, would likely be filled by existing City residents. It is possible that the upper management positions and skilled nurses would be filled by relocating individuals or families from elsewhere. However, the addition of a few individuals or families to the City would be accommodated by the existing homes and businesses located in the City and would not result in a substantial direct population growth in the area.

Additionally, the proposed project is located in a developed residential area of the City. The proposed project would tie into existing infrastructure (e.g., access roads, and sewer systems, etc.) and would not include the development of any infrastructure that would induce substantial indirect population growth in the project area. Therefore, implementation of the proposed project would result in a less than significant impact associated with inducing substantial population growth either directly or indirectly, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

¹ United States Department of Commerce, U.S. Census, American Fact Finder. Website: <http://factfinder.census.gov> (accessed January 13, 2016).

² Ibid.

XIII(b). Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Implementation of the proposed project would include removing one existing vacant structure that was formerly used as a convenience store and gas station by the U.S. Army. No housing currently exists on the project site, and housing displacement would not occur as a result of implementation of the proposed project. Therefore, implementation of the proposed project would not result in an impact related to housing displacement, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

XIII(c). Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? Implementation of the proposed project would include removing one existing vacant structure that was formerly used as a convenience store and gas station by the U.S. Army. No housing units or other forms of temporary housing are located on the project site, and no people would be displaced as a result of implementation of the proposed project. Therefore, implementation of the proposed project would not result in an impact related to the displacement of people, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

SECTION XIV: PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

XIV. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:

(a). Fire protection? and **(b). Police protection?** Fire and police protection services for the project site are provided by the Seaside Police Department and the Seaside Fire Department, respectively. Both departments have sole rights to provide service to the entirety of the City. The City operates one fire station located at 1635 Broadway Avenue that is located approximately 2.5 miles from the project site by way of surface streets. The daily staffing for the fire station includes One Chief Officer assigned to a Chevy Tahoe Command Vehicle, three to four firefighters assigned to an Engine company, and three or four firefighters assigned to a Truck company (Chief Brian Dempsey, Personal Communication).

Police Services are provided by the Seaside Police Department. The Police Department is separated into two divisions. The first division is the Field Operations division that provides patrol, drug enforcement, animal control, and reserve officer service. The second division is the Support Services division that operates as the administrative wing of the department. This division also handles any investigations, acts as record keepers, and provides school resource officers to the local schools. The department staffs 51 full-time equivalent personnel with 40 of those being sworn-in officers and the other 11 being non-sworn support staff (Shannon Oster-Gabrielson, Personal Communication).

Construction of the proposed project would not result in any road closures that would interfere with the fire and police departments' abilities to provide services to the City. All construction activities would take place off the road and would not represent an obstacle to these emergency vehicles as they travel the area around the project site.

The project proposes to construct 144 new senior living residential units located within three facilities and would be designed to accommodate approximately 174 senior residents. As noted previously, it is expected that the proposed facilities would primarily accommodate seniors that are currently living in the City, although some of the senior residents would relocate to obtain assisted living care in this location. Furthermore, the proposed project will include in-house skilled nursing staff that could address basic health emergencies that might have otherwise resulted in a request for police or fire services. Nevertheless, it is likely that developing a senior living facility will increase calls for emergency services beyond existing conditions. The fire department has indicated that it will be able to handle any increase in call volume (Chief Brian Dempsey, Personal Communication). The Fire Department's current staffing levels allow for a single fire response or two simultaneous emergency medical service calls. If additional assistance is needed beyond what the Fire Department can provide, the Fire Department receives assistance from either the Presidio of Monterey Fire Department or the Monterey Fire Department. As well, American Medical Response responds to all emergency medical service calls and provides advanced life support service and hospital transport. Furthermore, the proposed project would be designed to comply with all Fire Department access requirements and California Fire Code requirements, would not impair emergency response vehicles or increase response times, and would not substantially increase calls for service. Therefore, the Fire and Police Departments would be able to serve the project site at the same levels provided to this area of the City before proposed project implementation, and impacts to fire and police protection services are expected to be less than significant. In addition, the proposed project would not require new or physically altered public facilities for fire protection, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XIV(c). Schools? The project proposes to construct 144 new senior living residential units located within three facilities and would be designed to accommodate approximately 174 senior residents. Because the residential units would only be occupied by senior residents, the occupants of the proposed project would not directly cause an increase on the demand for school facilities. The proposed project would generate approximately 54 employees, including healthcare professionals, maintenance employees, and administrative staff. As noted in Section XIII, because of the general availability of local and regional labor resources and the current unemployment rates in the County, there would be an opportunity to hire local employees to fill the proposed project's employment needs. It is unlikely that a substantial number of employees would need to be relocated from outside the region to meet the need for 54 employees. Any increase in population associated with the proposed project would be limited and would not represent a substantial increase in the City's population. Therefore, it is not anticipated that the proposed project would result in a substantial increase in students within the City's school district.

Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district for the purpose of funding the construction or reconstruction of school facilities. The project Developer would be required to pay such fees to reduce any impacts of residential construction on school services as provided in Section 65995 of the California Government Code. Section 65995 of the California Government Code states that in the case of residential construction, fees, charges, dedications, or other requirements authorized under Section 17620 of the Education Code shall not exceed the one dollar and ninety-three cents (\$1.93) per square foot of assessable space. "Assessable space," for this purpose, means all of the square footage within the perimeter of a residential structure, not including any carport, covered or uncovered walkway, garage, overhang, patio, enclosed patio, detached accessory structure, or similar area. The amount of square footage within the perimeter of a residential structure shall be calculated by the City of Seaside building department. Pursuant to the provisions of Government Code Section 65996, a project's impact on school facilities is fully mitigated through payment of the requisite school facility development fees current at the time a building permit is issued. Therefore, with payment of the required fees, potential impacts to school services and facilities associated with implementation of the proposed project would be less than significant, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

XIV(d). Parks? As stated above, the project proposes to construct 144 new senior living residential units and would be designed to accommodate approximately 174 senior residents. The proposed project would include amenities such as on-site recreational activities as well as outdoor courtyards and gardens. It is anticipated that the majority of senior residents would utilize the on-site facilities and amenities. However, it is plausible that residents and employees on their breaks may utilize neighborhood parks and recreational facilities. The closest neighborhood park to the proposed project is located less than 0.5 mile northeast of the project site on Monterey Road between Buena Road and Corregidor Road. The park was designed to accommodate the adjacent residential neighborhoods and includes a basketball court, tennis courts, play structures, and several grass fields. The potential increase in the number of people utilizing this neighborhood park from the proposed project would result in a nominal impact to the maintenance and upkeep of the park. The potential increase in the number of people utilizing park facilities would not result in an adverse impact to these facilities. Therefore, the proposed project would not increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of these facilities would occur or be accelerated, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XIV(e). Other public facilities? The proposed project has been designed as a comprehensive living community with full amenities for senior citizens in need of assisted care. The proposed facilities' amenities include activity areas, a theater, outdoor spaces, and a wellness clinic. It is anticipated that the majority of the needs of the 174 senior residents would be accommodated on the site, and the proposed project would not generate an increased demand for public facilities such as libraries. No impact to public facilities would occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

SECTION XV: RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

XV(a). 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? The proposed project would be designed to accommodate approximately 174 senior residents. As stated in Section XIII, Population and Housing, the proposed facilities would likely accommodate seniors currently living in the City who are in need of assisted living care as well as senior residents who would relocate to obtain assisted living care. The proposed project has been designed to provide recreational facilities on the site for residents including a number of activity areas and outdoor recreational and therapeutic spaces. It is anticipated that the senior residents would utilize the on-site facilities and amenities for all recreational purposes. It is not anticipated that the senior residents would utilize any off-site recreational facilities.

As discussed in Section XIII, Population and Housing, the proposed project would generate approximately 54 employees, including healthcare professionals, maintenance employees, and administrative staff. A majority of the employees, including maintenance and administrative staff positions, would likely be filled by existing City residents. It is possible that the upper management positions and skilled nurses would be filled by relocating individuals or families from elsewhere. However, the addition of a few individuals or families to the City would be accommodated by the existing neighborhood and regional parks. Therefore, physical deterioration or other impacts to existing neighborhood or regional parks are not anticipated. Impacts would be considered less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XV(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? The proposed project has been designed to provide on-site recreational facilities for residents, including a number of activity areas and outdoor recreational and therapeutic spaces. The provision of these on-site recreational amenities as part of the proposed project have been considered as an integral part of the environmental analysis presented in this IS/MND. Furthermore, the proposed project would not require the construction or expansion of additional recreational facilities. Therefore, project-related impacts on recreational facilities would be considered less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

SECTION XVI: TRANSPORTATION/ TRAFFIC	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☒	☐	☐
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?	☐	☒	☐	☐
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?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The discussion and analysis provided in this section are based on the *Traffic Report* (Hatch Mott MacDonald, October 2015) (refer to Appendix A).

XVI(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? Roadway performance is most often controlled by the performance of intersections, specifically during peak traffic periods. This is because traffic

control at intersections interrupts traffic flow that would otherwise be relatively unimpeded except for the influences of on-street parking, access to adjacent land uses, or other factors resulting in interaction of vehicles between intersections. For this reason, traffic analyses for individual projects typically focus on peak-hour operating conditions for key intersections. Operating conditions at intersections are typically described in terms of level of service (LOS). LOS is a measure of a roadway's operating performance and is a tool used in defining thresholds of significance as well as measuring a project's consistency with such thresholds. LOS is described with letter designations from A to F, with LOS A representing the best operating conditions and LOS F the worst conditions. LOS E represents "at-capacity" operations. When traffic volumes exceed the intersection capacity, stop-and-go conditions result (gridlock conditions), and operations are designated as LOS F.

The 2010 *Highway Capacity Manual* (HCM 2010) signalized intersection methodology presents LOS in terms of control delay (in seconds per vehicle). The HCM 2010 unsignalized methodology presents LOS in terms of total intersection control delay and approach delay of the major and minor streets (in seconds per vehicle). The relationship between LOS and delay at signalized and unsignalized intersections is summarized in Table VI.XVI.1.

Table VI.XVI.1: Intersection Level of Service Criteria

LOS	Signalized Intersection Delay (Seconds)	Unsignalized Intersection Delay (Seconds)
A	≤ 10.0	≤ 10.0
B	> 10.0 and ≤ 20.0	> 10.0 and ≤ 15.0
C	> 20.0 and ≤ 35.0	> 15.0 and ≤ 25.0
D	> 35.0 and ≤ 55.0	> 25.0 and ≤ 35.0
E	> 55.0 and ≤ 80.0	> 35.0 and ≤ 50.0
F	> 80.0	> 50.0

Source: Transportation Research Board. *Highway Capacity Manual* (2010).

LOS = level of service

The City considers LOS C to be the upper limit of satisfactory operations for signalized intersections. Mitigation is required for any signalized intersection where project traffic causes the LOS to deteriorate from satisfactory (LOS C or better) to unsatisfactory (LOS D, E, or F); or the addition of project traffic increases the average delay more than 2.0 seconds when an intersection is operating at LOS D; or the addition of project traffic increases the average delay by more than 1.0 second at intersections operating at LOS E or F.

For unsignalized intersections, mitigation is required in which the addition of project traffic causes the LOS to deteriorate from satisfactory (LOS E or better for two-way stop-controlled [TWSC] intersections, LOS C or better for all-way stop-controlled [AWSC] intersections) to unsatisfactory (LOS F for TWSC intersections; LOS D for AWSC intersections), or the addition of project traffic exacerbates unsatisfactory operations (LOS F for TWSC intersections; LOS D for AWSC intersections).

The HCM 2010 LOS threshold volumes for a two-lane Collector Street are summarized in Table VI.XVI.2 below.

Table VI.XVI.2: Level of Service Threshold Volumes for Various Roadway Types

Roadway Type	Lanes	Peak-Hour Threshold Volumes				
		LOS A	LOS B	LOS C	LOS D	LOS E
Collector Street	2	600	750	900	1,050	1,200

Source: Transportation Research Board. *Highway Capacity Manual* (2010).
LOS = level of service

The Synchro 8 software was used to determine the LOS at the study area intersections.

The following study area intersections were analyzed in the *Traffic Report*:

1. Coe Avenue–Project Driveway/Monterey Road (AWSC)
2. Fremont Boulevard–SR-1 ramps/Monterey Road (signalized)
3. California Avenue–SR-1 southbound on-ramp/Monterey Road–SR-1 northbound off-ramp (signalized)
4. Secondary Project Driveway/Monterey Road (proposed)

The study area also includes the roadway segment of Monterey Road between Fremont Boulevard and Coe Avenue.

The following analysis periods were evaluated to determine impacts associated with the proposed project:

- Weekday a.m. peak hour (between 7:00 a.m. and 9:00 a.m.)
- Weekday p.m. peak hour (between 4:00 p.m. and 6:00 p.m.)

Existing a.m. and p.m. peak-hour traffic volumes were collected in October 2014 for the study area intersections and roadway segment. The weekday peak hours (i.e., highest 1-hour period between 7:00 a.m. and 9:00 a.m. and the highest 1-hour period between 4:00 p.m. and 6:00 p.m.) are evaluated because they represent peak commute times (i.e., employees driving to work in the morning and driving home in the evening).

The proposed project includes construction of a 144-unit assisted living facility with memory care services on the project site. Project trips associated with the 163 beds within the 144 assisted living units were generated using trip rates from Land Use Code 254 (Assisted Living) from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition (2012), as presented in Table VI.XVI.3.

Table VI.XVI.3: Project Trip Generation

Land Use	Size	Units	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates ¹									
Assisted Living	163	Occupied beds	2.74	0.12	0.06	0.18	0.15	0.14	0.29
Project Trip Generation									
Assisted Living	163	Occupied beds	447	20	9	29	24	23	47

Source: Institute of Transportation Engineers. *Trip Generation Manual*, 9th Edition (2012).

¹ Trip rates referenced from Land Use Code 254 (Assisted Living), *Trip Generation Manual*.

ADT = average daily traffic

As Table VI.XVI.3 indicates, the proposed project has the potential to generate approximately 447 average daily trips (ADT), including 29 trips (20 inbound and 9 outbound) in the a.m. peak hour and 47 trips (24 inbound and 23 outbound) in the p.m. peak hour.

Trip distribution and assignment for the project was based on proximity to travel corridors.

Table VI.XVI.4, below, summarizes the results of the existing and existing plus project LOS analysis for study area intersections. Table VI.XVI.5 presents the results of the existing and existing plus project LOS analysis for the study area roadway segment.

Table VI.XVI.4: Existing and Existing Plus Project Intersection Level of Service Summary

Study Area Intersection	Time Period	Existing		Existing Plus Project		Delay Increase	Significant Impact?
		Delay	LOS	Delay	LOS		
1. Coe Avenue/Monterey Road	AM	10.1	B	10.5	B	0.4	No
	PM	11.3	B	12.3	B	1.0	No
2. Fremont Boulevard–SR-1 ramps/ Monterey Road	AM	30.9	C	31.5	C	0.6	No
	PM	43.9	D	47.5	D	3.6	Yes
<i>With Mitigation</i>	<i>PM</i>	-	-	45.5	<i>D</i>	1.6	<i>No</i>
3. California Avenue–SR-1 southbound on-ramp/Monterey Road–SR-1 northbound off-ramp	AM	5.7	A	5.7	A	0.0	No
	PM	7.0	A	7.1	A	0.1	No
4. Secondary Project Driveway/ Monterey Road (proposed)	AM	N/A	N/A	8.8	A	8.8	No
	PM	N/A	N/A	9.4	A	9.4	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

N/A = not applicable

SR-1 = State Route 1

Table VI.XVI.5: Existing and Existing Plus Project Roadway Segment Level of Service Summary

Study Area Roadway Segment	Time Period	Existing		Existing Plus Project		Volume Increase	Significant Impact?
		Volume	LOS	Volume	LOS		
Monterey Road between Fremont Boulevard and Coe Avenue	AM	433	A	455	A	22	No
	PM	852	C	888	C	36	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).
LOS = level of service

As shown in Table VI.XVI.4, all three existing study area intersections operate at satisfactory LOS (defined as LOS C or better) during both peak hours, with the exception of the Fremont Boulevard–SR-1 ramps/Monterey Road intersection (LOS D in the p.m. peak hour). With implementation of the proposed project, the Fremont Boulevard–SR-1 ramps/Monterey Road intersection would continue to operate at unsatisfactory LOS D in the p.m. peak hour. Because the proposed project would increase the deficient delay from 43.9 to 47.5 seconds (more than 2.0 seconds), this would result in a significant impact. Implementation of Mitigation Measure TRA-1, requiring a specific employee shift schedule, would reduce significant impacts at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection to less than significant.

The proposed project is anticipated to generate 47 trips in the p.m. peak hour (24 inbound and 23 outbound). The *Traffic Report* prepared for the proposed project concluded that the p.m. peak-hour trip generation must be reduced by a minimum of 22 trips (11 inbound and 11 outbound) to reduce the intersection impact, to less than significant. In other words, the proposed project can generate up to 25 p.m. peak-hour trips (13 inbound and 12 outbound) before a significant impact occurs at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection.

Because employees would generate the majority of the a.m. and p.m. peak-hour project trips, if employee shift start/end times are scheduled outside of the typical peak-hour periods, the number of employee peak-hour vehicular trips would be reduced.

Therefore, in order to mitigate the significant impact at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection, project operations must implement the following shift times and employee numbers:

- Day Shift 1: 6:00 a.m. to 2:00 p.m., with 37 employees
- Day Shift 2 : 9:00 a.m. to 6:00 p.m., with 5 employees
- Evening Shift: 2:00 p.m. to 10:00 p.m., with 33 employees
- Night Shift: 10:00 p.m. to 6:00 a.m., with 12 employees

Based on the above schedule, and if each person represents 2 trips (1 inbound trip within 15 minutes before shift start time and 1 outbound trip within 15 minutes after shift end time), then a total employee trip generation of 174 daily trips (87 inbound and 87 outbound) can be represented as follows:

- 5:45 a.m. to 6:00 a.m.: 37 inbound trips
- 6:00 a.m. to 6:15 a.m.: 12 outbound trips
- 8:45 a.m. to 9:00 a.m.: 5 inbound trips
- 1:45 p.m. to 2:00 p.m.: 32 inbound trips
- 2:00 p.m. to 2:15 p.m.: 37 outbound trips
- 6:00 p.m. to 6:15 p.m.: 5 outbound trips
- 9:45 p.m. to 10:00 p.m.: 12 inbound trips
- 10:00 p.m. to 10:15 p.m.: 32 outbound trips

Employees of Day Shift 1, Evening Shift, and Night Shift would generate trips outside of both the a.m. and p.m. peak hours. The 5 employees of Day Shift 2 are anticipated to generate 5 inbound a.m. peak-hour trips and 5 outbound p.m. peak-hour trips.

As previously discussed, the proposed project is anticipated to generate 47 p.m. peak-hour trips (24 inbound and 23 outbound) using ITE trip rates. A maximum of 25 p.m. peak-hour trips (13 inbound and 12 outbound) could be generated by the project before a significant intersection impact occurs at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection. Because the proposed employee shift schedule would limit the p.m. peak-hour trip generation to 5 employee outbound trips, a total of 20 non-employee p.m. peak-hour trips (13 inbound and 7 outbound) could be generated prior to a significant intersection impact occurring at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection. Therefore, it is anticipated that the proposed operational schedule of Mitigation Measure TRA-1 would reduce the total project p.m. peak-hour trip generation to 25 or fewer p.m. peak-hour trips.

With implementation of Mitigation Measure TRA-1, the delay at the Fremont Boulevard–SR-1 ramps/Monterey Road would only increase by 1.6 seconds from existing conditions (from 43.9 to 45.5 seconds), which is below the 2.0 second threshold. Therefore, with implementation of Mitigation Measure TRA-1, traffic impacts associated with the proposed project would be less than significant.

As shown in Table VI.XVI.5, Monterey Road between Fremont Boulevard and Coe Avenue currently operates at satisfactory LOS (defined as LOS C or better) during both peak hours. With implementation of the proposed project, this roadway segment would continue to operate at satisfactory LOS.

Cumulative (year 2035) plus project conditions were also analyzed. Cumulative conditions were developed based on traffic from area-wide approved and proposed long-term projects (i.e., City projects approved by City Planning Department staff). Table VI.XVI.6 summarizes the results of the cumulative plus project LOS analysis for study area intersections. Table VI.XVI.7 presents the results of the cumulative plus project LOS analysis for the study area roadway segment.

Table VI.XVI.6: Cumulative Plus Project Intersection Level of Service Summary

Study Area Intersection	Time Period	Cumulative Plus Project		Significant Impact?
		Delay	LOS	
1. Coe Avenue/Monterey Road	AM	11.1	B	No
	PM	14.1	B	No
2. Fremont Boulevard–SR-1 ramps/Monterey Road	AM	41.4	D	No
	PM	74.8	E	Yes
<i>With Mitigation</i>	AM	12.0	B	No
	PM	14.1	B	No
3. California Avenue–SR-1 southbound on-ramp/Monterey Road–SR-1 northbound off-ramp	AM	5.9	A	No
	PM	7.4	A	No
4. Secondary Project Driveway/Monterey Road (proposed)	AM	8.9	A	No
	PM	9.5	A	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

SR-1 = State Route 1

Table VI.XVI.7: Cumulative Plus Project Roadway Segment Level of Service Summary

Study Area Roadway Segment	Time Period	Cumulative Plus Project		Significant Impact?
		Volume	LOS	
Monterey Road between Fremont Boulevard and Coe Avenue	AM	532	A	No
	PM	992	D	Yes
<i>With Mitigation</i>	AM	241	A	No
	PM	605	B	No

Source: Hatch Mott MacDonald. *Seaside Assisted Living Traffic Report* (October 8, 2015).

LOS = level of service

As shown in Table VI.XVI.6, three study area intersections are forecast to operate at satisfactory LOS (defined as LOS C or better) during both peak hours under cumulative plus project conditions. The Fremont Boulevard–SR-1 ramps/Monterey Road intersection would operate at an unsatisfactory LOS under the cumulative plus project condition (LOS D in the a.m. peak hour and LOS E in the p.m. peak hour). Because the LOS at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection would degrade from LOS C to D in the a.m. peak hour and from LOS D to E in the p.m. peak hour from existing plus project to cumulative plus project conditions, a significant cumulative impact would result at this intersection. Implementation of Mitigation Measure TRA-2, requiring payment into the Fort Ord Reuse Authority (FORA) Fee, would reduce significant cumulative impacts at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection to less than significant.

As shown in Table VI.XVI.7, Monterey Road between Fremont Boulevard and Coe Avenue is forecast to operate at satisfactory LOS A during the a.m. peak hour and unsatisfactory LOS D during the p.m. peak hour under cumulative plus project conditions. Because the p.m. peak-hour LOS would degrade from satisfactory to unsatisfactory from existing plus project to cumulative plus project conditions, a significant cumulative impact would result at this roadway segment.

Caltrans approved the *SR-1 Project Study Report* (PSR) on September 26, 2002, which identified the following improvements:

- Removal of the east leg of the Fremont Boulevard–SR-1 ramps/Monterey Road intersection
- Upgrading the Fremont Boulevard/Military Avenue–Del Monte Boulevard intersection (including signalization and lane modifications)
- Construction of a new SR-1/Monterey Road interchange north of the existing SR-1/Fremont Boulevard interchange

As a result of these improvements, project traffic to and from SR-1 would be diverted from the existing Fremont Boulevard interchange to the new Monterey Road interchange, as well as away from Monterey Road between Fremont Boulevard and Coe Avenue. As shown in Tables VI. XVI.6 and VI.XVI.7, implementation of these improvements would result in satisfactory LOS B during both peak hours at the SR-1 interchange at Fremont Boulevard and satisfactory LOS B or better during both peak hours along Monterey Road between Fremont Boulevard and Coe Avenue.

These improvements are included in the FORA Capital Improvement Program (CIP). FORA administers a Community Facilities District Fee that includes costs for FORA's CIP, including transportation/transit, habitat management, and water augmentation, as well as payment towards the Transportation Agency for Monterey County (TAMC) regional fee program. The FORA Community Facilities District Fee Schedule is based on the property classifications and tax rates provided in Fort Ord Reuse Authority Resolution 14-13. The proposed project cannot clearly be categorized as one of the property classifications identified in the Community Facilities District Fee Schedule. Therefore, the City and FORA will jointly determine which property classification is the most appropriate, and this will determine the proposed project's required FORA fee. Therefore, implementation of Mitigation Measure TRA-2, which requires payment of the FORA Fee, would reduce significant cumulative impacts along Monterey Road between Fremont Boulevard and Coe Avenue to less than significant.

With implementation of Mitigation Measures TRA-1 and TRA-2, the proposed project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

Significance Determination: Potentially Significant Impact

Mitigation Measures:

Mitigation Measure TRA-1: Employee Shift Schedule of Operations. Prior to issuance of a Grading Permit, the Developer shall be required to submit an Employee Shift Schedule of Operations to the City of Seaside (City) Director of Public Works, or appropriate designee, for review and approval. The Employee Shift Schedule of Operations shall be as follows:

- Day Shift 1: 6:00 a.m. to 2:00 p.m., with no more than 37 employees
- Day Shift 2: 9:00 a.m. to 6:00 p.m., with no more than 5 employees
- Evening Shift: 2:00 p.m. to 10:00 p.m., with no more than 33 employees
- Night Shift: 10:00 p.m. to 6:00 a.m., with no more than 12 employees

During project operations, the Developer shall submit quarterly reports to the City Planning Division documenting compliance with the Employee Shift Schedule of Operations.

Mitigation Measure TRA-2: Payment into the FORA Fee. Prior to issuance of a Grading Permit, the Developer shall be required to pay the Fort Ord Reuse Authority (FORA) Fee, which includes costs for the adopted Capital Improvement Program.

Significance Determination After Mitigation: Less than Significant Impact

XVI(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?

TAMC is the designated Congestion Management Agency (CMA) and the Regional Transportation Planning Agency for Monterey County. However, Monterey County does not have a Congestion Management Program. The mission of TAMC is to proactively plan and fund a transportation system that enhances mobility, safety, access, environmental quality, and economic activities by serving the needs of Monterey County residents, businesses, and visitors. The City of Seaside is within Monterey County. TAMC prepares the Regional Transportation Plan (RTP) every four years, which provides a basis for actions to allocate State and federal funding to transportation projects. Regional transportation improvements of the 2014 Monterey County RTP include locations within the project study area (i.e., SR-1, Fremont Boulevard, and Monterey Road).

As described in Response XVI (a) above, the proposed project would exceed the City's LOS standards at the Fremont Boulevard–SR-1 ramps/Monterey Road intersection and along Monterey Road between Fremont Boulevard and Coe Avenue. Therefore, the project would be required to

implement Mitigation Measures TRA-1 and TRA-2 in order to reduce its impacts to less than significant. The improvements identified in Mitigation Measure TRA-2 are currently included in the 2014 Monterey County RTP. With the prescribed mitigation of both Mitigation Measures TRA-1 and TRA-2, the project would not conflict with any applicable LOS standards, travel demand measures, or other standards by the County CMA (TAMC).

Significance Determination: Potentially Significant Impact

Mitigation Measures: Refer to Mitigation Measures TRA-1 and TRA-2 above.

Significance Determination After Mitigation: Less than Significant Impact

XVI(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? The nearest airports to the project site are the Monterey Regional Airport located at 200 Fred Kane Drive, which is approximately 5.5 miles south of the project site, and the Salinas Municipal Airport located at 30 Mortensen Avenue, which is approximately 18 miles east of the project site. Implementation of the proposed project would not result in an increase in air traffic or affect air traffic patterns. No mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: No Impact

XVI(d). Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? The proposed project would not introduce any new sharp curves or intersections that would conflict with existing land uses in the surrounding area. Access to the project site would be provided via two new full-access driveways on Monterey Road. The main driveway would be the fourth leg of the Coe Avenue/Monterey Road intersection, and the secondary driveway would be located approximately 400 ft east of the Coe Avenue/Monterey Road intersection. The proposed project design features (including the new driveways) would comply with all City standards. Furthermore, the proposed project driveways would intersect with the public street (Monterey Road) at approximately 90 degrees, and there are no sight distance obstructions along Monterey Road. Therefore, the proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVI(e). Result in inadequate emergency access? Direct access for emergency vehicles would be provided via the existing intersection of Coe Avenue/Monterey Road, including the main project driveway (i.e., fourth leg of Coe Avenue/Monterey Road), as well as the secondary project driveway

east of the Coe Avenue/Monterey Road driveway on Monterey Road. The project driveways, as well as the internal circulation roadways, would be built in accordance with all applicable City standards allowing safe and efficient ingress and egress of emergency vehicles. Therefore, adequate emergency access would be provided for all vehicles (i.e., employee, visitor, and emergency vehicles). Therefore, implementation of the proposed project would not result in inadequate emergency access. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVI(f). Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)? Pedestrians accessing the project site may utilize pedestrian facilities (e.g., sidewalks and crosswalks) that are part of the surrounding street system. Sidewalks are located along both sides of Monterey Road and Coe Avenue and can be used to access the site. Monterey–Salinas Transit (MST) Bus Routes 18, 74, 75, and 76 serve the immediate area with stops along Monterey Road and Coe Avenue directly across the project site. The proposed project would not remove or relocate any alternative transportation access points. Furthermore, the proposed project would be subject to compliance with City policies, plans, and programs and other applicable agencies regarding alternative modes of transportation. Therefore, the proposed project does not conflict with and would not affect adopted plans, policies, or programs supporting alternative transportation. Furthermore, the proposed project would not decrease the performance or safety of such facilities. No mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

SECTION XVII: UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

XVII(a). Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? The Central Coast Regional Water Quality Control Board (RWQCB) regulates the treatment of wastewater at treatment facilities and the discharge of treated wastewater into receiving waters. The proposed project is not an industrial facility and is not subject to the wastewater treatment requirements of the Central Coast RWQCB. Local governments and water districts are responsible for complying with federal regulations, both for wastewater plant operation and the collection systems (e.g., sanitary sewers) that convey wastewater to the wastewater treatment facility. Proper operation

and maintenance is critical for sewage collection and treatment as impacts from these processes can degrade water resources and affect human health. For these reasons, publicly owned treatment works (POTWs) receive Waste Discharge Requirements (WDRs) to ensure that such wastewater facilities operate in compliance with the water quality regulations set forth by the State. WDRs, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, record-keeping, and reporting requirements. Each POTW that intends to discharge into the nation's waters must obtain a WDR prior to initiating its discharge.

The Marina Coast Water District (MCWD) serves the City of Marina and the Ord Community (the former Fort Ord where the project site is located). MCWD provides water, wastewater, and recycled water services. The MCWD facilities would receive wastewater generated from the proposed project. The wastewater is ultimately pumped to the Monterey Regional Water Pollution Control Agency (MRWPCA) regional treatment plant for processing, which is located 2 miles north of the City of Marina in northern Monterey County. Any future development on the project site would be serviced by the MRWPCA regional treatment facility. The regional treatment facility is responsible for the disposal of treated wastewater.

Because the MRWPCA regional plant is considered a POTW, operational discharge flows treated at the MRWPCA regional plant would be required to comply with applicable WDRs issued by the Central Coast RWQCB. Compliance with conditions or permit requirements established by the City as well as WDRs outlined by the Central Coast RWQCB would ensure that wastewater discharges coming from the project site and treated by the wastewater treatment facility system would not exceed applicable Central Coast RWQCB wastewater treatment requirements.

The MRWPCA regional treatment facility has been designed to treat typical wastewater flows from different land uses in the region, including within the City. The proposed project would generate wastewater flows typical of residential and commercial uses in the City. Therefore, the proposed project would not produce wastewater atypical of flows received at the MRWPCA regional treatment plant. MRWPCA has provided the Applicant with a will service letter (see Appendix B) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. In addition, as discussed in Response XVII(b), below, the proposed project is anticipated to generate approximately 24,000 gallons of wastewater per day, which is a fraction of 0.1 percent of the available daily treatment capacity at MRWPCA. Therefore, the increased wastewater flows from the proposed project can be accommodated within the existing design capacity of the MRWPCA regional treatment plant, would be typical of wastewater flows in the City, and would not result in the MRWPCA regional treatment facility exceeding its wastewater treatment requirements. Therefore, impacts related to wastewater treatment requirements would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVII(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?

Water. There are three water service providers who provide water to the City. The northern areas of the City, north of Military Avenue, are serviced by MCWD. A section of the easterly area is serviced by the Seaside Municipal Water System, and the remaining areas are serviced by California American Water. The project site is located in the MCWD service area. The MCWD has two different service areas: the Central Marina and the Ord Community. The Central Marina's supply wells are supported from three deep groundwater wells located in the 900 ft aquifer of the Salinas Valley Groundwater Basin, and the Ord Community's supply wells are supported from three groundwater wells located in the lower 180 ft and 400 ft aquifers of the Salinas Valley Groundwater Basin. The project site is located in the Ord Community service area.

The Ord Community is allocated 1,012 acre-feet per year (af/yr) from the Salinas Valley Groundwater Basin. According to the Marina Coast Water District's 10 Year Annual Consumption Report, the metered consumption used by the Ord Community ranged from a low of approximately 415 af/yr in 2006 to approximately 865 af/yr in 2013. In 2015, the metered consumption used by the Ord Community was approximately 390 af/yr.

The proposed project may result in a short-term demand for water during demolition, excavation, grading, and construction activities on site. Water demand for soil watering (fugitive dust control), cleanup, painting, and other activities would be temporary. These uses would cease when construction is complete. Overall, demolition and construction activities require minimal water and are not expected to have any adverse impacts on the existing water system or available water supplies. Therefore, potential project impacts associated with short-term water supply demand during construction activities would be less than significant, and no mitigation is required.

The proposed project includes the expansion of the existing on-site water system; however, the potential impacts associated with installation of utilities has been evaluated as part of the project throughout this IS/MND. Therefore, the proposed project would not require, nor would it result in, the construction of new water distribution facilities or the expansion of existing facilities other than those facilities to be constructed as part of the project, which could cause significant environmental effects. Therefore, project impacts related to the construction of water distribution facilities are less than significant, and no mitigation is required.

Operation of the proposed senior assisted living facility would result in a projected water demand of approximately 40.8 af/yr.¹ This does not include any reduction that would be obtained through incorporation of the sustainability features listed in Section II.B of this IS/MND. Based on the current and 10-year annual water consumption rates provided by the Marina Coast Water District, there is sufficient water allocation remaining in the 1,012 af/yr Ord Community/City of Seaside water allocation limit to meet the water supply needs of the proposed project. Therefore, water supply is available to meet the incremental increase in demand from the proposed project. The project would

¹ Water consumption was calculated based on the Marina Coast Water District's Urban Water Management Plan water demand factors. (144 dwelling units x 0.25 af/yr/dwelling unit) + (0.89 ac landscaping x 2.1 af/yr/ac) + (2,000 sf restaurant x 0.00145 af/yr/sf) = 40.8 af/yr.

not necessitate new or expanded water entitlements, and the MCWD would be able to accommodate the increased demand for potable water. Therefore, project impacts associated with an increase in potable water demand are considered less than significant, and no mitigation is required.

Wastewater. The MCWD serves the City of Marina and the Ord Community (the former Fort Ord where the project site is located). MCWD provides water, wastewater, and recycled water services. Wastewater collected through the MCWD facilities is ultimately conveyed to the MRWPCA regional treatment plant. Each City or community maintains and operates its own sewage collection system.

Wastewater generated in the City is conveyed to the MRWPCA regional treatment plant, which is located 2 miles north of the City of Marina in northern Monterey County. The MRWPCA owns and operates a sanitary sewer system that serves a population of approximately 250,000 people in 11 jurisdictions. These jurisdictions include the City of Del Rey Oaks, the City of Monterey, the City of Pacific Grove, the City of Salinas, the City of Sand City, the City of Seaside, the Castroville Community Services District, the Marina Coast Water District, the Moss Landing County Sanitation District, the Boronda County Sanitation District, and the County of Monterey. The facility is located on a 100-acre site and has the capacity to treat 29.6 million gallons of wastewater per day. The facility receives approximately 18.5 million gallons of wastewater each day. Approximately 60 percent of all MRWPCA's water intake is recycled each year and used for farmland in northern Monterey County. Recycling water reduces the discharge of treated wastewater into the Monterey Bay. Wastewater generated by the proposed project would be treated at the MRWPCA regional treatment plant.

It is estimated that implementation of the proposed project would generate approximately 24,000 gallons of wastewater per day. The proposed project would require a fraction of 0.1 percent of the available daily treatment capacity at the MRWPCA regional treatment plant. In addition, MRWPCA has provided the Applicant with a will service letter (see Appendix B) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. Increased wastewater flows from the proposed project can be accommodated within the existing design capacity of the treatment plants that serve the project area. Therefore, the proposed project would not require, nor would it result in, the construction of new wastewater treatment or collection facilities or expansion of existing facilities, which could cause significant environmental effects. Project impacts related to the construction of wastewater treatment or collection facilities are less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVII(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? As discussed in Section IX, Hydrology and Water Quality, in compliance with the requirement of the Fort Ord Reuse Authority, 100 percent of the on-site storm water from a 24-hour 100-year storm event must be infiltrated on the site. Because stormwater runoff would be contained

on the site, the proposed project would not exceed the capacity of downstream storm drain lines. Therefore, all storm drainage facilities associated with the project would be provided on site, and no new off-site drainage facilities or expansion of existing facilities would be required. The proposed project would include the construction of bioswales and rain gardens and utilize pervious pavement to contain all storm water on the project site.

These stormwater facilities have been assessed as an integral part of the environmental analysis presented in this IS/MND. Therefore, project-related impacts associated with the construction of new or the expansion of existing stormwater drainage facilities would be considered less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVII(d). Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Refer to Response XVII(b), above. Operation of the proposed senior assisted living facility would result in a projected water demand of approximately 40.8 af/yr. The project would not necessitate new or expanded water entitlements, and the MCWD would be able to accommodate the increased demand for potable water. Therefore, the project would have sufficient water supplies available to serve the project from existing entitlements and resources and would not require new or expanded entitlements. Therefore, impacts related to water supplies are less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVII(e). Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? Refer to Response XVII(b), above. Although the proposed project would increase wastewater demand on the site, the increased wastewater flows from the project site can be accommodated within the existing design capacity of the MRWPCA regional treatment plant that serves the City and surrounding area. Therefore, the wastewater treatment provider would have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Therefore, impacts related to wastewater generation are less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVII(f). Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? The project site is located in the City of Seaside, within Monterey County which is under the jurisdiction of the Monterey Regional Waste Management District (MRWMD). The MRWMD operates the Monterey Peninsula Landfill (MPL) and the Materials Recovery Facility (MRF) on a 470-acre site in the City of Marina. The MPL is the location for regional disposal and the MRF provides recycling services for commercial and self-hauled materials. The MPL and MRF are located approximately 10 miles to the northeast of the project site. The MPL is approximately 315 acres in size and receives approximately 300,000 tons per year (less than 1,000 tons per day) of municipal solid waste for disposal. Based on the current operational schedule and tonnage received, the MPL is estimated to be open until the year 2161. The MPL has a capacity of approximately 84 million cubic yards (cy). The remaining landfill waste capacity is estimated to be at 71 million cy, or 48 million tons.¹

Construction of the proposed project would require the demolition of the 5,000 sf structure currently on the project site, which was previously used as a gas and convenience store by the U.S. Army. The gas pumps were previously removed by the U.S. Army in 1996; therefore, demolition activities would not generate or release any hazardous wastes. The majority of the waste generated during demolition and construction activities would be building materials such as concrete, asphalt, dirt, and waste generated by construction workers. The generation of construction waste would be temporary, would cease when construction is complete, and would not be substantial. Demolition and construction debris would be disposed of at the MPL, which has the capacity to handle the amount of construction waste generated by the proposed project. Therefore, construction of the proposed project would result in a less than significant impact to solid waste and landfill activities, and no mitigation is required.

The proposed project is a senior assisted living development, and no hazardous waste is expected to be generated during operation of the proposed project. As illustrated by Table VI.XVII.1, the proposed project would generate a total of 1,140 pounds per day ((lbs/day) of solid waste (0.57 tons per day). The incremental increase in solid waste generated by the proposed project would constitute approximately 0.057 percent of the average daily available capacity (1,000 tons per day) at the MPL. Therefore, solid waste generated by the proposed project would not exceed the capacity of the MPL, and implementation of the proposed project would result in a less than significant impact to solid waste and landfill activities, and no mitigation is required.

¹ Monterey Regional Waste Management District. 2014. Monterey Peninsula Landfill. Website: <http://www.mrwmd.org/programs-services/disposal/monterey-peninsula-landfill/> (accessed October 8 2015).

Table VI.XVII.1: Generation of Solid Waste from Implementation of the Proposed Project

	Land Use	Proposed Development	Estimated Solid Waste Generation Rate	Estimated Solid Waste Generation (lbs/day)
Proposed Project	Nursing/Retirement Home	174 ¹ persons	5 lbs/person/day	870
	Nursing/Retirement Home	54 employees	5 lbs/person/day	270
Total				1,140

Source: CalRecycle, Public Sector and Institutions: Estimated Solid Waste Generation Rates

¹ Estimated 100 seniors living in the Assisted Living Facility, 55 seniors living in the Memory Care Facility, 1 caretaker in the Co-Housing Facility and 1.5 persons per 12 independent senior living units (1.5 persons per unit x 12 senior residential units = 18 persons + 100 persons + 55 persons = 174 persons).

lbs/day = pounds per day

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

XVII(g). Comply with federal, state, and local statutes and regulations related to solid waste?

The California Integrated Waste Management Act (AB 939) changed the focus of solid waste management from landfill to diversion strategies such as source reduction, recycling, and composting. The purpose of the diversion strategies is to reduce dependence on landfills for solid waste disposal. AB 939 established mandatory diversion goals of 25 percent by 1995 and 50 percent by 2000. In response to AB 939, the MRWMD's MRF was opened in 1996. Since 1996, the MRF and recycling programs have diverted more than 1.1 million tons of recyclable and reusable materials from landfill disposal. More than 50 percent of the mixed waste that is received at the MRF is recycled, reused, and diverted from landfill disposal, meeting the AB 939 requirements. AB 341 was passed in 2011 and that increased the landfill diversion goal to 75 percent by 2020. MRWMD staff is currently preparing an MRF project that would be capable of recovering up to 75 percent or more of mixed waste,¹ in addition to processing the construction and demolition waste, which would allow the facility to meet the required diversion goal. In addition, the City contracts with Waste Management, which provides curbside trash, recycling, and yard waste collection services that counts towards meeting the City's solid waste diversion goal.

The proposed project would comply with existing or future statutes and regulations, including waste diversion programs mandated by federal, State, and City law. In addition, as discussed above, the proposed project would not result in an excessive production of solid waste that would exceed the capacity of the existing landfill serving the project site. Therefore, the proposed project would result in a less than significant impact related to federal, State, and local statutes and regulations related to solid wastes, and no mitigation is required.

¹ Monterey Regional Waste Management District. 2014. Materials Recovery Facility. Website: <http://www.mrwmd.org/programs-services/recycling/materials-recovery-facility/> (accessed October 8, 2015).

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

SECTION XVIII: MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

XVIII(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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? As stated in Chapter VI, Section IV, Biological Resources, 47 special-status plant and wildlife species have the potential to occur within the project area. Of the 47 special-status species identified, only one special-status plant species, Michael's rein orchid, was observed in the southeast portion of the project site during the field survey conducted during the spring of 2015. This small patch consisted of less than a dozen plants. This species has a California Native Plant Society (CNPS) rating of 4.2 (i.e., this species is fairly uncommon and of limited distribution but does not have a State or federal protection status). In addition, plants with this CNPS ranking should be monitored and, where possible, avoided and preserved; however, protection and preservation of this species is not required. No other suitable habitat or special-status species were found to be present on the project site during the 2014 and 2015 field surveys.

There is a limited potential that the project site may provide suitable upland habitat for special-status amphibian species, such as the California tiger salamander (CTS) and/or California red-legged frog, (CRLF) which are federally and State listed as threatened and federally listed as threatened, respectively, if the large stormwater basin adjacent to the project site begins holding surface water seasonally. Because there is no evidence of the basin holding water in the past, the possibility of this occurring is very remote. However, in the unlikely event that the basin begins to hold water, it is likely that it would occur well after the project has been developed.

The proposed project would remove 84 trees (Monterey cypress and bluegum eucalyptus) that may provide suitable habitat for migratory birds and raptors protected under the Migratory Bird Treaty Act and the California Fish and Game Code. In addition, these trees may provide roosting habitat for bats. Impacts to nesting birds and roosting bats could occur in the form of direct mortality, particularly from the destruction of nests and mortality of young if construction occurs during the nesting bird season or bat maternity season, or from habitat loss. If construction activities are scheduled during the nesting bird season or bat maternity season, pre-construction nesting bird and roosting bat surveys would be required in order to prevent any impacts to nesting birds or roosting bats, as specified in Mitigation Measure BIO-1. With implementation of Mitigation Measure BIO-1, potential project-related impacts to nesting birds and roosting bats would be reduced to less than significant levels.

As stated in Chapter VI, Section V, Cultural Resources, the project site does not contain surface evidence of archaeological resources, is not within an area of high sensitivity for possessing archaeological resources, and has no indication of elevated sensitivity for the presence of previously undocumented buried archaeological resources to occur in the project area. Construction of the proposed project would require excavation; however, the potential for unknown subsurface resources to be encountered during construction activities is low. In the unlikely event that unknown archaeological resources are discovered during construction of the proposed project, compliance with existing regulations as specified in Standard Condition CULT-1 would ensure that potential project-related impacts associated with impacting unknown archaeological resources would be less than significant, and no mitigation is required.

The project site is underlain by Late Pleistocene Older Dune Sand, and deposits of this age elsewhere in the County and across California have produced scientifically significant paleontological resources. As such, these deposits are considered to have high paleontological sensitivity. Because project excavation would reach depths of these paleontologically sensitive deposits, there is a potential for the proposed project to impact paleontological resources. Implementation of Mitigation Measure CULT-2 requiring the development and implementation of a Paleontological Resource Impact Mitigation Program (PRIMP), would reduce potential impacts to paleontological resources to less than significant levels.

No human remains are present on the project site, and there are no facts or evidence to support the theory that Native Americans or people of European descent are buried on the project site. However, project excavation has the potential to disturb previously unknown human remains. In the unlikely event that human remains are encountered during construction of the proposed project, implementation of Standard Condition CULT-3, requiring notification of the proper authorities and proper handling of human remains, would reduce potential impacts to unknown buried human remains to less than significant levels, and no mitigation is required.

Therefore, with implementation of the Mitigation Measures and Standard Conditions noted above, the potential for the proposed project 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, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of a major period of California history or prehistory would be less than significant.

Significance Determination: Less than Significant Impact

Mitigation Measures: Refer to Mitigation Measure BIO-1, and Standard Conditions CULT-1, CULT-3, and Mitigation Measure CULT-2 in Chapter VI, Section IV, Biological Resources, and Section V, Cultural Resources, respectively.

Significance Determination After Mitigation: Less than Significant Impact

XVIII(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)? Section 15065(a)(3) of the *State CEQA Guidelines* states that a project’s cumulative impacts are the possible environmental effects that may be cumulatively considerable when considered with other reasonable foreseeable projects. Cumulatively considerable impacts occur when the incremental effects of a particular project or program are significant when viewed in connection with the effects of other past, current, or reasonably foreseeable future projects or programs that are not incorporated into baseline or existing conditions. Section 15355 of the *State CEQA Guidelines* defines a cumulative impact as an impact that is created as a result of the combination of the project evaluated in the CEQA document together with other projects causing related impacts. The projects identified in Table VI.XVIII.1, below, were reviewed to evaluate the potential cumulative impacts associated with implementation of the proposed project. As shown in the discussion above, environmental impacts associated with the proposed project can be reduced to less than significant levels through standard or project-specific mitigation measures. When the impacts associated with the proposed project were evaluated in conjunction with the projected impacts from the Cumulative Project List provided below (Table VI.XVIII.1), it was determined that the proposed project’s cumulative contribution to impacts in the proposed project area would be negligible; therefore, cumulative impacts associated with the proposed project would be less than significant, and no mitigation is required.

Significance Determination: Less than Significant Impact

Mitigation Measures: No mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

Table VI.XVIII.1: Cumulative Projects List

Project Title	Project Location and Description	Current Status
In-N-Out Burger Drive-Through Restaurant	The proposed restaurant is located along Del Monte Boulevard adjacent to Laguna Grande Lake in the City of Seaside. The project includes an approximately 3,750 sf In-N-Out Burger Drive-Through Restaurant and associated facilities including outdoor dining, outdoor patio seating, and a drive-through window.	Under construction.
The Projects at Main Gate Specific Plan/EIR	The proposed development is located at the former Fort Ord Main Gate bordered by SR-1, Light Fighter Drive, 2 nd Avenue, and 1 st Street in the City of Seaside. The proposed 552,000 sf of regional retail/entertainment is located on approximately 56 acres and would include a department store and restaurants in a Lifestyle Center with a retail center ("The Strand"), hotel/conference center, and a full-service spa.	Specific Plan/EIR adopted in August 2010.
Seaside Resort	The proposed resort is located at the Bayonet and Black Horse Golf Course in the northwest area of the City of Seaside on the former Fort Ord Military Base. The proposed resort includes a four-Star Hotel with 275 rooms, 175 timeshare units, 125 custom residential lots, and golf courses.	The two golf courses and 29 home sites have been developed. No additional development is pending.

EIR = Environmental Impact Report

sf = square foot/feet

SR-1 = State Route 1

XVIII(c). Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? This IS/MND evaluates the proposed project's potential impacts to aesthetics, air quality, agricultural and forestry resources, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. Based on the proposed project description and the environmental analysis provided for each of these issue areas, implementation of the proposed project would not cause substantial adverse effects on human beings as all potentially significant impacts of the proposed project can be mitigated to less than significant levels.

Significance Determination: Less than Significant Impact

Mitigation Measures: No additional mitigation is required.

Significance Determination After Mitigation: Less than Significant Impact

VII. FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

A. Assessment of Fee

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to California Environmental Quality Act (CEQA) review had a “de minimus” (minimal) effect on fish and wildlife resources under the jurisdiction of the California Department of Fish and Wildlife (CDFW). Projects that were determined to have a “de minimus” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimus” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the CDFW determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, project proponents must submit a form requesting such determination to the CDFW. Forms may be obtained by contacting the department by telephone at (916) 631-0606 or through the CDFW’s website at www.dfg.ca.gov.

B. Conclusion

The City of Seaside will be required to pay the fee.

C. Evidence

Based on the record as a whole as embodied in the attached Initial Study/Proposed Mitigated Negative Declaration.

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VIII. MITIGATION MONITORING AND REPORTING PROGRAM

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
Aesthetics			
Mitigation Measure AES-1: Lighting Plan. Prior to issuance of a grading permit, a Final Lighting Plan shall be prepared for the proposed project and be submitted for review and approval to the City of Seaside (City) Board of Architectural Review. The Final Lighting Plan shall be prepared by a qualified engineer and shall comply with the requirements of the California Energy Code set forth in the California Code of Regulations (CCR), Title 24, Part 6 and the City's Municipal Code. The Final Lighting Plan shall include the following components to minimize adverse visual effects during nighttime hours: • Lighting fixtures shall be focused downward within the project site boundaries to avoid light spill upward to the night sky or out on adjacent properties. • The Final Lighting Plan shall be reviewed by the City's Police Department for consistency with security and safety requirements. • All proposed interior project lighting shall have a maximum candela value such that the light falls within the buildings. • The Final Lighting Plan shall also include a photometric survey. The photometric survey shall demonstrate that no direct rays shine onto public streets or adjacent sites and that no on-site lighting source produces an illumination level greater than 1-foot-candle on any property within a residential zone except on the site of the source.	The Project Architect/Project Engineer	Prior to issuance of grading permit.	
Air Quality			
Standard Condition AQ-1: Dust Control Measures. The City of Seaside (City) Engineer shall ensure, per the Monterey Bay Unified Air Pollution	The Construction Contractor	During project construction.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
Control District <i>CEQA Air Quality Guidelines</i> that the following dust mitigation measures shall be implemented by the Construction Contractor during construction of the proposed project: • The Construction Contractor shall water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure. • The Construction Contractor shall apply chemical soil stabilizers on inactive construction areas (disturbed lands within the proposed project's construction footprint that are unused for at least four consecutive days). • The Construction Contractor shall apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut-and-fill operations and shall hydroseed the area. • The Construction Contractor shall cover all trucks hauling dirt, sand, or loose materials to and from the project site. • The Construction Contractor shall plant vegetative ground cover in disturbed areas as soon as possible. • The Construction Contractor shall cover inactive storage piles. • The Construction Contractor shall sweep streets if visible soil material is carried out from the construction site. • The Construction Contractor shall limit the area under construction at any one time and limit grading to 2.2 acres per day.			
Standard Condition AQ-2: Air Pollution Reduction Measures. The City Resource Management Services shall ensure, prior to final site plan approval, that the proposed project site plans include the following written specifications to reduce air pollutants generated by vehicle and equipment exhaust during construction:	The Construction Contractor	Prior to final site plan approval.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
- The Construction Contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The Construction Contractor shall ensure that construction grading plans include a statement that all construction equipment shall be tuned and maintained in accordance with the manufacturers' specifications. - The Construction Contractor shall ensure that construction grading plans include a statement that work crews shall shut off equipment when not in use. - The Construction Contractor shall time the construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways. - The Construction Contractor shall support and encourage ridesharing and transit incentives for the construction crew. - California Air Resources Board-approved on-road diesel fuel shall be used in all diesel construction equipment when available.			
Biological Resources			
Mitigation Measure BIO-1: Pre-construction Nesting Bird and Roosting Bat Surveys. To avoid impacts to native bird or roosting bat species that may utilize the project site, if feasible, construction (at a minimum, vegetation clearing and/or preliminary ground disturbance) should take place outside the nesting bird and roosting bat season (i.e., September through mid-January). If these activities are scheduled within the active bird nesting season (January 15 through July 31) or recognized bat maternity season (April 1 through August 31), within 14 days prior to commencement of construction activities, a nesting bird survey and bat roosting survey shall be conducted by a qualified biologist. This requirement shall	The Construction Contractor	Within 14 days prior to the commencement of construction activities.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
be reflected as notes on all construction documents to be approved by the City of Seaside (City). If no active nests or roosts are located, construction activities can proceed. If active nests are located, then construction work should be conducted outside an exclusion zone to be developed by the qualified biologist in coordination with the appropriate regulatory agency based on the geographic setting of the nest and the species (i.e., 50 feet (ft) for common passerine species and up to 500 ft for raptor species). Construction activities should avoid the exclusion zones until the qualified biologist determines that the young have successfully fledged or the nest is no longer considered active. A qualified biologist should conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. Should roosting bats be found in any of the trees, bats will be humanely evicted from their roosts using a site- and/or species-specific tree trimming protocol developed in coordination and consultation with the California Department of Fish and Wildlife (CDFW). If applicable, within 1 week of the completing the pre-construction nesting bird and bat roosting survey, the qualified biologist shall prepare a memorandum documenting the survey results and submit to the City for review and approval.			
Standard Condition BIO-2: Board of Architectural Review. Prior to project level review by the City Planning Commission, the Developer shall submit the project's Landscaping Plans to the City Board of Architectural Review (BAR) for review and approval. The Landscape Plans shall incorporate all Conditions of Approval as required for the proposed project by the BAR prior to the issuance of a building permit.	The Landscape Architect	Prior to issuance of grading permit.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
Mitigation Measure BIO-3: Contracted Arborist. Prior to the issuance of a tree removal permit, the Developer shall submit proof to the City of an executed agreement with a qualified Arborist. The agreement shall include a schedule of the proposed construction timeline for the Project Arborist to ensure compliance with the following measures as detailed in the Arborist Assessment; • Exclusionary Fencing: Prior to commencing grading and construction activities, the Construction Contractor shall install high visibility exclusionary fencing in a manner that clearly defines the work area, limits unnecessary disturbance and protects the critical root zone (i.e., canopy dripline) of individual trees and tree groupings to be preserved by the proposed project. The Project Arborist shall identify and delineate sensitive root zone areas within and beyond the canopy dripline of retained trees to ensure these trees will be protected and preserved for the duration of the project. The Construction Contractor shall conduct necessary repairs, modifications, and maintenance to canopy driplines on an as needed basis for the duration of construction. • Sedimentation Control: The Construction Contractor shall install appropriate sedimentation control measures (e.g., silt fence) along the downslope perimeter of the project site, and, if necessary, apply soil stabilization and erosion control measures (e.g., rice straw mulch, erosion control blankets, all-weather surfaces) to exposed soil surfaces to prevent erosion and sediment runoff around preserved trees during rain events. The Construction Contractor shall conduct routine monitoring and necessary maintenance to ensure the erosion control and sedimentation control measures are functioning effectively for the duration of construction. • Trunk and Stem Protection: Where grading and construction activities are occurring within 3 ft of	The Construction Contractor/Qualified Arborist	Prior to commencing grading and construction activities.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
preserved trees, the Construction Contractor shall install trunk and stem protection measures (e.g., weed free rice straw bales or construction lumber). Tree protection measures shall be securely installed to trees with rope and surrounded by high visibility exclusionary fencing. If it is necessary to perform any pruning, the Construction Contractor shall use proper tree pruning practices in consultation with the Project Arborist. Root Zone Protection: To the greatest extent feasible, the Construction Contractor shall avoid damaging or severing roots located within the critical root zone (i.e., canopy dripline) of preserved trees, especially roots that are 2 inches in diameter or larger. Construction footings shall be designed and excavation cuts performed in a manner to minimize impacts to primary roots. If roots are encountered, efforts shall be made to carefully excavate (e.g., tunnel or dig) under or around primary lateral roots. Trenching operations that may occur in close proximity to preserved trees shall be performed under the guidance and monitoring of the Project Arborist. Tree roots severed or damaged during grading or excavating operations shall be cleanly cut and promptly covered with moist burlap fabric or equivalent until roots are permanently covered with backfill material or until the exposed grading cut and soil profile is permanently stabilized and protected. If burlap-covered cut roots are exposed to the outside environment for a prolonged period of time, the Construction Contractor shall assign a site attendant the task of regularly wetting burlap-covered roots to prevent root desiccation. Trees Damage: In accordance with established tree care and preservation Best Management Practices, if protected trees are damaged during construction of the proposed project, the Construction Contractor shall promptly repair and/or treat the trees as prescribed by the Project Arborists. Remedial or corrective treatments shall depend largely on the condition of the specific tree and the			

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
damage or injury sustained. • Natural Grade Protection: To the greatest extent feasible, the Construction Contractor shall avoid altering the natural grade and applying excessive fill material within the critical root zone of the protected trees to reduce the likelihood of crown rot and root decay disorders from developing. Specifically, applying fill material against the lower trunk and root crown of protected trees should be avoided. • Irrigation: The Construction Contractor shall irrigate protected trees on a schedule as determined by the Project Arborist at the start of construction. Tree irrigation shall wet the soil within the tree protection zone to a depth of 30 inches. Irrigation shall continue for the duration of construction of the proposed project. • Pruning: If tree pruning is necessary, the Construction Contractor shall conduct pruning at the direction of the Project Arborist. The Project Arborist shall oversee pruning activities to ensure that pruning is conducted in a manner that minimizes harmful impacts to trees and reduces potential tree hazards. If feasible, tree pruning shall be performed during the fall through early winter months. Pruning shall be conducted so that cuts are as small as possible and as few living branches as possible are removed. • Woodchip Mulch: The Construction Contractor shall retain woodchip mulch produced during tree removal operations on the site. This sourced mulch shall be utilized for erosion control (i.e., mulch can be effective at stabilizing and protecting exposed soil surfaces) as well as preventing soil compaction within tree root zones and may be used for future landscaping activities on the project site. • Storage: The Construction Contractor shall avoid storing construction tools, materials, and equipment within the dripline of protected trees. The Construction Contractor shall not wash out or dispose of excess materials (e.g.,			

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
paint) or temporarily store or stockpile materials and/or equipment within the critical root zones of protected trees. If it is unavoidable and necessary to temporarily store or stockpile materials and/or equipment within the dripline of protected trees, the Construction Contractor shall apply 6–12 inches of clean and properly sourced woodchip mulch within the dripline to prevent substantial soil compaction and root zone disturbance. Once construction activities are complete, the temporary mulch layer shall be removed and reduced to a 3–4 inch layer of woodchip mulch to allow for increased water and oxygen penetration into the subgrade. • Site Inspections: For the duration of construction, the Construction Contractor shall regularly perform construction site inspections to monitor the condition of protected trees and resource protection measures and to determine if any repairs, adjustments, or modifications are necessary. Additionally, trees impacted by site development shall be periodically monitored and assessed during and following construction to determine if any tree care and management actions are necessary and to make certain trees do not present a hazard to property and/or nearby structures. The Project Arborist shall submit monthly memorandums to the City during construction and within 2 weeks of the completion of construction, and shall submit a final report summarizing the project's compliance with the measures prescribed above.			
Cultural Resources			
Standard Condition CULT-1: Discovery of Archaeological Resources. If unknown deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 25 feet of the discovery should be redirected and a qualified	The Construction Contractor/Qualified Archaeologist	During grading and construction activities.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. The Developer and the City of Seaside Planning Department should also be notified. Project personnel should not collect or move any archaeological materials. It is recommended that adverse effects to such deposits be avoided by project activities. If such deposits cannot be avoided, they should be evaluated for their California Register of Historical Resources (California Register) eligibility. If the deposit is not eligible, a determination should be made as to whether it qualifies as a “unique archaeological resource” under the California Environmental Quality Act (CEQA). If the deposit is neither a historical nor unique archaeological resource, avoidance is not necessary. If the deposit is eligible for listing in the California Register, or is a unique archaeological resource, it will need to be avoided by adverse impacts or such impacts must be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. The data recovery will avoid or substantially reduce the severity of the impact through the professional recovery and analysis of archaeological deposits, and the synthesis of those findings with current archaeological research questions to realize the information potential of the resource. The report should be submitted to City of Seaside and the Northwest Information Center. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Prehistoric sites often contain human remains.			

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
Historical materials can include wood, stone, concrete footings, walls, and other structural remains; and deposits of wood, glass, ceramics, metal, and other refuse.			
Mitigation Measure CULT-2: Paleontological Impact Mitigation Program. Prior to the issuance of a grading permit, the Developer shall submit proof of an executed agreement with a qualified Paleontologist to develop a Paleontological Resource Impact Mitigation Program (PRIMP) in order to mitigate adverse impacts to paleontological resources that may exist on the site in on-site sediments. The PRIMP shall follow guidelines developed by the Society For Vertebrate Paleontology (SVP; 1995) and include the methods that shall be used to protect paleontological resources that may exist within the project area, as well as procedures for monitoring, fossil preparation and identification, curation into a repository, and preparation of a report at the conclusion of grading. Excavation and grading activities in deposits with a high paleontological sensitivity rating shall be monitored by a qualified paleontologist following the PRIMP. Specific monitoring levels may be determined based on more detailed excavation plans for the proposed project. If paleontological resources are encountered during the course of ground disturbance, the paleontological monitor shall have the authority to temporarily redirect construction away from the area of the find in order to assess its significance. Collected resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a scientific institution. At the conclusion of the monitoring program, a report of findings shall be prepared to document the results of the monitoring program. In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and a paleontologist should be contacted to assess the find for significance. If determined to be significant, the fossil shall be	The Construction Contractor/Qualified Paleontologist	During grading and construction activities.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
collected from the field and transported to the laboratory for evaluation and curation.			
Standard Condition CULT-3: Discovery of Human Remains. If human remains are encountered, work within 25 feet of the discovery shall be redirected, and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. The Developer shall also be notified. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Recommendations for the proper treatment of the remains and associated grave goods consist primarily of notifying the MLD and involving the descendant community. Descendant community involvement will ensure that the cultural values of those who ascribe traditional or religious significance to human remains and associated grave goods are considered in the disposition of such remains and goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the Developer, the City, and the Northwest Information Center.	The Construction Contractor	During grading and construction activities.	
Standard Condition GEO-1: Geotechnical Requirements. All grading operations and construction activities shall be conducted in accordance with	The Project Engineer/Construction Contractor	Prior to issuance of grading permit.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
governing building codes and in conformance with the recommendations included in the <i>Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California</i> (December 2014). Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code and the City of Seaside Building Code. Prior to issuance of a grading permit, the City's Building Official, or designee, shall review and approve final project design plans and the recommendations of the project geotechnical consultant as summarized in a final written report.			
Standard Condition GEO-2: Construction General Permit. Prior to issuance of a grading permit, the Construction Contractor shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002) (Construction General Permit). The Construction Contractor shall provide the Waste Discharge Identification Number (WDID) to the City of Seaside Public Works Department to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities. The construction BMPs identified in the SWPPP shall comply with the revegetation requirements outlined in the Zoning Ordinance (Title 17 of the Municipal Code).	The Construction Contractor	Prior to issuance of grading permit.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
Greenhouse Gas Emissions			
Standard Conditions GHG-1: To the extent feasible and to the satisfaction of the City of Seaside, the Project Architect, Project Engineer, and Construction Contractor shall incorporate the following measures into the design and construction of the proposed project: • Construction and Building Materials ○ Use locally produced and/or manufactured building materials for construction of the proposed project; ○ Recycle/reuse demolished construction materials; and ○ Use “Green Building Materials,” such as those materials that are resource-efficient, and recycled and manufactured in an environmentally friendly way, including low- volatile organic compounds (VOC) materials. • Energy Efficiency Measures ○ Design all proposed project buildings to exceed the California Building Code’s Title 24 energy standard, including, but not limited to, any combination of the following: ▪ Increase insulation such that heat transfer and thermal bridging are minimized; ▪ Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; and ▪ Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. ○ Provide a landscape and development plan for the proposed project that takes advantage of shade, prevailing winds, and drought-resistant landscaping.	The Project Architect/Project Engineer/Construction Contractor	During project design and construction.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
○ Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings. ○ Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. ○ Install solar or light-emitting diodes (LEDs) for outdoor lighting. • Water Conservation and Efficiency Measures ○ Devise a comprehensive water conservation strategy appropriate for the proposed project and location. The strategy may include the following, plus other innovative measures that might be appropriate: ▪ Create water-efficient landscapes within the development; ▪ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls; ▪ Use reclaimed water for landscape irrigation within the proposed project and install the infrastructure to deliver and use reclaimed water; ▪ Design buildings to be water-efficient and install water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets, and waterless urinals; and ▪ Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. • Solid Waste Measures ○ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). ○ Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas. ○ Provide employee education about reducing waste and available recycling services.			

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
Hydrology and Water Quality			
Standard Condition WQ-1: Final Stormwater Control Plan. Prior to the issuance of a grading permit, the Project Engineer shall prepare a Final Stormwater Control Plan. The Final Stormwater Control Plan shall be prepared by a qualified hydrologist or Professional Engineer. The Final Stormwater Control Plan shall be prepared consistent with the post-construction requirements of the Monterey Regional Stormwater Management Program (MRSWMP), including the Stormwater Technical Guide for Low Impact Development and the Stormwater Control Plan Template. The Final Stormwater Control Plan shall specify Best Management Practices (BMPs) to be incorporated into the design of the proposed project. In addition, the Final Stormwater Control Plan shall demonstrate that the stormwater controls comply with the Fort Ord Reuse Authority requirement that 100 percent of the on-site storm water from a 24-hour 100-year storm event be infiltrated on the site. The Final Stormwater Control Plan shall include pre-project and post-project flow calculations to demonstrate that the rain gardens are designed to infiltrate 100 percent of the runoff from a 100-year storm. The Project Engineer shall provide the Final Stormwater Control Plan to the City of Seaside Public Works Department for review and approval.	The Project Engineer	Prior to issuance of grading permit.	
Noise			
Mitigation Measure NOI-1: Sound Barriers. Prior to the issuance of an approved grading plan, the City of Seaside (City) Building Official, or designee, shall confirm that the site plan for the proposed project includes the design and construction of the following sound walls: • Patio P2: The Construction Contractor shall construct a sound wall around the perimeter of Patio P2 that shall be	The Construction Contractor	Prior to issuance of grading permit.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
attached to the proposed building on both ends. The total length of the sound wall shall be approximately 30 feet (ft). The sound wall shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of 3 pounds per square foot (lbs/ft²) (e.g., 1.0-inch thick marine-grade plywood, 0.5-inch laminated glass concrete masonry units (CMU)). The sound wall shall be at least 5 ft high as measured relative to the base elevation of the outdoor patio. • Patio P3: The Construction Contractor shall construct an 8-inch thick wall, measuring 6 ft tall around the perimeter of Patio P3. The sound wall shall be at least 9 to 10 ft high and shall be at least 85 ft in length. • Patio P4: The Construction Contractor shall construct a sound wall that surrounds the perimeter of the patio that shall be attached to the proposed building on both ends. The total length of the wall shall be at least 40 ft. The sound wall shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of 3 lbs/ft² (e.g., 1.0-inch thick marine-grade plywood, 0.5-inch laminated glass CMU). The sound wall shall be at least 5 ft high.			
Mitigation Measure NOI-2: Prior to the issuance of a grading permit, the City shall ensure that the Developer's project plans include the design and construction of building treatments including the following: • Co-Housing Building: The Construction Contractor shall install windows and doors with a minimum Sound Transmission Class (STC) rating of 30 with adequate forced-air mechanical ventilation in the residential units with direct line-of-sight to State Route 1 along the northern, eastern, and western sides of the Co-Housing Building. The Construction Contractor shall also install windows and doors with a minimum STC rating of 26 in all residential units proposed along the southern façade of	The Construction Contractor	Prior to issuance of grading permit.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
the Co-Housing building. • Memory Care Facility: The Construction Contractor shall install windows and doors with a minimum STC rating of 30 in all exterior-facing units along the northern façade of the Memory Care Facility. The Construction Contractor shall also install windows and doors with minimum STC ratings of 28 to 30 in units proposed along the eastern and western façades and windows and doors with minimum STC ratings of 26 in units proposed along the Monterey Road-facing units on the southern façade of the Memory Care Facility. • Assisted Living Building: The Construction Contractor shall install doors and windows with minimum STC ratings of 30 in all exterior-facing units along the northern façade of the Assisted Living Building. The Construction Contractor shall also install windows and doors with minimum STC ratings of 28 to 30 in all exterior-facing units along the eastern and western façades and windows and doors with a minimum 26 STC rating for units proposed along the southern façade of the Assisted Living Building. • All Buildings: All rooms/units shall include forced-air mechanical ventilation.			
Mitigation Measure NOI-3: Best Management Noise Reduction Practices. Prior to issuance of a grading permit, the Construction Contractor shall develop and implement a construction noise control plan that includes, but is not limited to, the following available Best Management Practices: • Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment when located within 200 ft of adjoining sensitive land uses. • All construction equipment must have appropriate sound-muffling devices, which shall be properly maintained and used at all times such equipment is in operation.	The Construction Contractor	Prior to issuance of grading permit.	

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
- The Construction Contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists. - Unnecessary idling of internal combustion engines shall be prohibited. - The Construction Contractor shall locate on-site equipment staging areas, material stockpiles, and construction parking areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period. - The Construction Contractor shall place stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. - Ensure noise from construction workers, such as radios, is not audible at existing residences near the project site. - Neighbors located within a 300-foot radius to the construction site shall be notified of the construction schedule in writing. - Designate a project liaison that shall be responsible for responding to noise complaints during the construction phase. The name and phone number of the liaison shall be conspicuously posted at construction areas and on all advanced notifications. The liaison shall take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring shall be presented at regular project meetings with the project contractor, and the liaison shall coordinate with the contractor to modify any construction activities generating excessive noise levels to the greatest extent feasible. - Require a reporting program that documents complaints received, actions taken to resolve problems, and effectiveness of these actions. - Hold a preconstruction meeting with the job inspectors and the general contractor/on- site project manager to confirm that noise controls and practices (including			

Standard Condition/Mitigation Measure	Responsible Party	Timing	Verification Date
construction hours, construction schedule, and noise coordinator) are being implemented.			
Transportation/Traffic			
Mitigation Measure TRA-1: Employee Shift Schedule of Operations. Prior to issuance of a Grading Permit, the Developer shall be required to submit an Employee Shift Schedule of Operations to the City of Seaside (City) Director of Public Works, or appropriate designee, for review and approval. The Employee Shift Schedule of Operations shall be as follows: • Day Shift 1: 6:00 a.m. to 2:00 p.m., with no more than 37 employees • Day Shift 2: 9:00 a.m. to 6:00 p.m., with no more than 5 employees • Evening Shift: 2:00 p.m. to 10:00 p.m., with no more than 33 employees • Night Shift: 10:00 p.m. to 6:00 a.m., with no more than 12 employees During project operations, the Developer shall submit quarterly reports to the City Planning Division documenting compliance with the Employee Shift Schedule of Operations.	The Developer	Prior to issuance of grading permit.	
Mitigation Measure TRA-2: Payment into the FORA Fee. Prior to issuance of a Grading Permit, the Developer shall be required to pay the Fort Ord Reuse Authority (FORA) Fee, which includes costs for the adopted Capital Improvement Program (CIP).	The Developer	Prior to issuance of grading permit.	

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RESOLUTION NO. 16-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A 144-UNIT RESIDENTIAL CARE FACILITY IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

WHEREAS, the City of Seaside, property owner, and Seasons Management, applicant, have applied for a use permit to allow for:

1. The proposed development of a residential care facility within two buildings that would house three related senior living uses on the project site which would include an 88-bed Senior Assisted Living Facility (81,679 sf), a 43-bed Memory Care Facility (29,707 sf), and a 13-unit Assisted Living Co-Housing Facility (10,894 sf) for a total of 122,280 sf. of new development.

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed residential care facility at a duly noticed public hearing held on May 25, 2016 in making a recommendation to the Seaside City Council on the residential care facility; and

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

WHEREAS, the Seaside City Council considered oral comments and written information concerning the proposed residential care facility at a duly noticed public hearing held on August 18, 2016; and

WHEREAS, in accordance with the California Environmental Quality Act an Initial Study and Notice of Intent to adopt a Mitigated Negative Declaration was circulated for a 30-day public review period beginning on March 18, 2016 and ending on April 18, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings for the approval of Use Permit Application No. UP-14-05:

1. **The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.**

Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second

story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 feet (ft) east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space.

The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance

Evidence: The General Plan designates the project site Community Commercial (CC), to promote pedestrian and transit-oriented activity centers that have a mixture of residential, commercial, office, and civic uses.

Evidence: In order to ensure that compatible and complementary development and redevelopment will occur, the City considers whether a project meets the following General Plan Land Use Compatibility Criteria:

- 1) The proposed use is compatible with surrounding development in terms of noise, safety, and other environmental and quality of life concerns.

Evidence: The IS/MND evaluates the proposed project's potential impacts to aesthetics, air quality, agricultural and forestry resources, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. Based on the proposed project description and the environmental analysis provided for each of these issue areas, implementation of the proposed project would not cause substantial adverse effects on human beings as all potentially significant impacts of the proposed project can be mitigated to less than significant levels.

- 2) The project respects, complements, and enhances surrounding development in terms of size, scale, design, architectural features, and access to light and views.

Evidence: The proposed project will complement the existing site and enhance the character of the community as follows:

- A. The proposed project will consist of demolishing an abandoned gas station/convenience store and redeveloping the site with an Assisted Living Facility; a Memory Care Facility; and a Co-Housing Assisted Living Facility. The Assisted Living Facility and the Memory Care Facility are contained in an 111,386 sf building. Of the 111,386 sf building, 81,679 sf will be used by the Assisted Living Facility and 29,707 sf will be used by the Memory Care Facility (refer to Building A-1 for the Assisted Living Facility and Building A-2 for the Memory Care Facility on Figure 1-2). The Co-Housing Assisted Living Facility will be 10,894 sf.

The project will be able to fund its share of infrastructure improvements by re-constructing all required gas, water, and sewer lines to serve the development and pay the required Fort Ord Reuse Agency Fees.

B. The proposed project is being designed such that the height and setback of the buildings are similar to (e.g., two-story) or greater than (e.g., setbacks varying from approximately 16 to 63 ft) the neighboring residential areas. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. The project would be designed in the traditional California Craftsman architectural style. The architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables, flower boxes, and wood fascia. The architectural detail would also be characterized by neo-traditional California Craftsman design including entry porches, hip roofs, overhangs with exposed rafter tails, windows with divided lights, and wood castings and head and sill trim around all windows and doors. The roofs would consist of asphalt shingles in a weathered wood finish. The proposed project includes aluminum-clad French doors and lights and single-hung windows. The City Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design plans before the proposed project is considered and approved by the Planning Commission and the City Council. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development.

The proposed project will water conservation measures to comply with Title 24 of the 2013 California Building Code and a planting and irrigation system in compliance with the State Model Landscape Ordinance.

The proposed project would also be designed to conform to Section R2.1 Occupancy, of the most current California Building Code (CBC), which includes building code requirements for residential care facilities for the elderly with more than six non-ambulatory residents.

- C. The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City's standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project's final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR's review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City's General Plan. Furthermore, because the proposed project would include the development of residential housing for seniors, the land use character of the project site would be similar to the surrounding residential uses so the proposed project would not substantially change the character of the views currently experienced by off-site viewers. As mentioned above, the proposed project includes landscaping along the perimeter of the project site and around each of the two buildings to buffer the view of the facilities from passing motorists and off-site viewers.

Furthermore, the proposed project will allow for the relocation of existing infrastructure system on-site and will not require any expansion in the capacity of the existing infrastructure system.

- 3) The uses proposed complement surrounding existing and planned land uses (e.g., visitor serving uses, higher density affordable rental units and community-serving services and retail near CSUMB)

Evidence: See Evidence under Item 2 above.

- 4) The project design and proposed uses minimize impacts to natural resources such as cultural and biological resources, natural landforms, and views.

Evidence: The site is classified as a Development site in the Habitat Management Plan; however, the initial study includes several mitigation measures to protect biological and paleontological resources that could potentially be located on the site and disturbed by project construction. The initial study also includes mitigation measures to protect archaeological resources, in the event they are discovered during project construction. The site is gently sloping, and no significant grading is proposed. Views from the site would not be affected.

- 5) The project will be able to either provide or fund its share of community services and facilities so that they are not negatively impacted by the development.

Evidence: The project would pay the development impact fees that are required by the Fort Ord Reuse Agency.

- 6) The project will allow the efficient use of the existing infrastructure system, will require only the minor improvement or expansion of utilities, or provide the improvements needed to ensure an adequate infrastructure system.

Evidence: The proposed project is located on existing streets on the former Fort Ord. Water, sewer, storm drainage, and electrical infrastructure are already provided to the site.

- 7) The project includes sustainable building and energy conservation features in its design and landscaping.

Evidence: The proposed project will incorporate the following sustainable features to the greatest extent possible to minimize its water and energy use:

- Use of “Green Building Materials,” such as those materials that are resource-efficient, recycled, and manufactured in an environmentally friendly way, including low-volatile organic compound materials and materials free from formaldehyde;
- Installation of energy-efficient mechanical systems and solar systems;
- Supplying of electric auto chargers on site;
- Installation of water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets, and waterless urinals. Plum for recycled water (purple water) and on site gray-water systems;
- Designing buildings to promote the use of natural daylight and increase natural ventilation;
- Installation of occupancy sensor controlling lights in facility hallways, stairwells, offices, restrooms, and amenity areas;
- Installation of shading devices on south and west facing windows to reduce heat transfer from the sun;
- Installation of air conditioning systems free from chlorofluorocarbons (CFCs) and hydrofluorocarbons (HFCs) as part of the refrigerant system;
- Provision of a landscape and development plan for the proposed project that includes:
 - Native and/or drought-tolerant plants;
 - Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
 - Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff; and
- Provision of interior and exterior storage areas for recyclables and green waste from kitchen uses.

Fort Ord Reuse Plan Conformance

The proposed project is consistent with the following applicable objectives and policies of the Fort Ord Base Reuse Plan.

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Residential Objective B: Ensure compatibility between residential development and surrounding land Uses. Residential Land Use Policy B-1: Residential Land Use Policy B-1: The City of Seaside shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Residential Objective C: Encourage highest and best use of residential land to enhance and maximize the market value of residential development and realize the economic opportunities associated with redevelopment at the former Fort Ord. Residential Land Use Policy C-1: The City of Seaside shall provide opportunities for developing market-responsive housing in the Fort Ord planning area.	Evidence: The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development. Evidence: The proposed project will provide Senior Housing, which is identified as an underserved housing type within the City of Seaside. By providing an underserved housing type to help maintain a variety of housing types in the City commensurate with projected housing needs, the proposed project would be consistent with the Seaside General Plan.
Institutional Land Use Objective D: Provide for Community Design principles and guidelines for institutional development at the former Fort Ord. Institutional Land Use Policy D-2: The City of Seaside shall adhere to the General Development Character and Design Objectives of the Fort Ord Reuse Plan Framework for institutional development at the former Fort Ord.	Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space.
Conservation Element: Soils and Geology Objective A: Prevent the loss and transport of soil resulting from wind and water erosion and promote construction practices that recognize soils with development limitations. Conservation Element Soils and Geology Policy A-2: The City shall require developers to prepare and implement erosion control and landscape plans for projects that involve high erosion risk. Each plan shall be prepared by a registered civil engineer or certified professional in the field of erosion and sediment control and shall be Fort Ord subject to the approval of the public works director for the City of Seaside. The erosion component of the plan must at least meet the requirements of Storm Water Pollution Prevention Plans (SWPPPs) required by the California State Water Resources Control Board.	Evidence: During construction of the proposed project, the total disturbed soil area would be approximately 5.47 acres. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. The on-site slopes composed of cohesionless dune sand materials are potentially subject to erosion. Concentration of surface runoff has the potential to result in severe erosion where the ground is included and unprotected. Because the proposed project disturbs greater than 1 acre of soil, the project is subject to the requirements of the State

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES No. CAS000002) (Construction General Permit). Under the Construction General Permit, the project would be required to prepare a SWPPP and implement construction Best Management Practices (BMPs) detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.
Conservation Element: Hydrology and Water Objective C: Control nonpoint and point water pollution sources to protect the adopted beneficial uses of water. Hydrology and Water Quality Policy C-2: At the project approval stage, the City shall require new development to demonstrate that all measures will be taken to ensure that on-site drainage systems are designed to capture and filter out urban pollution.	Evidence: The project site consists of approximately 1.34 acres of impervious surface area (approximately 24.4 percent of the project site). The proposed project would increase impervious surface areas on the project site by approximately 1.66 acres to approximately 3.0 acres of impervious surface area (approximately 54.8 percent of the project site). Pollutants of concern associated with project operations include suspended solids/sediments, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, and trash and debris. A <i>Preliminary Stormwater Control Plan</i> has been prepared for the proposed project that details Low Impact Development (LID) and Source Control BMPs that would be implemented to target pollutants of concern in stormwater runoff and reduce impacts to water quality during operation of the proposed project. The LID BMPs proposed in the <i>Preliminary Stormwater Control Plan</i> include pervious pavement within the interior building courtyards and vehicle parking stalls. In addition bioswales that resemble dry streambeds and rain gardens featuring native plants would be incorporated into the project's landscaping design. In addition to the LID BMPs, Source Control BMPs would also be implemented that focus on reducing or eliminating runoff and controlling sources of pollutants during operation of the proposed project. As a Condition of Approval, the Developer will be required to prepare a Final Stormwater Control Plan

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	that includes LID BMPs to ensure that on-site drainage systems are designed to capture and filter out urban pollution.
Noise Element Objective A: Ensure that application of land use compatibility criteria for noise and enforcement of noise regulations are consistent throughout the Fort Ord Planning area. Noise Policy B-8: If the ambient DNL exceeds the normally acceptable noise range for public or institutional uses (passively and actively used open spaces; auditoriums, concert halls, and amphitheaters; schools, libraries, churches, hospitals and nursing homes; golf courses, riding stables, water recreation areas, and cemeteries), as identified in Table 4.5-3, new development shall not increase ambient Ldn by more than 3 dBA measured at the property line. Noise Policy B-9: The City shall require construction contractors to employ noise-reducing construction practices.	Evidence: Neither the long-time traffic nor stationary noise sources would cause an increase in ambient noise levels of more than 3 A-weighted decibels (dBA) within the project vicinity as measured at the property line. Evidence: As a Condition of Approval, the Construction Contractor will be required to prepare a construction noise plan that includes implementation of Best Management Noise Reduction Practices.
Safety Element: Seismic and Geologic Hazards Objective A. Seismic and Geologic Hazards Policy A-2: The City shall use the development review process to ensure that potential seismic or geologic hazards are evaluated and mitigated prior to construction.	Evidence: A <i>Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California</i> (December 2014) was prepared for the proposed project. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code and the City of Seaside Building Code and the recommendations of the project geotechnical consultant as summarized in the final written Geotechnical Report.
Safety Element: Fire, Flood and Emergency Management Objective A. Fire, Flood, and Emergency Management Policy A-2: The City shall provide fire suppression water system guidelines and implementation plans for existing and acquired former Fort Ord lands equal to those recommended in the Fort Ord Infrastructure Study (FORIS Section Table 4.1.8) for fire protection water volumes, system distribution upgrades, and emergency water storage.	Evidence: Fire protection services for the project site are provided by the Seaside Fire Department. The City operates one fire station located at 1635 Broadway Avenue that is located approximately 2.5 miles from the project site by way of surface streets. The daily staffing for the fire station includes One Chief Officer assigned to a Chevy Tahoe Command Vehicle, three to four firefighters assigned to an Engine company, and three or four firefighters assigned to a Truck company (Chief Brian Dempsey, Personal Communication). The project site will contain sufficient water service and water pressure to service the site for fire suppression purposes.

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Safety Element: Hazardous Materials and Toxic Materials Safety Objective A: Ensure the timely and complete compliance by the U. S. Army with the Remedial Investigation/Feasibility Study and associated remedial action ROD as part of the land transfer process. Hazardous and Toxic Materials Safety Policy A-1: The City shall monitor and report to the public all progress made on the RA-ROD.	Evidence: A Hazardous Phase I environmental site assessment and a confirmation sampling report for the project was completed. Neither identified any hazardous wastes at the project site. Based on the results, there is no evidence that there are any hazardous materials remaining from the former gas station. Therefore, no remediation is necessary.

City = City of Seaside

ft = foot/feet

ROD = Record of Decision

sf = square feet

3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: The proposed project is compatible with existing and planned land uses in the vicinity. Refer to the findings for the General Plan Land Use Compatibility Criteria presented above.

4) The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The project site is bounded by SR-1 to the west, residential housing and a large stormwater basin to the east-northeast, Monterey Road and residential housing to the south and southeast, and Monterey Road, open space, and residential housing to the south-southwest. In the existing condition, the 5.47-acre project site is partially developed with a 5,000 sf vacant structure that was formerly operated as a convenience store and gas station. The project site is currently designated and zoned as Community Commercial in the City's General Plan and Zoning Ordinance (Title 17 of the Municipal Code), respectively, and no general plan amendment or zone change is required for project implementation. Implementation of the proposed project would not physically divide an established community, and no mitigation is required.

5) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: The granting of a use permit for the proposed Senior Living facility will not create significant noise, traffic, or other conditions or situations that may be

objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City. The proposed use would provide a unique type of senior living accommodations that would foster economic activity and provide services useful to the community.

BE IT FURTHER RESOLVED, that the City Council approves Use Permit Application No. UP-14-05 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by the conditions of approval, the implementation of the monitoring shall substantially conform to the approved plans identified as “Senior Living Project”, consisting of 29 sheets stamped “Received, February 25, 2016, Seaside Resource Management”, provided as Exhibit A.
2. Construction activity shall occur between 7 AM and 7 PM during the week and 9 AM and 5 PM on weekends. Applicant shall contact the Seaside Building Official prior to conducting any work outside of the specified hours of operation to determine if the necessity of the work and potential noise impacts on the residential communities to the north and south of the project site.
3. In accordance with the Fort Ord Reuse Authority Implementation Plan, the developer shall comply with the following prevailing wage standards for development within the boundaries of the Fort Ord Base Reuse Plan:
 - a. Not less than the general prevailing rate of wages for work of a similar character in Monterey County, as determined by the Director of the Department of Industrial Relations under Division of the Department of Industrial Relations under Division 2, Part 7, Chapter 1 of the California Labor Code, will be paid to all workers employed on First Generation Construction performed on parcels subject to the Fort Ord Base Reuse Plan. This subsection applies to work performed under Development Entitlements as defined in Section 1.01 of the Fort Ord Reuse Agency (FOR A) Master Resolution and by contract with a FORA member or a FORA member agency including transferees, agents, successors in interest, developers or building contractors.
4. The existing street light near the new drive entrance on the project site that would align with Coe Avenue shall be relocated to the north side of the new drive entrance as specified by the City Engineer.
5. The existing street lamp on the wooden pole shall be replaced with a new light pole and lamp to match the existing street lights on Monterey Road. The location of the new street light shall be determined by the City Engineer.
6. Prior to the issuance of a Building Permit, the applicant shall receive final design review approval from the Board of Architectural for the architectural design of the buildings, exterior lighting, landscaping, and signs.

Building:

1. The Residential Care facility shall be constructed in compliance with the 2013 California Building Code, and any updates made to the 2013 Building Code for subsequent construction activities that would be affected by any updates.

Fire:

1. The Residential Care Facility shall be constructed in compliance with the 2013 California Fire Code, and any updates made to the 2013 Fire Code for subsequent construction activities that would be affected by any updates.
2. All new construction shall comply with the requirements of the California Building Code 903.2.
3. The buildings shall conform to the California Fire Code , Section 903.4, 903.4.1 and 903.4.2 in regards to automatic fire sprinkler system monitoring and alarms. The system shall have water-flow and water supply valve monitoring a UL Central Station company and approved audible water flow alarms on the exterior of the building. In accordance with NFPA Standard 72, one pull station shall also be located in the main exit door from the building.
4. The developer shall provide a KNOX emergency access key box for emergency fire department building entrance. The key box is only for Fire Department operations after normal business operations have stopped, and prevents the need to damage doors or windows to gain entrance to the building during an emergency.
5. A suitable number of 2A10BC fire extinguishers shall be placed throughout the building approximately 75 linear feet apart with the approximate signage to make them visible.
6. Per Appendix B of the 2013 California Fire Code, Table B105.1 – Minimum Required Fire-Flow and Flow Duration for Buildings. Prior to the issuance of a Building Permit, the developer shall demonstrate that a fire-flow of 8,000 gallons per minute at 20psi for a flow duration of four hours can be met for the buildings.
7. Per Appendix C of the 2013 California Fire Code, Table C105.1 – Number of Distribution of Fire Hydrants. The final location of fire hydrants shall be verified by the Fire Marshall on the construction plans.
8. Prior to the issuance of a Building Permit, the Fire Marshall shall determine whether any curb on the proposed development shall be delineated with red curb to ensure that public safety access can be met at all times on the project site.

Public Works:

REQUIRED ACTION

1. Proposed northern driveway shall be located along Monterey Road to ensure adequate sight distance for vehicles approaching in the southbound direction. Prior to issuance of a building permit, submit plans stamped by a licensed civil engineer indicating adequate sight distance is provided. In the event that sight distance is less than 300 ft for vehicles approaching from the southbound direction, the driveway should be signed right turn only.
2. Prior to issuance of a building permit, civil utility plans shall be amended to show proposed trash and recycling enclosure and wash area shall drain to a properly-sized interceptor and plumbed to the sanitary sewer. No stormwater surface runoff shall be allowed to enter or leave these enclosures.
3. Prior to issuance of a building permit, civil site improvement plans shall include the northern curb return for the southern driveway entrance to the property to be ADA compliant and provide ADA access into the property and shall also align with the existing cross walk across Monterey Road.
4. Prior to issuance of a building permit, site civil improvement plans shall provide ADA compliant curb returns for both curb returns for the northern driveway approach.
5. Prior to issuance of a building permit, site lighting plan shall provide for adequate lighting of the public sidewalks. Project shall include street lights at the driveway approaches and at least every 230 feet intervals between the applicants driveway approaches.
6. The sewer and water facilities at the subject site are owned and operated by the Marina Coast Water District (MCWD). Applicant shall determine and show proper setbacks to existing and proposed MCWD utilities.
7. Prior to issuance of a building permit, applicant to receive approval from the Marina Coast Water District for the size of the kitchen grease interceptor.
8. Prior to issuance of a building permit, submit a grading and drainage plan stamped by a licensed civil engineer that shows the following:
 - a. Retention and treatment of stormwater in conformance with the approved Stormwater Control Plan for the Seaside Assisted Living and Memory Care by JF Construction and Engineering Company dated October 26, 2015.
 - b. Submit supporting hydrologic and hydraulic calculations stamped by a licensed civil engineer.
 - c. No stormwater runoff may leave the property boundaries.
9. Prior to issuance of a building permit, applicant shall apply to the State of California for a Construction General Permit, obtain Waste Discharge Identification number (WDID), and submit Stormwater Pollution Prevention Plan to the city for review prior to issuance of a grading or building permit.

10. Prior to occupancy, the applicant shall submit third-party verification conducted and endorsed by a registered professional engineer or geologist, that the source control measures (SCMs) of the Stormwater Control Plan have been installed per approved civil grading and drainage plans.
11. Prior to occupancy, the applicant shall develop and submit to the City for approval the Operation and Maintenance (O&M) Plan. The O&M plan shall contain the project owner's signed statement accepting responsibility for the operation and maintenance of the installed SCMs.
12. Prior to issuing approval for final occupancy the applicant shall file with the Monterey County Recorder, in a form approved by the City, a recordation in the property deed that assigns responsibility for the O&M of the onsite SCMs to the project owner(s). The deed recordation shall, at a minimum, include
 - a. Annual certification, by a licensed engineer or geologist, submitted to the City by October 1 of each year, that SCMs are functioning and maintained in conformance with the approved O&M plan.
 - b. Shall grant site access to all representatives of the City for the purpose of performing operation and maintenance (O&M) inspections of the installed SCMs.
13. Prior to receiving a final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed contractor in conformance with most current applicable engineering standards, and upon the prior issuance of an encroachment permit from the Public Works Department.
14. For all new concrete or impervious surfaces, applicant must follow the standard conditions of approval as required by the City Engineer. No drainage is allowed onto adjacent properties.

Health Department:

1. Prior to the issuance of a Building Permit, the developer shall receive approval from the Monterey County Health Department for the operations of the Senior Living Facility that are applicable to the Monterey County Health Department.
2. The disposal of any medical waste shall be conducted in compliance with the standards established by the State of California and the Monterey County Health Department.

Environmental Review

1. The construction and post-construction operations of the Senior Living Facility must be conducted in a manner to comply with the Mitigation Measures/Mitigation Monitoring Reporting Program of the Mitigated Negative Declaration provided as Exhibit "B".

Standard:

1. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.69.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.

2. This Use Permit is subject to procedures and requirements of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
4. Any proposed future development or reuse of the Residential Care Facility shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
5. The project shall comply with the requirements and the applicable ordinances of the Marina Coast Water District (MCWD).
6. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.54.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
7. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 18th of August, 2016 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Ralph Rubio
Mayor, Seaside City Council

ATTEST:

Lesley Milton-Rerig
City Clerk

USE PERMIT APPLICATION NO. UP-14-05

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

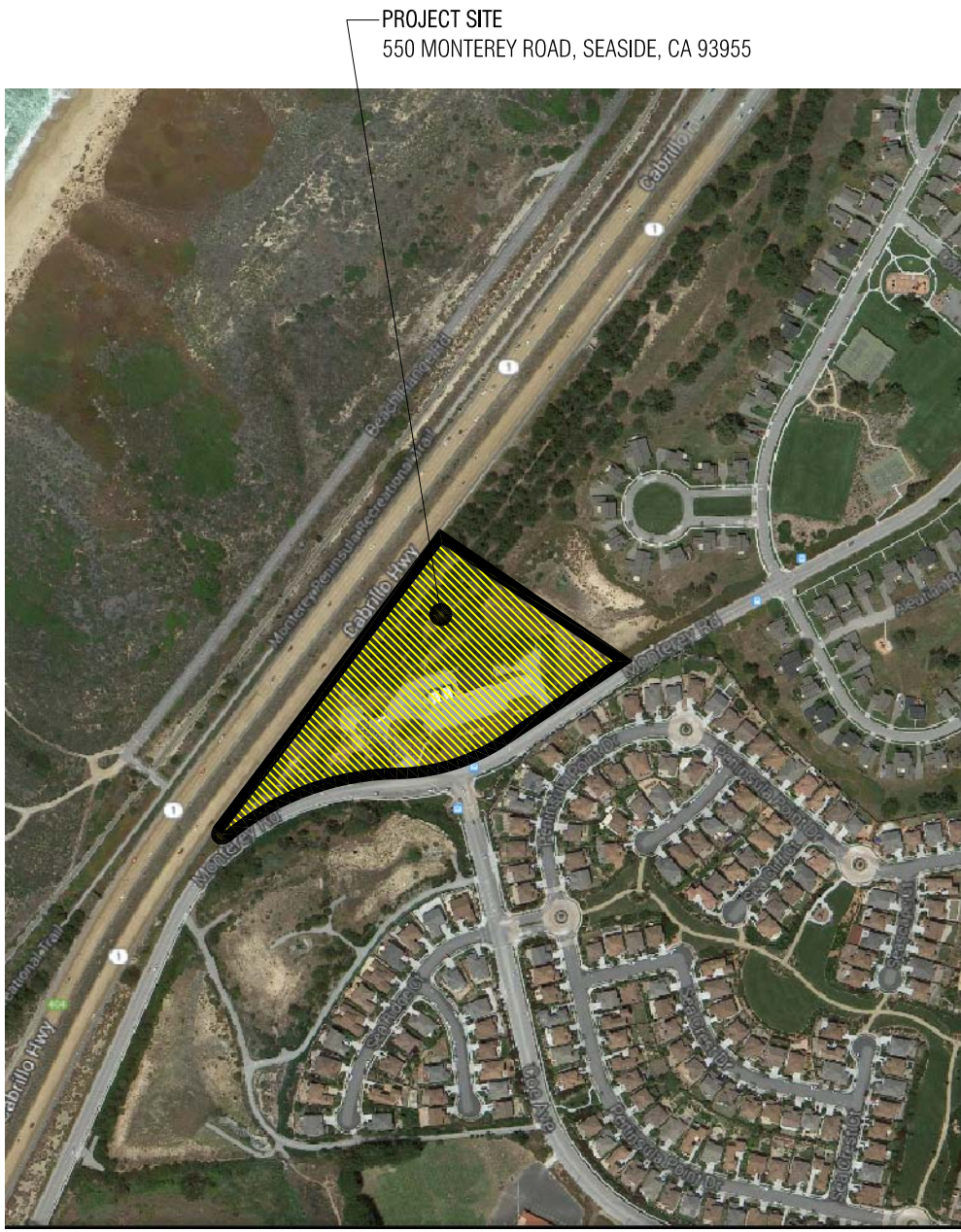
Applicant's Signature

Date

Property Owner's Signature *(if different from above)*

Date

VICINITY MAP



SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD, SEASIDE, CALIFORNIA 93955

APN: 031-141-004

USE PERMIT #UP-14-05 AND BAR-14-20 AND SIGN PERMIT APPLICATIONS



Hochhauser
Blatter



ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD
SEASIDE, CA 93955

APN: 031-141-004

PROJECT DIRECTORY

OWNER:
CITY OF SEASIDE
440 HARCOURT AVENUE
SEASIDE, CA 93955
T 831.899.6700
CONTACT: LISA BRINTON

APPLICANT:
SEASIDE SENIOR LIVING, LLC
P.O.BOX 1259
CAPITOLA, CA 95010
T 831.915.4800
CONTACT: RICARDO DE LA CRUZ

OPERATOR:
SEASONS MANAGEMENT, LLC
560 FIRST STREET
LAKE OSWEGO, OR 97034
T 503.675.3925
CONTACT: ERIC W. JACOBSEN

CIVIL ENGINEER:
JF CONSTRUCTION COMPANY
560 FIRST STREET, SUITE 104
LAKE OSWEGO, OR 97034
T 503.608.7774
CONTACT: MARLON J. FENTON

ARCHITECT OF RECORD:
HOCHHAUSER BLATTER
ARCHITECTURE & PLANNING
122 E. ARRELLAGA ST.
SANTA BARBARA, CA 93101
T 805.962.2746
F 805.962.4948
CONTACT: JAY BLATTER, AIA, LEED AP

LANDSCAPE ARCHITECT:
BFS LANDSCAPE ARCHITECTS
425 PACIFIC STREET SUITE 201
MONTEREY, CA 93940
T 831.646.1383
CONTACT: ELKE IKEDA

LAND SURVEYOR:
L & S ENGINEERING AND SURVEYING, INC.
2460 GARDEN ROAD, SUITE G
MONTEREY, CA 93940
T 831.655.2723
CONTACT: FRANK LUCIDO, JR.

PROJECT DESCRIPTION

THE SEASIDE SENIOR LIVING, LLC IS A 111,386 SF ASSISTED LIVING AND MEMORY CARE FACILITY.

THE PROPOSED ASSISTED LIVING FACILITY WILL BE OPERATED UNDER A STATE OF CALIFORNIA LICENSE AS A RESIDENTIAL CARE FACILITY FOR THE ELDERLY (RCFE). IT IS A TWO STORY BUILDING INCLUDING 39 STUDIO UNITS, 42 1-BEDROOM UNITS AND 7 2-BEDROOM UNITS WITH FULL SERVICES DINING ROOM, COMMERCIAL KITCHEN, BOTH COMMERCIAL AND PERSONAL LAUNDRY ROOMS, HAIR SALON, SPA, FULL SERVICE THEATER, ATHLETIC FACILITIES, MEDICAL RECORDS AND MEDICATION OFFICE. STAFF OFFICES AND CONFERENCE ROOMS. OUTDOOR RECREATIONAL SPACES WILL INCLUDE ENCLOSED PATIO WITH A FIRE PLACE, PAVED SEATING AREAS, WALKWAYS, GARDENS AND LANDSCAPED AREAS.

THE PROPOSED MEMORY CARE FACILITY IS A ONE STORY BUILDING INCLUDING 43 STUDIO UNITS. THE BUILDING IS SEPARATED INTO FOUR (4) NEIGHBORHOODS WITH THERAPEUTIC KITCHENS, QUIET ROOMS, SPAS, AND LARGE DINING AND ENTERTAINMENT CENTERS. IN ADDITION TO STANDARD STAFF OFFICES, MEDICAL RECORDS ROOM AND CONFERENCE ROOMS. THE FACILITY ALSO INCLUDES A FOOD PREP, KITCHEN, HOUSEKEEPING, STORAGE SPACE AND PERSONAL LAUNDRIES. ENCLOSED SPACES INCLUDE COURTYARDS AND "WALLED-IN" MEMORY GARDEN FOR MEMORY CARE RESIDENTS.

ON THE WEST SIDE OF THE PROPERTY THERE IS A 10,894 SF, 2-STORY, 13 UNIT ASSISTED LIVING BUILDING THAT IS BASED ON A CO-HOUSING CONCEPT THAT INCLUDES A COMMUNITY KITCHEN, LIVING ROOM, AN ACTIVITIES AREA, AND OUTDOOR PATIOS.

*AS REQUIRED IN CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD RESOLUTION R3-2013-0032, A STORMWATER CONTROL PLAN IN ON FILE WITH CITY OF SEASIDE. IT IS UNDERSTOOD THAT THIS PROJECT IS IN WATER MANAGEMENT ZONE 4 AND IS UNDER THE JURISDICTION OF THE SALINAS VALLEY WATER BOARD.

WATER IS PROVIDED BY MARINA COAST WATER DISTRICT (MCWR).

SEWAGE TREATMENT IS PROVIDED BY MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY (MRWPCA).

ADDITIONAL APPROVALS FROM FORT ORD REUSE AUTHORITY (FORA).

APPLICABLE CODES:

2013 CALIFORNIA BUILDING CODE (2009 INTERNATIONAL BUILDING CODE)
2013 CALIFORNIA GREEN BUILDING CODE
2013 CALIFORNIA MECHANICAL CODE (2009 UNIFORM MECHANICAL CODE)
2013 CALIFORNIA PLUMBING CODE (2009 UNIFORM PLUMBING CODE)
2013 CALIFORNIA ELECTRICAL CODE (NATIONAL ELECTRICAL CODE)
2013 CALIFORNIA ENERGY CODE (TITLE-24)
CITY OF SEASIDE ZONING CODE (TITLE 17)

PROJECT STATISTICS

PROJECT: SEASIDE SENIOR LIVING, LLC

APN: 031-141-004*

LOCATION: 550 MONTEREY ROAD, SEASIDE, CA 93955

PROPERTY OWNER: CITY OF SEASIDE
440 HARCOURT AVENUE,
SEASIDE, CALIFORNIA 93955

APPLICANT: SEASIDE SENIOR LIVING, LLC

DEVELOPER/AGENT: RICARDO DE LA CRUZ

GENERAL PLAN: CC (COMMUNITY COMMERCIAL)
ZONING: CC (COMMUNITY COMMERCIAL)

TOTAL LAND AREA: 238,709 SQ. FT. (5.47 ACRES)

BUILDABLE AREA: 140,711 SQ. FT. (3.2 ACRES)

NON-BUILDABLE AREA: 97,998 SQ. FT. (2.28 ACRES)

LANDSCAPING AREA: 61,856 SQ. FT.

OPEN SPACE AREA: 17,958 SQ. FT.

F.A.R. 0.508

BUILDING HEIGHT: 34 FEET 2 FLOORS

MAX. BUILDING HEIGHT: 48 FEET OR 4 STORIES

NO. OF ASSISTED LIVING UNITS:

STUDIO	-	39 UNITS (440 SF)
1 BEDROOM	-	42 UNITS (550 SF)
2 BEDROOM	-	7 UNITS (700 SF)
TOTAL ALF UNITS	-	88

NO. OF MEMORY CARE UNITS:

PRIVATE	-	31 UNITS (330 SF)
COMPANION	-	12 UNITS (400 SF)
TOTAL MC UNITS	-	43

NO. OF SENIOR CO-HOUSING UNITS:

STUDIO	-	13 UNITS (490 SF)
--------	---	-------------------

PARKING INCLUDES: 8 HANDICAP ACCESSIBLE SPACES
6 SPACES (DESIGNATED FOR LOW-EMITTING, FUEL EFFICIENT VEHICLES)
23 COMPACT SPACES
55 STANDARD SPACES

TOTAL PARKING: 92 SPACES
BICYCLE PARKING: 9 SPACES
MOTORCYCLE PARKING: 2 SPACES

* NOTE:
ADDITIONAL STATISTICS ARE
NOTED ON SHEET A0.2.

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DRAWING NO.	DRAWING TITLE
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	SURVEY
	CIVIL
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L1.3	LANDSCAPE PLAN
L1.4	IMAGE BOARD
SL-1	ELECTRICAL
	SITE PHOTOMETRICS
GROSS SQUARE FOOTAGE:	
MEMORY CARE	- 29,707 SF
ASSISTED LIVING	- 5,407 SF
FIRST FLOOR	- 5,487 SF
SECOND FLOOR	- 10,894 SF
TOTAL	- 51,688 SF
GROSS SQUARE FOOTAGE:	
ASSISTED LIVING / MEMORY CARE	- 111,386 SF
SENIOR CO-HOUSING	- 10,894 SF
TOTAL	- 122,280 SF

* NOTE: APN ON APPLICATION 031-014-004 HAS BEEN CORRECTED TO APN: 031-141-004

DATE:	ISSUANCE OR REVISION
DATE	ISSUE
08/21/2014	SITE ANALYSIS
08/28/2014	PLANNING APPLICATION - UPDATED SUBMITTAL
11/24/2014	REVISED SUBMISSION
11/28/2014	REVISED SUBMISSION
02/04/2015	REVISED SUBMISSION
05/04/2015	REVISED SUBMISSION
12/07/2015	PLANNING SUBMITTAL
01/04/2016	PLANNING SUBMITTAL
02/02/2016	NOISE MITIGATION DESIGN
02/25/2016	IS/MSD SUBMITTAL
05/04/2016	BAR

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PROJECT No: 9714

SHEET

A0.1

OF ALL SHEETS
LATEST REVISION

C:\V\714 Seaside\0714 AP Conditions of Approval.dwg, 11/4/2015 8:48:17 AM

Seaside Assisted Living & Memory Care Facility Tree Inventory Spreadsheet

Tag #	Tree Specie	DBH (inches)	Height (feet)	Crown/Canopy Class	Tree Form
1	Monterey Cypress	10	20	Intermediate	Asymmetrical
2	Monterey Cypress	12	15	Suppressed	Asymmetrical
3	Monterey Cypress	18	20	Intermediate	Asymmetrical
4	Monterey Cypress	36	30	Co-dominant	Symmetrical
5	Monterey Cypress	18	30	Co-dominant	Asymmetrical
6	Monterey Cypress	12	20	Intermediate	Asymmetrical
7	Monterey Cypress	50	30	Co-dominant	Asymmetrical
8	Monterey Cypress	24	25	Co-dominant	Asymmetrical
9	Monterey Cypress	28	35	Co-dominant	Asymmetrical
10	Monterey Cypress	12	15	Intermediate	Asymmetrical
11	Monterey Cypress	50	30	Co-dominant	Symmetrical
12	Monterey Cypress	28	30	Co-dominant	Asymmetrical
13	Monterey Cypress	16	25	Intermediate	Symmetrical
14	Monterey Cypress	31	30	Co-dominant	Asymmetrical
15	Monterey Cypress	20	25	Co-dominant	Asymmetrical
16	Monterey Cypress	24	30	Co-dominant	Symmetrical
17	Monterey Cypress	30	25	Co-dominant	Symmetrical
18	Monterey Cypress	24	20	Co-dominant	Asymmetrical
19	Monterey Cypress	36	20	Co-dominant	Symmetrical
20	Monterey Cypress	36	15	Intermediate	Asymmetrical
21	Monterey Cypress	60	25	Co-dominant	Asymmetrical
22	Monterey Cypress	24	25	Intermediate	Asymmetrical
23	Monterey Cypress	36	25	Co-dominant	Symmetrical
24	Monterey Cypress	24	25	Co-dominant	Asymmetrical
25	Monterey Cypress	10	25	Intermediate	Asymmetrical
26	Monterey Cypress	10	25	Intermediate	Asymmetrical
27	Monterey Cypress	12	30	Co-dominant	Asymmetrical
28	Monterey Cypress	19	25	Co-dominant	Symmetrical
29	Monterey Cypress	24	25	Co-dominant	Asymmetrical
30	Monterey Cypress	16	25	Co-dominant	Symmetrical
31	Monterey Cypress	24	25	Co-dominant	Asymmetrical
32	Monterey Cypress	10	20	Intermediate	Asymmetrical
33	Monterey Cypress	26	25	Co-dominant	Asymmetrical
34	Monterey Cypress	22	25	Co-dominant	Asymmetrical
35	Monterey Cypress	10	25	Intermediate	Symmetrical
36	Monterey Cypress	24	25	Co-dominant	Asymmetrical
37	Monterey Cypress	30	25	Co-dominant	Asymmetrical
38	Monterey Cypress	18	25	Co-dominant	Asymmetrical
39	Monterey Cypress	17	25	Co-dominant	Symmetrical
40	Monterey Cypress	28	25	Co-dominant	Asymmetrical
41	Monterey Cypress	18	25	Co-dominant	Asymmetrical
42	Monterey Cypress	16	25	Co-dominant	Symmetrical
43	Monterey Cypress	29	30	Co-dominant	Asymmetrical
44	Monterey Cypress	23	35	Co-dominant	Asymmetrical
45	Monterey Cypress	18	25	Intermediate	Asymmetrical
46	Monterey Cypress	11	20	Suppressed	Asymmetrical
47	Monterey Cypress	24	35	Co-dominant	Asymmetrical
48	Monterey Cypress	28	35	Co-dominant	Asymmetrical
49	Monterey Cypress	19	30	Co-dominant	Symmetrical
50	Monterey Cypress	17	25	Co-dominant	Asymmetrical

51	Monterey Cypress	18	30	Co-dominant	Asymmetrical
52	Monterey Cypress	26	25	Co-dominant	Asymmetrical
53	Monterey Cypress	29	25	Co-dominant	Asymmetrical
54	Monterey Cypress	18	25	Co-dominant	Asymmetrical
55	Monterey Cypress	25	25	Co-dominant	Asymmetrical
56	Monterey Cypress	16	25	Co-dominant	Asymmetrical
57	Monterey Cypress	12	20	Suppressed	Asymmetrical
58	Monterey Cypress	16	15	Suppressed	Asymmetrical
59	Monterey Cypress	36	20	Co-dominant	Asymmetrical
60	Monterey Cypress	12	15	Suppressed	Asymmetrical
61	Monterey Cypress	14	15	Suppressed	Asymmetrical
62	Monterey Cypress	21	20	Intermediate	Asymmetrical
63	Monterey Cypress	20	20	Intermediate	Asymmetrical
64	Monterey Cypress	24	20	Intermediate	Asymmetrical
65	Monterey Cypress	32	25	Co-dominant	Asymmetrical
66	Monterey Cypress	21	25	Intermediate	Asymmetrical
67	Monterey Cypress	29	30	Co-dominant	Asymmetrical
68	Monterey Cypress	18	30	Co-dominant	Asymmetrical
69	Monterey Cypress	18	25	Co-dominant	Asymmetrical
70	Monterey Cypress	38	35	Co-dominant	Symmetrical
71	Monterey Cypress	20	30	Co-dominant	Asymmetrical
72	Monterey Cypress	17	30	Co-dominant	Asymmetrical
73	Monterey Cypress	19	30	Co-dominant	Asymmetrical
74	Monterey Cypress	31	30	Co-dominant	Asymmetrical
75	Monterey Cypress	24	30	Co-dominant	Asymmetrical
76	Monterey Cypress	10	25	Co-dominant	Asymmetrical
77	Monterey Cypress	17	30	Co-dominant	Asymmetrical
78	Monterey Cypress	7	25	Co-dominant	Asymmetrical
79	Monterey Cypress	16	25	Co-dominant	Asymmetrical
80	Monterey Cypress	15	30	Co-dominant	Symmetrical
81	Monterey Cypress	16	25	Co-dominant	Asymmetrical
82	Monterey Cypress	30	30	Co-dominant	Asymmetrical
83	Monterey Cypress	40	25	Dominant	Asymmetrical
84	Monterey Cypress	48	25	Co-dominant	Symmetrical
85	Blue Gum Eucalyptus	35	25	Co-dominant	Asymmetrical
86	Monterey Cypress	20	20	Co-dominant	Asymmetrical
87	Monterey Cypress	18	20	Co-dominant	Asymmetrical
88	Monterey Cypress	10	15	Intermediate	Asymmetrical
89	Monterey Cypress	14	20	Co-dominant	Asymmetrical
90	Monterey Cypress	15	15	Intermediate	Asymmetrical
91	Monterey Cypress	13	20	Co-dominant	Asymmetrical
92	Monterey Cypress	13	20	Intermediate	Asymmetrical
93	Monterey Cypress	10	15	Intermediate	Asymmetrical
94	Monterey Cypress	18	30	Co-dominant	Symmetrical
95	Monterey Cypress	14	25	Co-dominant	Asymmetrical
96	Monterey Cypress	21	25	Co-dominant	Asymmetrical
97	Monterey Cypress	10	15	Suppressed	Asymmetrical
98	Monterey Cypress	8	15	Intermediate	Asymmetrical
99	Blue Gum Eucalyptus	8	12	Intermediate	Asymmetrical
100	Blue Gum Eucalyptus	50	15	Co-dominant	Asymmetrical
101	Monterey Cypress	26	20	Co-dominant	Asymmetrical

TREES INDICATED IN RED ARE LOCATED ON US ARMY LAND.

SITE STATISTICS

TOTAL LAND AREA:	238,709 SQ. FT. (5.47 ACRES)
BUILDABLE AREA:	140,711 SQ. FT. (3.2 ACRES)
BUILDING FOOTPRINT (ALF/MC & CO-HOUSING):	72,177 SQ. FT.
LANDSCAPING AREA:	61,856 SQ. FT.
OPEN SPACE:	17,598 SQ. FT.
ASPHALT PAVED AREA (DRIVEWAY):	64,888 SQ. FT.
CONCRETE PAVED AREAS (PEDESTRIAN WALKWAYS):	10,948 SQ. FT.
PERMEABLE CONCRETE (PEDESTRIAN WALKWAYS):	335 SQ. FT.
EARTHWORK QUANTITIES:	
CUT	7,600 CU. FT.
FILL	6,400 CU. FT.

* NOTE: APN ON APPLICATION 031-014-004 HAS BEEN CORRECTED TO APN: 031-141-004

ARCHITECTURAL REVIEW APPLICATION



CITY OF SEASIDE
Resource Management Services | Planning Division
Architectural Review Application

BAR-14-____
File # _____

TO BE COMPLETED BY APPLICANT

Project Address or Location: 550 MONTEREY ROAD, SEASIDE, CALIFORNIA 93955 APN: 031-014-004 *
Project Description (attach if needed): THE SEASIDE SENIOR LIVING, LLC IS A PROPOSED 111,237 SF ASSISTED LIVING AND MEMORY CARE FACILITY. ASSISTED LIVING FACILITY COMPRISES 83 UNITS WITH A COMBINATION OF STUDIO, 1-BEDROOM AND 2-BEDROOM UNITS. MEMORY CARE FACILITY COMPRISES 49 UNITS WITH A COMBINATION OF PRIVATE AND COMPANION UNITS.

Applicant / Primary Contact:
Name: SEASIDE SENIOR LIVING, LLC ATTN: RICARDO DE LA CRUZ
Address: PO BOX 1259 City: CAPITOLA State: CA Zip: 95010
Phone Contact: (831)915-4800 Email: rdc13@gmail.com

Property Owner:
Name: CITY OF SEASIDE ATTN: LISA BRINTON
Address: 440 HARCOURT AVENUE City: SEASIDE State: CA Zip: 93955
Phone Contact: (831)899-6883 Email: _____

Property Owner's Statement: "By my signature, I hereby certify that I am the legal owner of record of the property identified in this application and that I approve of the requested action herein. I further certify that all data, information, plans and evidence submitted as part of this application is true and correct to the best of my knowledge."

Signature: _____ Date: _____

Submittal Requirements

- Plan Sets - All plans shall be accurate and clearly drawn to scale on a minimum size of 18"x24" and up to a maximum size of 24"x36" using either an engineer's or architect's scale. Six (6) full-size plan sets and one (1) reduced set (11"x17") shall be submitted with this application for initial review. Reduced plans may be submitted electronically in PDF format. If plan revisions are requested, planning staff will inform you if additional plan sets are required.
- Project Description / Data Table - Provide on project plans a description of the project scope, vicinity map, address and/or APN, site area, existing and proposed floor area and site coverage calculations, existing and proposed parking spaces, number of trees proposed for removal and any other pertinent information about the project.
- Site Plan - Show all property lines and dimensions, adjacent streets and alleys, required setbacks, structures, driveways, parking spaces, landscaped areas, signs, trash enclosures, etc. on a scaled plan of the entire subject property. Include all north arrow, structure dimensions, distances from other structures, and distances to adjacent property lines.
- Floor Plan - Include existing and proposed plans for all tenant spaces, interior living spaces, windows, walls and doors.
- Landscape/Irrigation Plan - Include landscape plan, plant schedule, and irrigation plan (new construction or residential additions over 50% of existing floor area only).
- Elevations - Show and label all existing and proposed exterior elevations with the maximum structure height from finished grade to roof peak for each elevation. All exterior features must be shown on elevations including signs, light fixtures, utilities/cabinets, railings/stairs, walls/fences, entry doors, etc. Colors and materials should be identified on all elevations.
- Colors and Materials - Provide one (1) presentation board with all proposed exterior materials and colors. (if applicable).
- Roof Plan - Provide a roof plan for all existing and proposed structures (only for projects that involve roof modifications).
- Pre-stamped envelopes for all properties within a 300-foot radius (2nd story residential projects: consult staff for amount)
- Additional information as may be required following initial review of the project.

TO BE COMPLETED BY STAFF

Per Approved Rates

- ☐ Single-Family (additions < 50% of floor area) ☐ Single-Family (new construction > 50%)
☐ Multi Family (additions/remodels < 50%) ☐ Multi Family (new construction > 50%)
Fee Collected: _____ Receipt #: _____ Accepted By: _____ Date Accepted: _____
Updated 11/3/2011

USE PERMIT APPLICATION



CITY OF SEASIDE
Resource Management Services | Planning Division
Use Permit / Minor Use Permit Application

UP-14-____
MUP-14-____
File # _____

TO BE COMPLETED BY APPLICANT

Project Address or Location: 550 MONTEREY ROAD, SEASIDE, CALIFORNIA 93955 APN: 031-014-004 *
Project Description (attach if needed): THE SEASIDE SENIOR LIVING, LLC IS A PROPOSED 111,237 SF ASSISTED LIVING AND MEMORY CARE FACILITY. ASSISTED LIVING FACILITY COMPRISES 83 UNITS WITH A COMBINATION OF STUDIO, 1-BEDROOM AND 2-BEDROOM UNITS. MEMORY CARE FACILITY COMPRISES 49 UNITS WITH A COMBINATION OF PRIVATE AND COMPANION UNITS.

Applicant / Primary Contact:
Name: SEASIDE SENIOR LIVING, LLC ATTN: RICARDO DE LA CRUZ
Address: PO BOX 1259 City: CAPITOLA State: CA Zip: 95010
Phone Contact: (831)915-4800 Email: rdc13@gmail.com

Property Owner:
Name: CITY OF SEASIDE ATTN: LISA BRINTON
Address: 440 HARCOURT AVENUE City: SEASIDE State: CA Zip: 93955
Phone Contact: (831)899-6883 Email: _____

Property Owner's Statement: "By my signature, I hereby certify that I am the legal owner of record of the property identified in this application and that I approve of the requested action herein. I further certify that all data, information, plans and evidence submitted as part of this application is true and correct to the best of my knowledge."

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Submittal Requirements

- Plan Set - All plans shall be accurate and clearly drawn to scale on sheets a minimum size of 18"x24" and up to a maximum size of 24" x 36" using either an engineer's or architect's scale. Five (5) full-size folded copies shall be submitted with the application for initial review. Once any revisions are made and the application is deemed complete, eight (8) full-size folded copies and one (1) set of reduced copies (11"x17") of the amended plans will be required. The set of reduced plans may be submitted electronically in PDF format.
- Project Description - Describe the proposed use of the subject property or tenant space including a description of the business and/or use, operational hours, use of floor area and outside areas, number of employees, number of seats (restaurant uses and meeting spaces), number of fleet vehicles, and any other relevant information.
- Site Plan - Show all property lines and dimensions, adjacent streets and alleys, required setbacks, structures, driveways, parking spaces, landscaped areas, signs, trash enclosures, etc. on a scaled plan of the entire subject property. Include all north arrow, structure dimensions, distances from other structures, and distances to adjacent property lines.
- Floor Plan - Include existing and proposed plans for all tenant spaces, interior living spaces, windows, walls and doors.
- Elevations - Include all exterior elevations. (New Construction only)
- Pre-stamped envelopes for all properties within a 300-foot radius (consult staff for amount)
- Additional information as requested by Staff following initial review of the project.

TO BE COMPLETED BY STAFF

** Permit Fees Based on Council Adopted Fee Schedule**

- ☐ Large Commercial ☐ Small Commercial ☐ Single-Family Dwelling ☐ Multi-family ☐ Minor Use Permit

Fee Collected: _____ Receipt #: _____ Accepted By: _____ Date Accepted: _____
Updated 11/3/2011

Hochhauser
Blatter



ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD
SEASIDE, CA 93955

APN: 031-141-004

DATE:	ISSUANCE OR REVISION:
DATE	ISSUE
07/16/2014	PLANNING APPLICATION
08/07/2014	PLANNING APPLICATION - REPLACEMENT SUBMITTAL
08/21/2014	SITE ANALYSIS
08/28/2014	PLANNING APPLICATION - UPDATED SUBMITTAL
11/24/2014	REVISED SUBMISSION
11/28/2014	REVISED SUBMISSION
02/04/2015	REVISED SUBMISSION
05/04/2015	REVISED SUBMISSION
12/07/2015	PLANNING SUBMITTAL

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SHEET CONTENTS
ARCHITECTURAL REVIEW APPLICATION

PROJECT No: 9714

SHEET

A0.2

OF ALL SHEETS
LATEST REVISION

SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD, SEASIDE, CALIFORNIA

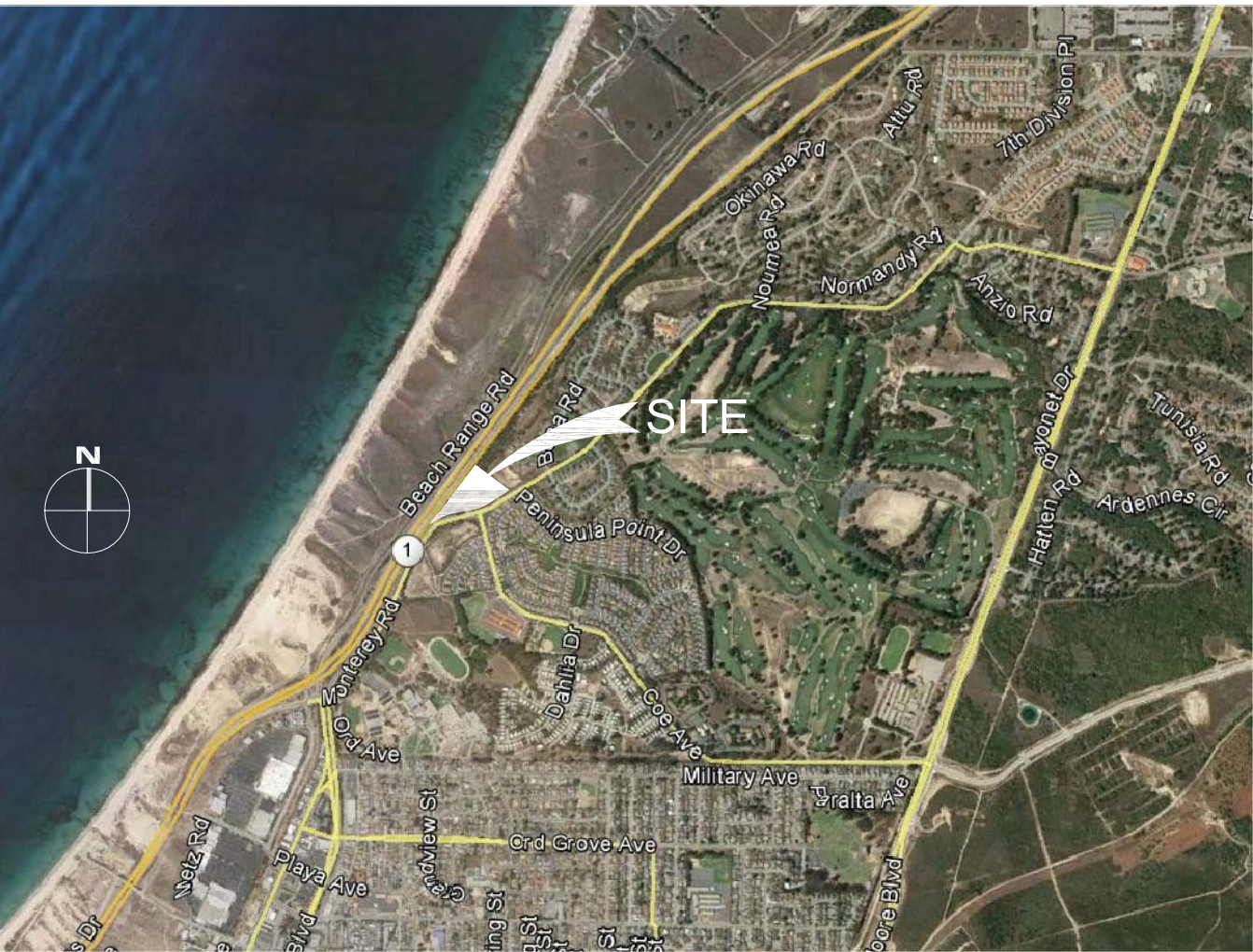
APN: 031-141-004

STATE HIGHWAY ONE

MONTEREY ROAD
COE AVENUE

SITE PLAN

1" = 40'



VICINITY MAP

NTS

INDEX OF SHEETS

DWG. NO.	DESCRIPTION
C1	TITLE SHEET
C2	DEMOLITION PLAN
C3	EROSION CONTROL PLAN
C4	EROSION CONTROL DETAILS & NOTES
C5	GRADING PLAN
C6	GRADING PLAN SECTIONS
C7	GRADING & SWMP DETAILS & NOTES
C8	UTILITIES PLAN

LOT SUMMARY AND NOTES

- PRELIMINARY PROPERTY LINE SHOWN PER PTR #52506017 PREPARED FOR THE CITY OF SEASIDE, DATED JULY 15, 2014. EXCEPT THE BOUNDARY HAS BEEN EXTENDED TO THE BACK OF CURB ALONG MONTEREY ROAD. A BOUNDARY RESOLUTION WAS NOT PERFORMED AND ADDITIONAL FIELD WORK WILL BE REQUIRED TO RESOLVE THE BOUNDARY. APN 031-141-004.
- GROSS LOT AREA AS SHOWN: 238,502 S.F. OR 5.47-ACRES
- A 2 1/2" BRASS DISK BENCHMARK LOCATED IN THE PAVEMENT AT THE INTERSECTION OF MONTEREY ROAD AND COE AVENUE WITH AN ASSUMED ELEVATION OF 201.12' WAS USED FOR THIS MAP.
- EXISTING UTILITIES SHOWN ARE APPROXIMATE. PLEASE NOTE THAT ONLY THROUGH EXCAVATION BEFORE OR DURING CONSTRUCTION CAN THE LIMITS OF UNDERGROUND UTILITIES BE FULLY DETERMINED.
- WATER AND WASTEWATER EASEMENTS PER INSTRUMENT NO. 2001094583 OVER EXISTING ON-SITE UTILITIES EXACT LOCATION AND WIDTH UNDETERMINED.

ABBREVIATIONS

C	CYPRESS TREE
ELECT	ELECTRICAL
EUC	EUCALYPTUS
INV	INVERT
PED	PEDESTAL
P	PINE TREE
TEL	TELEPHONE
T	TREE

SYMBOL LEGEND

⊕	AT&T MANHOLE
•	BOLLARD
⊕	FIRE HYDRANT
⊕	GAS VALVE
⊕	GUY WIRE
⊕	IRRIGATION CONTROL VALVE
⊕	LIGHT POLE
⊕	SEWER MANHOLE
⊕	SIGN
⊕	STORMDRAIN MANHOLE
⊕	UTILITY POLE
⊕	WATER METER
⊕	WATER VALVE

ASPHALT/CONCRETE

CONCRETE

LINE LEGEND

---	100-FOOT STATE SCENIC VIEW SETBACK
---	AT&T LINE
---	CONCRETE CURB
---	CONCRETE CURB AND LIP
---	EXISTING EASEMENT
---	GAS LINE
---	LINK FENCE
---	MAJOR CONTOUR (5-FOOT)
---	MINOR CONTOUR (1-FOOT)
---	PRELIMINARY PROPERTY LINE
---	SANITARY SEWER LINE
---	STORM DRAIN LINE
---	STORM DRAIN LINE (DRAFTED)
---	WOOD FENCE

PROJECT

111,386 SF ASSISTED LIVING AND MEMORY CARE FACILITY
GENERAL PLAN: COMMUNITY COMMERCIAL (CC)
ZONING: COMMUNITY COMMERCIAL (cc)
APPLICATIONS: UP14-05 & BAR-14-20
NON-BUILDABLE AREA: 97,998 SF
BUILDABLE AREA: 140,711 SF
TOTAL AREA: 238,709 SF
ASSISTED LIVING FACILITY: 88 UNITS
MEMORY CARE FACILITY: 43 UNITS
CO-HOUSING: 13 UNITS
PARKING: 103 SPACES

DECLARATION OF RESPONSIBLE CHARGE

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THIS PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SEASIDE IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

FIRM: JF CONSTRUCTION & ENGINEERING
ADDRESS: 560 FIRST STREET, SUITE 104
LAKE OSWEGO, OR 97034
PHONE: (503) 675-3925

BY: MARLON J. FENTON
R.C.E. 43926
EXPIRATION DATE: 06-30-15

DATE:

ENGINEER

JF CONSTRUCTION & ENGINEERING
560 FIRST STREET, SUITE 104
LAKE OSWEGO, OR 97034
PHONE: (503) 675-3925

APPLICANT/DEVELOPER

SEASIDE SENIOR LIVING, LLC
560 FIRST STREET, SUITE 104
LAKE OSWEGO, OR 97034
PHONE: (503) 675-3925

OWNER

CITY OF SEASIDE
440 HARCOURT AVE
SEASIDE, CA 93955
PHONE: (831) 899-6700

SOIL ENGINEER

HARO KASUNICH & ASSOC.
116 E. LAKE AVE
WATSONVILLE, CA 95076
PHONE: (831) 722-4175

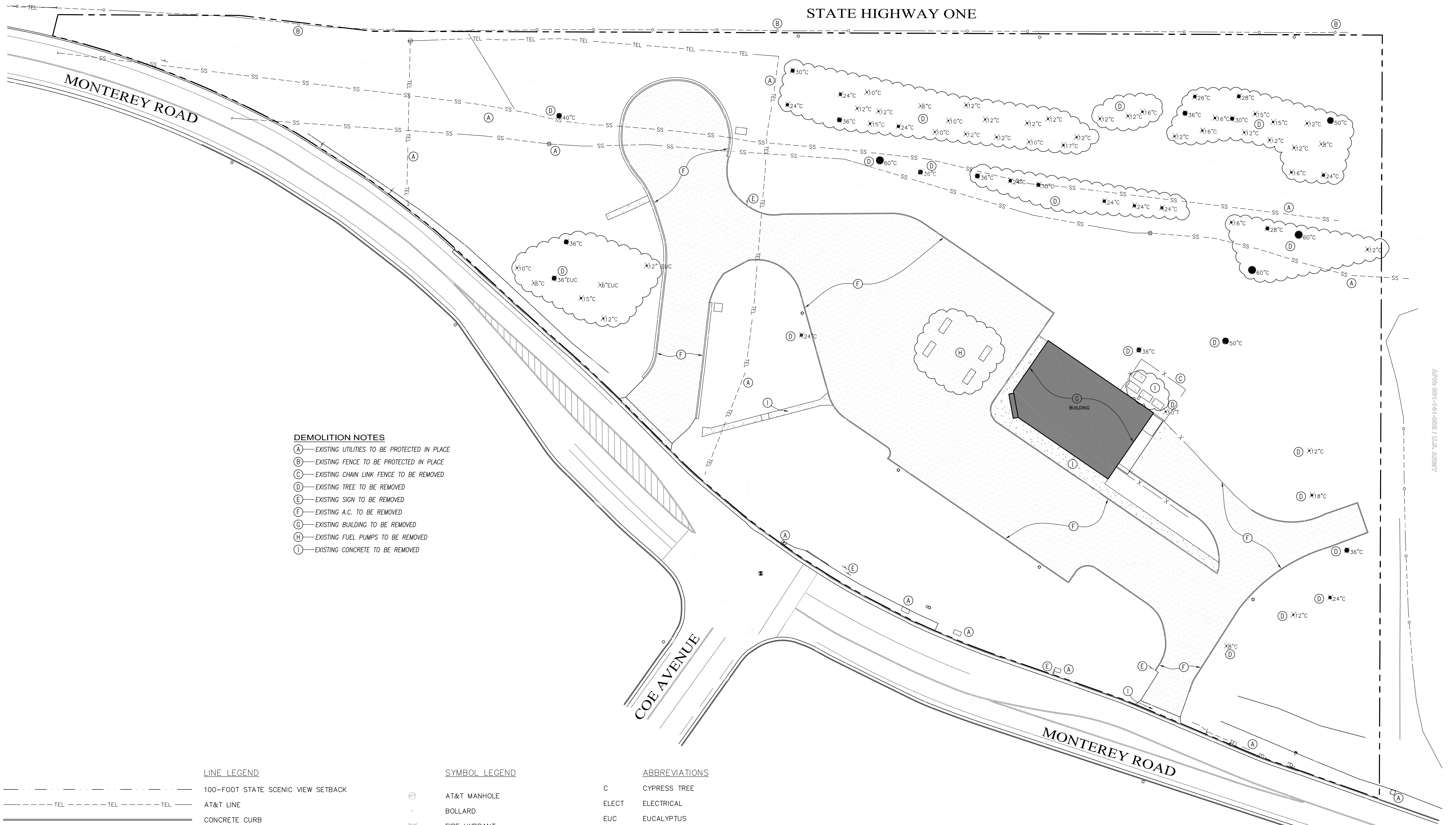
NOTICE TO CONTRACTOR

THE EXISTENCE AND LOCATIONS OF ALL UNDERGROUND UTILITIES (UTILITY PIPES, STRUCTURES, ETC.) SHOWN ON THESE PLANS (MAIN LINES ONLY - NO SERVICE LATERALS) WERE ASCERTAINED BY A REVIEW OF RECORDS PROVIDED BY THESE MEMBER AGENCIES AND ARE APPROXIMATE. NEITHER THE OWNER NOR THE ENGINEER ASSUMES ANY RESPONSIBILITY FOR UTILITIES NOT SHOWN OR NOT IN THE LOCATION SHOWN.

THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE PLANS. LOCATIONS OF UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.

NOTE:

AS REQUIRED IN CALIFORNIA REGIONAL WATER CONTROL BOARD RESOLUTION R3-2013-0032, A STORMWATER CONTROL PLAN WILL BE PREPARED. IT IS UNDERSTOOD THAT THIS PROJECT IS IN WATER MANAGEMENT ZONE 4 AND IS UNDER THE JURISDICTION OF THE SALINAS VALLEY WATER BOARD.



- DEMOLITION NOTES**
- (A) — EXISTING UTILITIES TO BE PROTECTED IN PLACE
 - (B) — EXISTING FENCE TO BE PROTECTED IN PLACE
 - (C) — EXISTING CHAIN LINK FENCE TO BE REMOVED
 - (D) — EXISTING TREE TO BE REMOVED
 - (E) — EXISTING SIGN TO BE REMOVED
 - (F) — EXISTING A.C. TO BE REMOVED
 - (G) — EXISTING BUILDING TO BE REMOVED
 - (H) — EXISTING FUEL PUMPS TO BE REMOVED
 - (I) — EXISTING CONCRETE TO BE REMOVED

LINE LEGEND

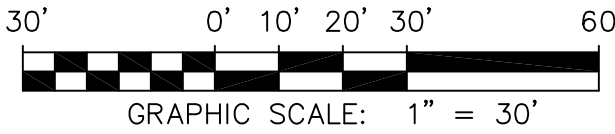
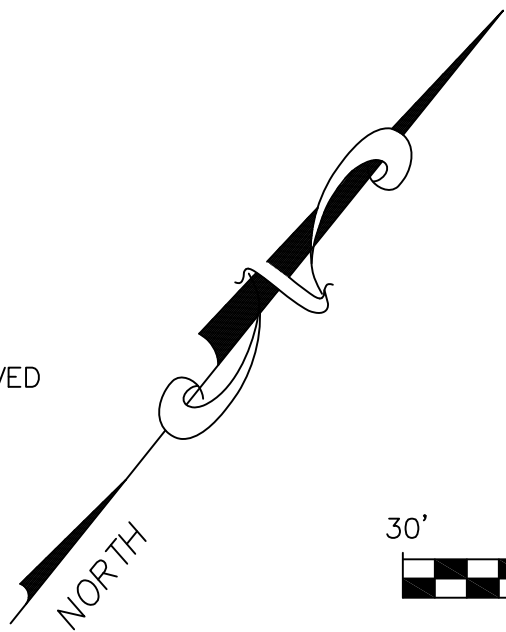
- 100-FOOT STATE SCENIC VIEW SETBACK
- TEL TEL TEL AT&T LINE
- CONCRETE CURB
- CONCRETE CURB AND LIP
- EXISTING EASEMENT
- G G G G GAS LINE
- X X X X X LINK FENCE
- MAJOR CONTOUR (5-FOOT)
- MINOR CONTOUR (1-FOOT)
- PRELIMINARY PROPERTY LINE
- SS SS SS SANITARY SEWER LINE
- SD SD SD STORM DRAIN LINE
- SD/UNK SD/UNK SD/UNK STORM DRAIN LINE (DRAFTED)
- X X X X X WOOD FENCE

SYMBOL LEGEND

- AT&T MANHOLE
- BOLLARD
- FIRE HYDRANT
- GAS VALVE
- GUY WIRE
- IRRIGATION CONTROL VALVE
- LIGHT POLE
- SEWER MANHOLE
- SIGN
- STORMDRAIN MANHOLE
- UTILITY POLE
- WATER METER
- WATER VALVE

ABBREVIATIONS

- C CYPRESS TREE
- ELECT ELECTRICAL
- EUC EUCALYPTUS
- INV INVERT
- PED PEDESTAL
- P PINE TREE
- TEL TELEPHONE
- T TREE
- EXISTING ASPHALT/CONCRETE TO BE REMOVED
- EXISTING BUILDING TO BE REMOVED
- EXISTING CONCRETE TO BE REMOVED



AMW 5/21/2017 2:00 PM 100 100 100 100

PLAN PREPARED BY:

JF Construction Company
560 First Street, Suite 104
Lake Oswego, Oregon 97034
503-475-3925

DATE:

R.C.E. 3/26/2017

REGISTERED PROFESSIONAL ENGINEER
J. FEATON
No. 43926
Exp. 6/30/2017
CIVIL
STATE OF OREGON

SEASIDE SENIOR LIVING
550 MONTEREY ROAD, SEASIDE, CA 93955
DEMOLITION PLAN

APN: 031-141-004

USE PERMIT # 14-05
BAR PERMIT # 14-20

DATE: REVISION

DATE	REVISION
11/28/14	REVISED SUBMISSION
06/25/15	REVISED SUBMISSION
01/04/16	REVISED SUBMISSION

PLAN PREPARED BY:

SEASIDE SENIOR LIVING, LLC
560 First Street, Suite 104
Lake Oswego, Oregon 97034
503-475-3925

SHEET

C2

OF 8 SHEETS

Spill Prevention and Control

Definition and Purpose	These procedures and practices are implemented to prevent and control spills in a manner that minimizes or prevents the discharge of spilled material to the drainage system or watercourses.
Appropriate Application	This best management practice (BMP) applies to all construction projects. Spill control procedures are implemented anytime chemicals and/or hazardous substances are stored. Substances may include, but are not limited to: ■ Soil stabilizers/binders. ■ Dust Palliatives. ■ Herbicides. ■ Growth inhibitors. ■ Fertilizers. ■ Deicing/anti-icing chemicals. ■ Fuels. ■ Lubricants. ■ Other petroleum distillates. To the extent that the work can be accomplished safely, spills of oil, petroleum products, substances listed under 40 CFR parts 110, 117, and 302, and sanitary and septic wastes shall be contained and cleaned up immediately.
Limitations	■ This BMP only applies to spills caused by the contractor. ■ Procedures and practices presented in this BMP are general. Contractor shall identify appropriate practices for the specific materials used or stored on-site.
Standards and Specifications	■ To the extent that it doesn't compromise clean up activities, spills shall be covered and protected from storm water run-on during rainfall. ■ Spills shall not be buried or washed with water. ■ Used clean up materials, contaminated materials, and recovered spill material that is no longer suitable for the intended purpose shall be stored and disposed of in conformance with the special provisions. ■ Water used for cleaning and decontamination shall not be allowed to enter storm drains or watercourses and shall be collected and disposed of in accordance with BMP WM-10, "Liquid Waste Management." ■ Water overflow or minor water spillage shall be contained and shall not be allowed to discharge into drainage facilities or watercourses. ■ Proper storage, clean-up and spill reporting instruction for hazardous materials stored or used on the project site shall be posted at all times in an open, conspicuous and accessible location. ■ Waste storage areas shall be kept clean, well organized and equipped with ample clean-up supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers and liners shall be repaired or replaced as needed to maintain proper function. Education ■ Educate employees and subcontractors on what a "significant spill" is for each material they use, and what is the appropriate response for "significant" and "insignificant" spills. ■ Educate employees and subcontractors on potential dangers to humans and the environment from spills and leaks. ■ Hold regular meetings to discuss and reinforce appropriate disposal procedures (incorporate into regular safety meetings). ■ Establish a continuing education program to indoctrinate new employees. ■ The Contractor's Water Pollution Control Manager (WPCM) shall oversee and enforce proper spill prevention and control measures. Cleanup and Storage Procedures ■ Minor Spills – Minor spills typically involve small quantities of oil, gasoline, paint, etc., which can be controlled by the first responder at the discovery of the spill. – Use absorbent materials on small spills rather than hosing down or burying the spill. – Remove the absorbent materials promptly and dispose of properly. – The practice commonly followed for a minor spill is: – Contain the spread of the spill. – Recover spilled materials. – Clean the contaminated area and/or properly dispose of contaminated materials. ■ Semi-Significant Spills – Semi-significant spills still can be controlled by the first responder along with the aid of other personnel such as laborers and the foreman, etc. This response may require the cessation of all other activities. – Clean up spills immediately: – Notify the project foreman immediately. The foreman shall notify the Resident Engineer (RE). – Contain spread of the spill. – If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (absorbent materials, cat litter and/or rags). Contain the spill by encircling with absorbent materials and do not let the spill spread widely. – If the spill occurs in dirt areas, immediately contain the spill by constructing an earthen dike. Dig up and properly dispose of contaminated soil. – If the spill occurs during rain, cover spill with tarps or other material to prevent contaminating runoff. ■ Significant/Hazardous Spills – For significant or hazardous spills that cannot be controlled by personnel in the immediate vicinity, the following steps shall be taken: – Notify the RE immediately and follow up with a written report. – Notify the local emergency response by dialing 911. In addition to 911, the contractor will notify the proper county officials. It is the contractor's responsibility to have all emergency phone numbers at the construction site. – Notify the Governor's Office of Emergency Services Warning Center, (805) 852-7550. – For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110,119, and 302, the contractor shall notify the National Response Center at (800) 424-8802. – Notification shall first be made by telephone and followed up with a written report. – The services of a spills contractor or a Haz-Mat team shall be obtained immediately. Construction personnel shall not attempt to clean up the spill until the appropriate and qualified staff have arrived at the job site. – Other agencies which may need to be consulted include, but are not limited to, the Fire Department, the Public Works Department, the Coast Guard, the Highway Patrol, the City/County Police Department, Department of Toxic Substances, California Division of Oil and Gas, Cal/OSHA, RWQCB, etc.
Maintenance and Inspection	■ Verify weekly that spill control clean up materials are located near material storage, unloading, and use areas. ■ Update spill prevention and control plans and stock appropriate clean-up materials whenever changes occur in the types of chemicals used or stored onsite.

Solid Waste Management

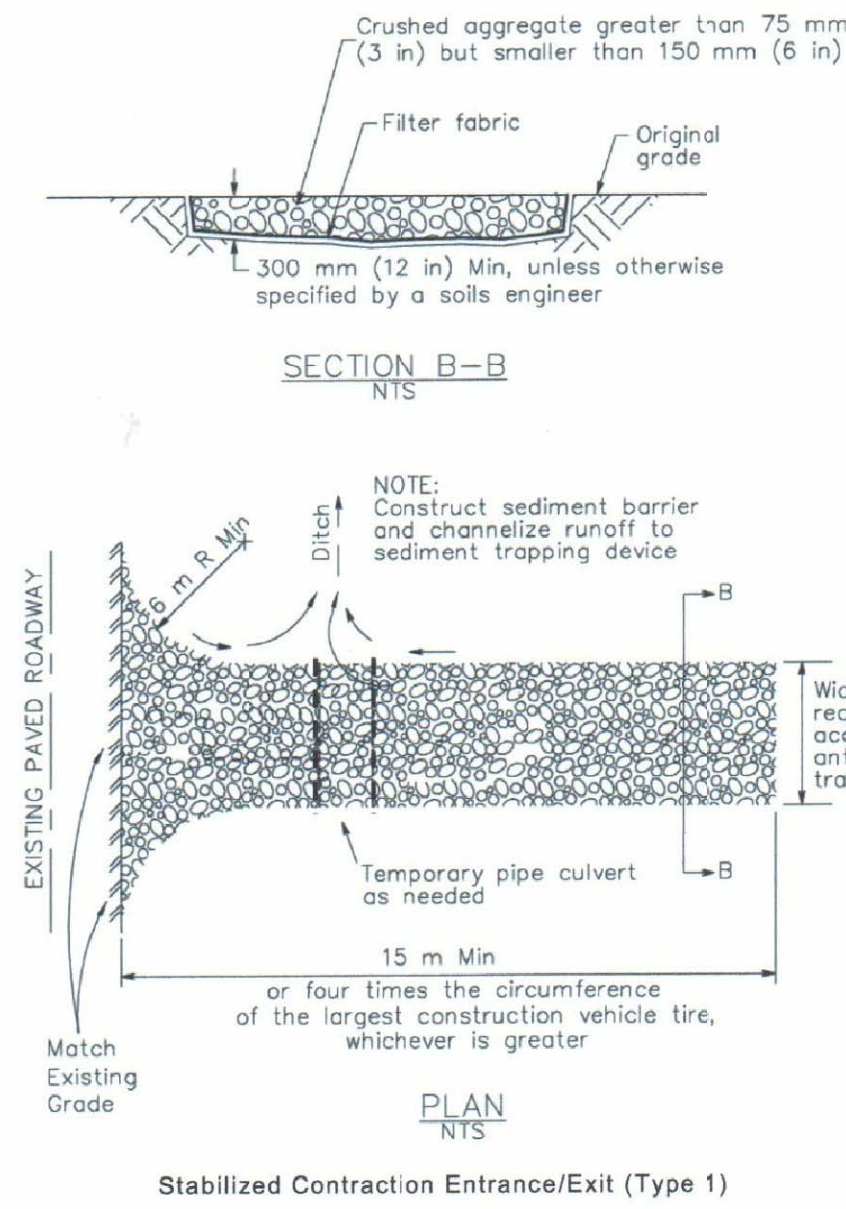
Definition and Purpose	Solid waste management procedures and practices are designed to minimize or eliminate the discharge of pollutants to the drainage system or to watercourses as a result of the creation, stockpiling, or removal of construction site wastes.
Appropriate Applications	Solid waste management procedures and practices are implemented on all construction projects that generate solid wastes.
Limitations	Solid wastes include but are not limited to: ■ Construction wastes including brick, mortar, timber, steel and metal scraps, sawdust, pipe and electrical cuttings, non-hazardous equipment parts, styrofoam and other materials used to transport and package construction materials. ■ Highway planting wastes, including vegetative material, plant containers, and packaging materials. ■ Litter, including food containers, beverage cans, coffee cups, paper bags, plastic wrappers, and smoking materials, including litter generated by the public.
Standards and Specifications	Education ■ The Contractor's Water Pollution Control Manager (WPCM) shall oversee and enforce proper solid waste procedures and practices. ■ Instruct employees and subcontractors on identification of solid waste and hazardous waste. ■ Educate employees and subcontractors on solid waste storage and disposal procedures. ■ Hold regular meetings to discuss and reinforce disposal procedures (incorporate into regular safety meetings). ■ Require that employees and subcontractors follow solid waste handling and storage procedures. ■ Prohibit littering by employees, subcontractors, and visitors. ■ Wherever possible, minimize production of solid waste materials. Collection, Storage, and Disposal ■ Dumpsters of sufficient size and number shall be provided to contain the solid waste generated by the project and properly serviced. ■ Littering on the project site shall be prohibited. ■ To prevent clogging of the storm drainage system litter and debris removal from drainage grates, trash racks, and ditch lines shall be a priority. ■ Trash receptacles shall be provided in the Contractor's yard, field trailer areas, and at locations where workers congregate for lunch and break periods. ■ Construction debris and litter from work areas within the construction limits of the project site shall be collected and placed in watertight dumpsters at least weekly regardless of whether the litter was generated by the Contractor, the public, or others. Collected litter and debris shall not be placed in or next to drain inlets, storm water drainage systems or watercourses. ■ Full dumpsters shall be removed from the project site and the contents shall be disposed of outside the highway right-of-way in conformance with the provisions in the Standard Specifications Section 7-1.13. ■ Litter stored in collection areas and containers shall be handled and disposed of by trash hauling contractors. ■ Construction debris and waste shall be removed from the site every two weeks or as directed by the RE. ■ Construction material visible to the public shall be stored or stacked in an orderly manner to the satisfaction of the RE. ■ Storm water run-on shall be prevented from contacting stored solid waste through the use of berms, dikes, or other temporary diversion structures or through the use of measures to elevate waste from site surfaces. ■ Solid waste storage areas shall be located at least 15 m (50 ft) from drainage facilities and watercourses and shall not be located in areas prone to flooding or ponding. ■ Except during fair weather, construction and highway planting waste not stored in watertight dumpsters shall be securely covered from wind and rain by covering the waste with tarps or plastic sheeting or protected in conformance with the applicable Disturbed Soil Area protection section. ■ Dumpster washout on the project site is not allowed. ■ Notify trash hauling contractors that only watertight dumpsters are acceptable for use on-site. ■ Plan for more frequent pickup during the demolition phase of construction. ■ Construction waste shall be stored in a designated area approved by the RE. ■ Segregate potentially hazardous waste from non-hazardous construction site waste. ■ Keep the site clean of litter debris. ■ Make sure that toxic liquid wastes (e.g., used oils, solvents, and paints) and chemicals (e.g., acids, pesticides, additives, curing compounds) are not disposed of in dumpsters designated for construction debris. ■ Dispose of non-hazardous waste in accordance with Standard Specification 7-1.13, Disposal of Material Outside the Highway Right of Way. ■ For disposal of hazardous waste, see BMP WM-6, "Hazardous Waste Management." Have hazardous waste hauled to an appropriate disposal and/or recycling facility. ■ Salvage or recycle useful vegetation debris, packaging and/or surplus building materials when practical. For example, trees and shrubs from land clearing can be converted into wood chips, then used as mulch on graded areas. Wood pallets, cardboard boxes, and construction scraps can also be recycled.
Maintenance and Inspection	■ The WPCM shall monitor onsite solid waste storage and disposal procedures. ■ Police site for litter and debris.

Hazardous Waste Management

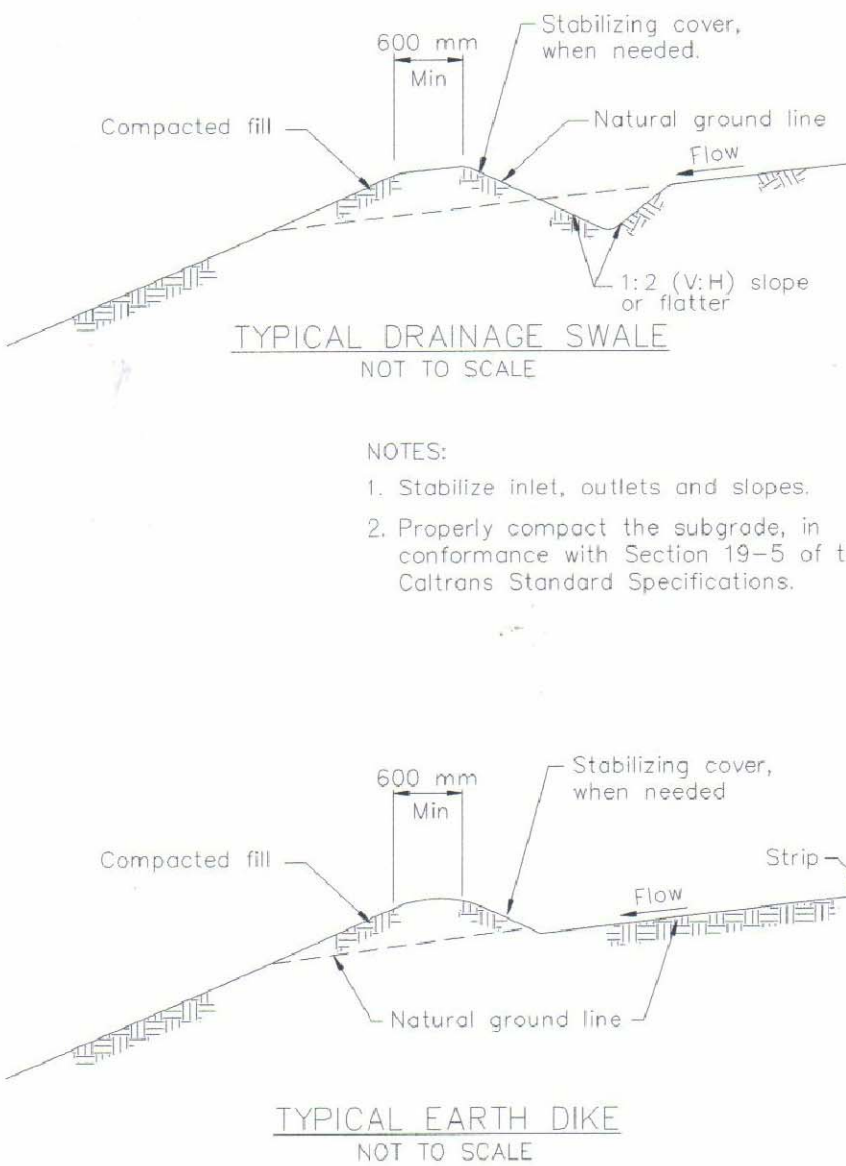
Definition and Purpose	These are procedures and practices to minimize or eliminate the discharge of pollutants from construction site hazardous waste to the storm drain systems or to watercourses.
Appropriate Applications	■ This best management practice (BMP) applies to all construction projects. ■ Hazardous waste management practices are implemented on construction projects that generate waste from the use of: – Petroleum Products, – Asphalt Products, – Concrete Curing Compounds, – Pesticides, – Acids, – Paints, – Stains, – Solvents, – Wood Preservatives, – Roofing Tar, or – Any materials deemed a hazardous waste in California, Title 22 Division 4.5, or listed in 40 CFR Parts 110, 117, 261, or 302.

Limitations	■ Nothing in this BMP relieves the Contractor from responsibility for compliance with federal, state, and local laws regarding storage, handling, transportation, and disposal of hazardous wastes. ■ This BMP does not cover aerially deposited lead (ADL) soils. For ADL soils refer to BMP WM-7, "Contaminated Soil Management," and the project special provisions.
Standards and Specifications	Education ■ Educate employees and subcontractors on hazardous waste storage and disposal procedures. ■ Educate employees and subcontractors on potential dangers to humans and the environment from hazardous wastes. ■ Instruct employees and subcontractors on safety procedures for common construction site hazardous wastes. ■ Instruct employees and subcontractors in identification of hazardous and solid waste. ■ Hold regular meetings to discuss and reinforce hazardous waste management procedures (incorporate into regular safety meetings). ■ The Contractor's Water Pollution Control Manager (WPCM) shall oversee and enforce proper hazardous waste management procedures and practices. ■ Make sure that hazardous waste is collected, removed, and disposed of only at authorized disposal areas. Storage Procedures ■ Wastes shall be stored in sealed containers constructed of a suitable material and shall be labeled as required by Title 22 CCR, Division 4.5 and 49 CFR Parts 172,173, 178, and 179. ■ All hazardous waste shall be stored, transported, and disposed as required in Title 22 CCR, Division 4.5 and 49 CFR 261-263. ■ Waste containers shall be stored in temporary containment facilities that shall comply with the following requirements: – Temporary containment facility shall provide for a spill containment volume able to contain precipitation from a 24-hour, 25 year storm event, plus the greater of 10% of the aggregate volume of all containers or 100% of the capacity of the largest tank within its boundary, whichever is greater. – Temporary containment facility shall be impervious to the materials stored there for a minimum contact time of 72 hours. – Temporary containment facilities shall be maintained free of accumulated rainwater and spills. In the event of spills or leaks accumulated rainwater and spills shall be placed into drums after each rainfall. These liquids shall be handled as a hazardous waste unless testing determines them to be non-hazardous. Non-hazardous liquids shall be sent to an approved disposal site. – Sufficient separation shall be provided between stored containers to allow for spill cleanup and emergency response access. – Incompatible materials, such as chlorine and ammonia, shall not be stored in the same temporary containment facility. – Throughout the rainy season, temporary containment facilities shall be covered during non-working days, and prior to rain events. Covered facilities may include use of plastic tarps for small facilities or constructed roofs with overhangs. A storage facility having a solid cover and sides is preferred to a temporary tarp. Storage facilities shall be equipped with adequate ventilation. ■ Drums shall not be overfilled and wastes shall not be mixed. ■ Unless watertight, containers of dry waste shall be stored on pallets. ■ Paint brushes and equipment for water and oil based paints shall be cleaned within a contained area and shall not be allowed to contaminate site soils, watercourses or drainage systems. Waste paints, thinners, solvents, residues, and sludges that cannot be recycled or reused shall be disposed of as hazardous waste. When thoroughly dry, latex paint and paint cans, used brushes, rags, absorbent materials, and drop cloths shall be disposed of as solid waste. ■ Ensure that adequate hazardous waste storage volume is available. ■ Ensure that hazardous waste collection containers are conveniently located. ■ Designate hazardous waste storage areas on site away from storm drains or watercourses and away from moving vehicles and equipment to prevent accidental spills. ■ Minimize production or generation of hazardous materials and hazardous waste on the job site. ■ Use containment berms in fueling and maintenance areas and where the potential for spills is high. ■ Segregate potentially hazardous waste from non-hazardous construction site debris. ■ Keep liquid or semi-liquid hazardous waste in appropriate containers (closed drums or similar) and under cover. ■ Clearly label all hazardous waste containers with the waste being stored and the date of accumulation. ■ Place hazardous waste containers in secondary containment. ■ Do not allow potentially hazardous waste materials to accumulate on the ground. ■ Do not mix wastes. Disposal Procedures ■ Waste shall be disposed of outside the highway right-of-way within 90 days of being generated, or as directed by the Resident Engineer (RE). In no case shall hazardous waste storage exceed requirements in Title 22 CCR, Section 66262.34. ■ Waste shall be disposed of by a licensed hazardous waste transporter at an authorized and licensed disposal facility or recycling facility utilizing properly completed Uniform Hazardous Waste Manifest forms. ■ A Department of Health Services (DHS) certified laboratory shall sample waste and classify it to determine the appropriate disposal facility. ■ Make sure that toxic liquid wastes (e.g., used oils, solvents, and paints) and chemicals (e.g., acids, pesticides, additives, curing compounds) are not disposed of in dumpsters designated for solid waste construction debris. ■ Properly dispose of rainwater in secondary containment that may have mixed with hazardous waste. ■ Recycle any useful material such as used oil or water-based paint when practical. ■ Attention is directed to "Hazardous Material", "Contaminated Material", and "Aerially Deposited Lead" of the contract documents regarding the handling and disposal of hazardous materials.
Maintenance and Inspection	■ A foreman and/or construction supervisor shall monitor on-site hazardous waste storage and disposal procedures. ■ Waste storage areas shall be kept clean, well organized, and equipped with ample clean-up supplies as appropriate for the materials being stored. ■ Storage areas shall be inspected in conformance with the provisions in the contract documents. ■ Perimeter controls, containment structures, covers, and liners shall be repaired or replaced as needed to maintain proper function. ■ Hazardous spills shall be cleaned up and reported in conformance with the applicable Material Safety Data Sheet (MSDS) and the instructions posted at the project site. ■ The National Response Center, at (800) 424-8802, shall be notified of spills of Federal reportable quantities in conformance with the requirements in 40 CFR parts 110, 117, and 302. ■ Copy of the hazardous waste manifests shall be provided to the RE.

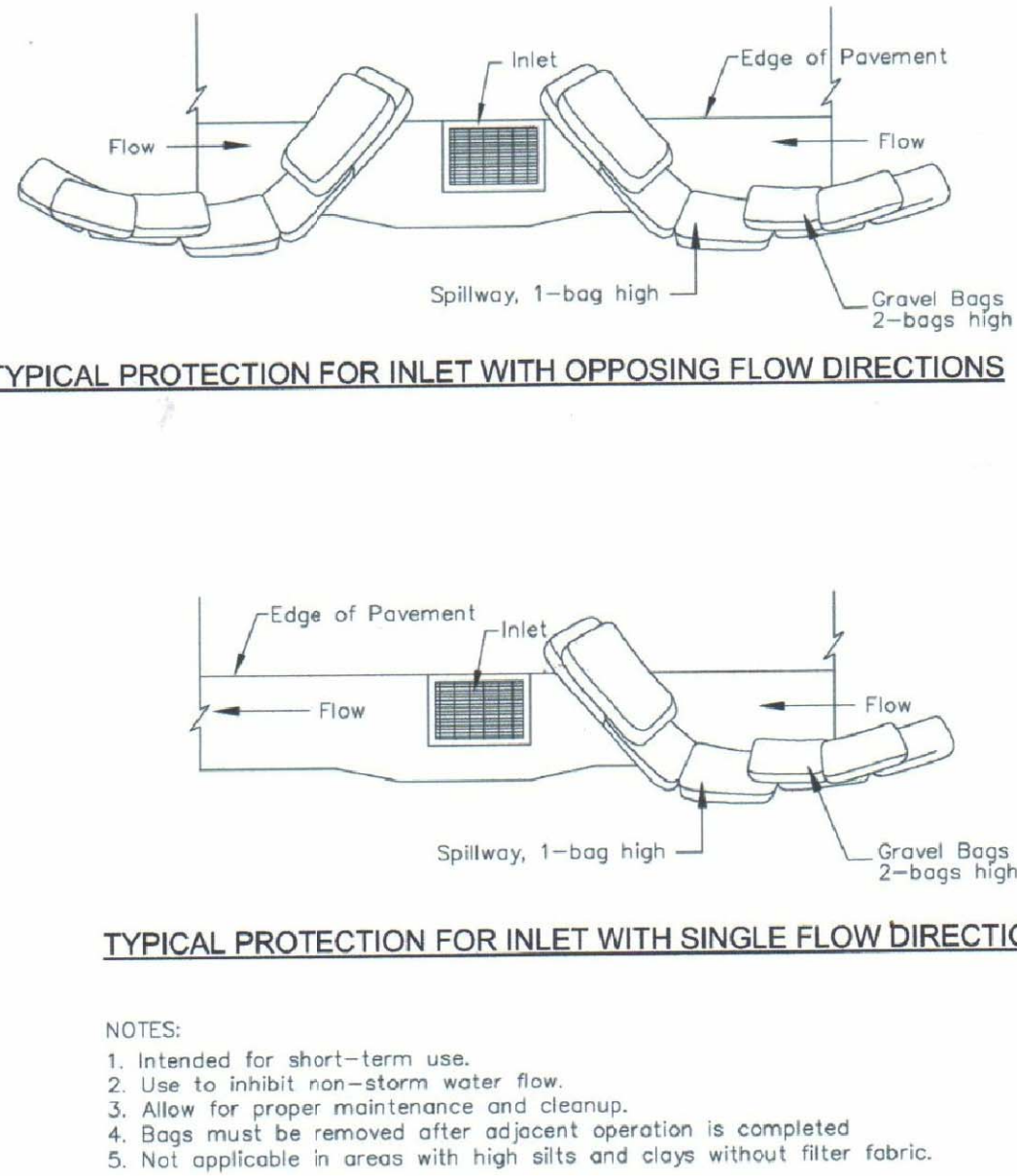
Stabilized Construction Entrance/Exit TC-1



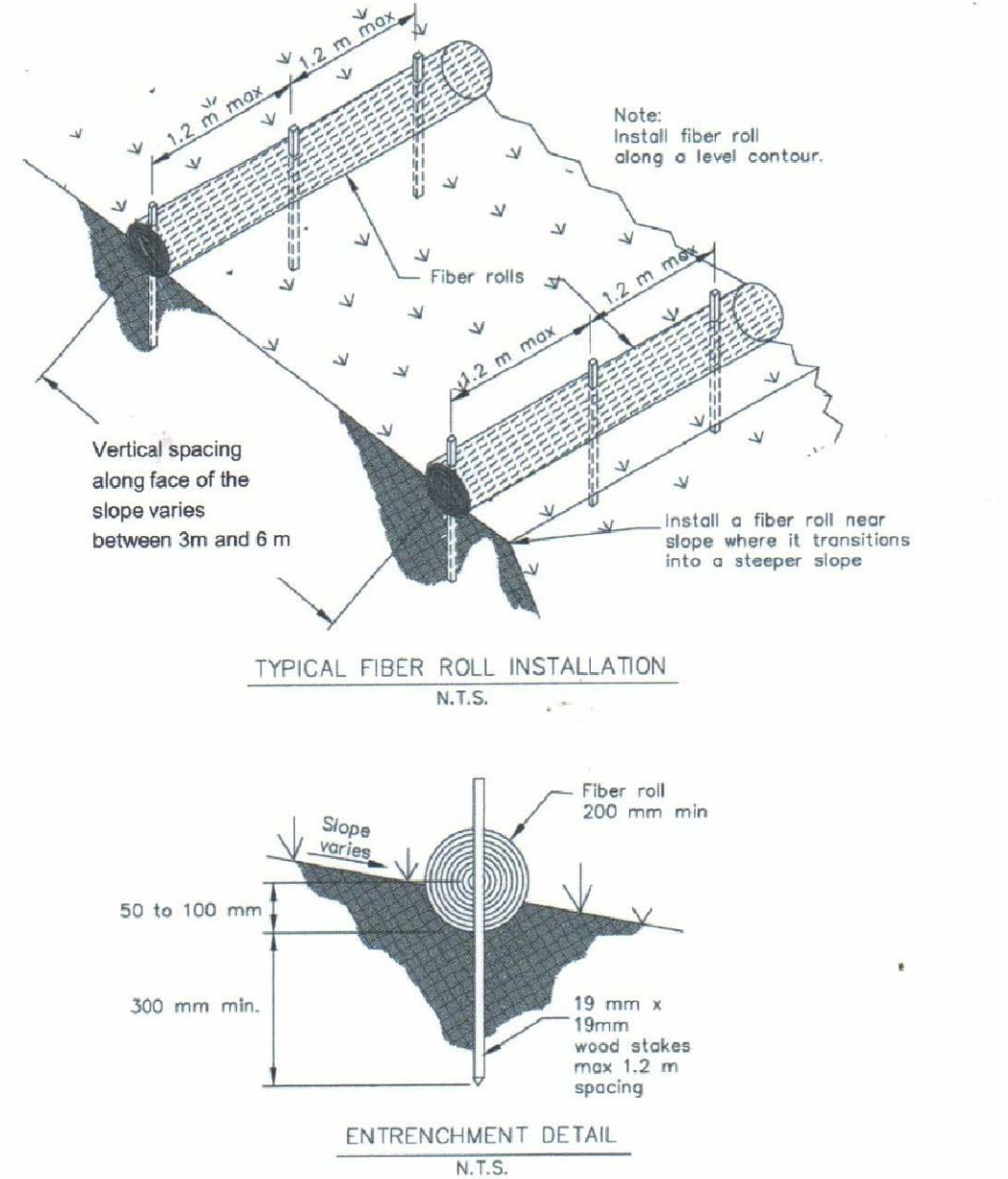
Earth Dikes/Drainage Swailes and Lined Ditches SS-9



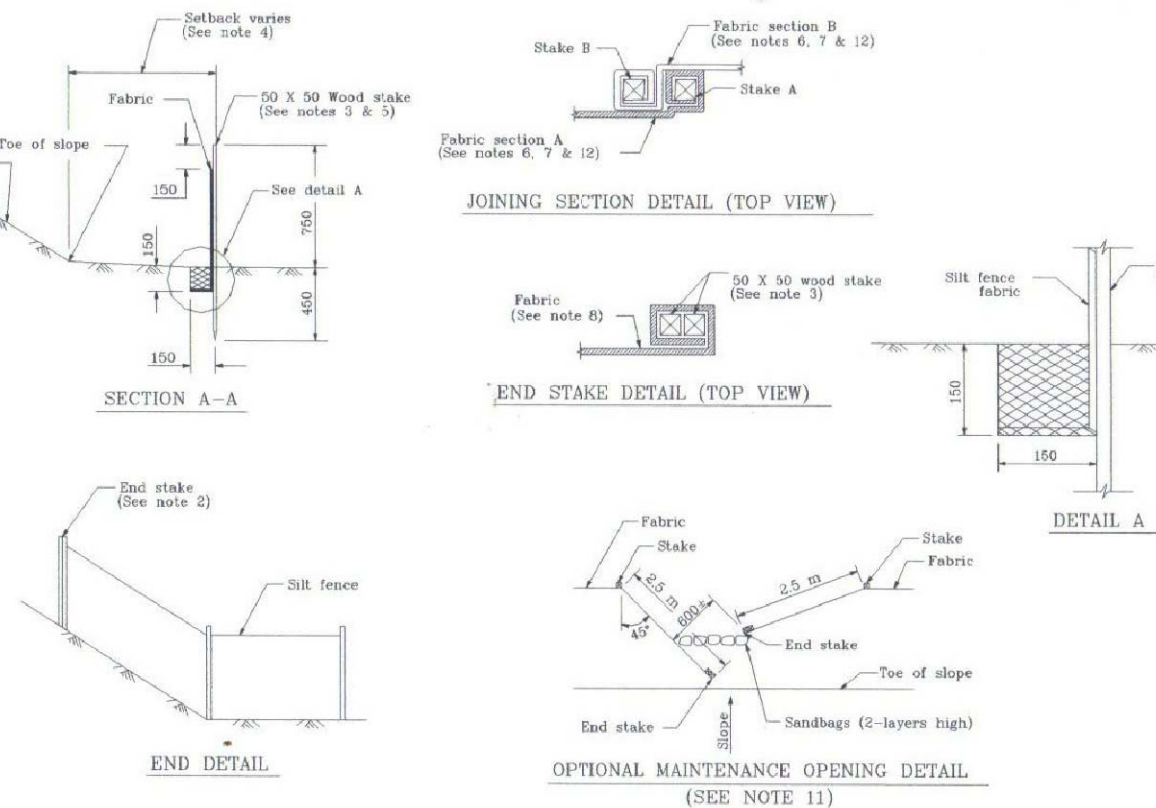
Storm Drain Inlet Protection SC-10



Fiber Rolls SC-5



Silt Fence SC-1



PLAN PREPARED BY:
JF Construction Company
560 First Street, Suite 104
Lake Oswego, Oregon 97034
503-675-5925

CONSULTING
CIVIL ENGINEERING & SURVEYING
LAND PLANNING & DESIGN
560 FIRST STREET, SUITE 104
LAKE OSWEGO, OR 97034
(503) 675-3925

DATE: _____

SEASIDE SENIOR LIVING
550 MONTEREY ROAD, SEASIDE, CA 93955

SEASIDE SENIOR LIVING, LLC
560 First Street, Suite 104
Lake Oswego, Oregon 97034
503-675-5925

APN: 031-141-004

USE PERMIT # 14-05
BAR PERMIT # 14-20

DATE:	REVISION
11/28/14	REVISED SUBMISSION
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PLAN PREPARED BY:
SEASIDE SENIOR LIVING, LLC
560 First Street, Suite 104
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503-675-5925

SHEET
C4
OF 8 SHEETS

PACKET PAGE 373

EARTHWORK QUANTITY ESTIMATE

CUT: 7,600 C.Y.
FILL: 6,400 C.Y.

QUANTITY DISCLAIMER

THE ABOVE QUANTITIES DO NOT REFLECT ANY SHRINKAGE, SWELLING, SUBSIDENCE, OVER-EXCAVATION OR ANY SPECIAL CONDITIONS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT, AND ARE FOR REFERENCE AND FEE PURPOSES ONLY. SINCE THE ENGINEER CAN NOT CONTROL THE EXACT METHOD OR MEANS USED BY THE CONTRACTOR DURING GRADING OPERATIONS, NOR CAN THE ENGINEER GUARANTEE THE EXACT SOIL CONDITION OVER THE ENTIRE SITE, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR FINAL EARTHWORK QUANTITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING HIS OWN EARTHWORK QUANTITIES FOR BIDDING, CONTRACT, AND CONSTRUCTION PURPOSES. IF IT APPEARS THERE WILL BE AN EXCESS OR SHORTAGE OF MATERIAL, THE CONTRACTOR MAY NOTIFY THE ENGINEER TO DETERMINE IF POSSIBLE GRADE ADJUSTMENTS CAN BE MADE TO ALLEVIATE SAID MATERIAL EXCESS OR SHORTAGE.

LINE LEGEND

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	UTILITY POLE
	WATER METER
	WATER VALVE

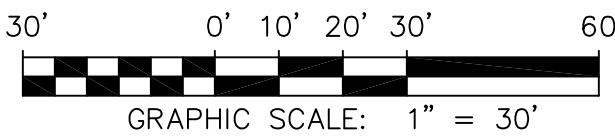
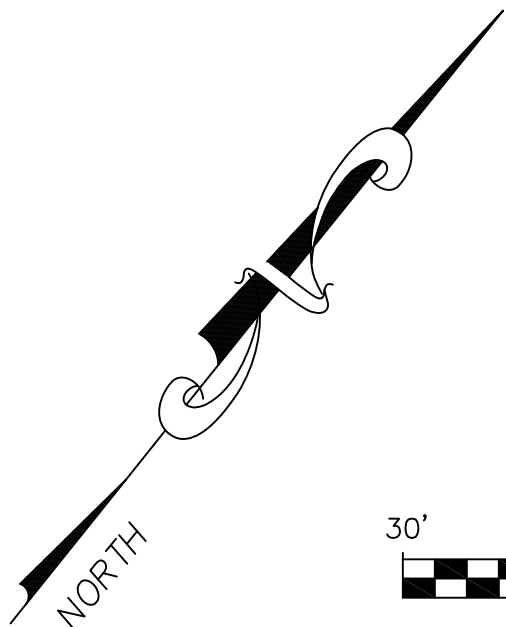
ABBREVIATIONS

C	CYPRESS TREE
ELECT	ELECTRICAL
EUC	EUCALYPTUS
INV	INVERT
PED	PEDESTAL
P	PINE TREE
TEL	TELEPHONE
T	TREE
	ASPHALT/CONCRETE
	CONCRETE

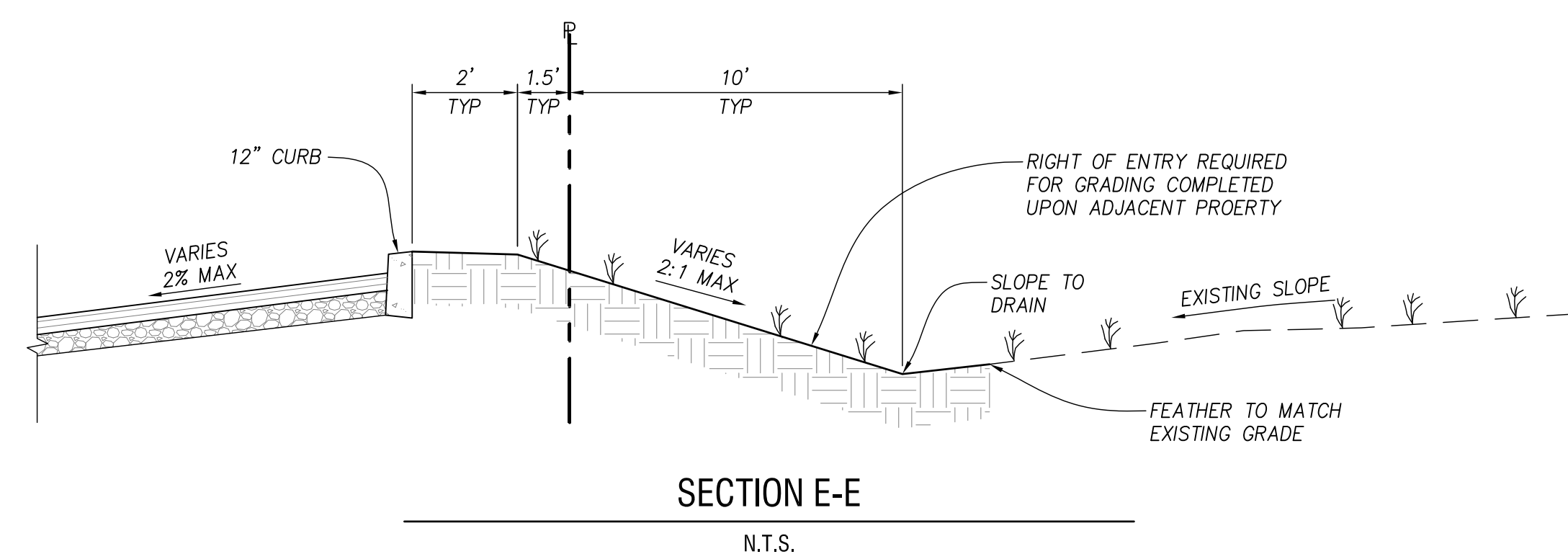
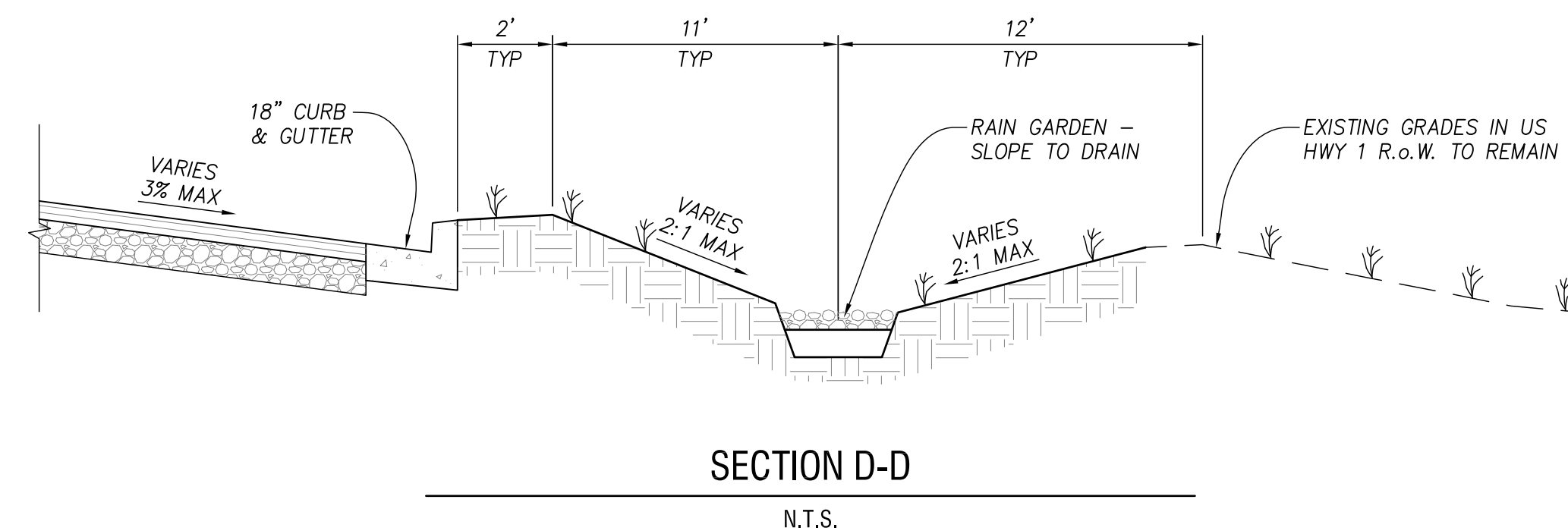
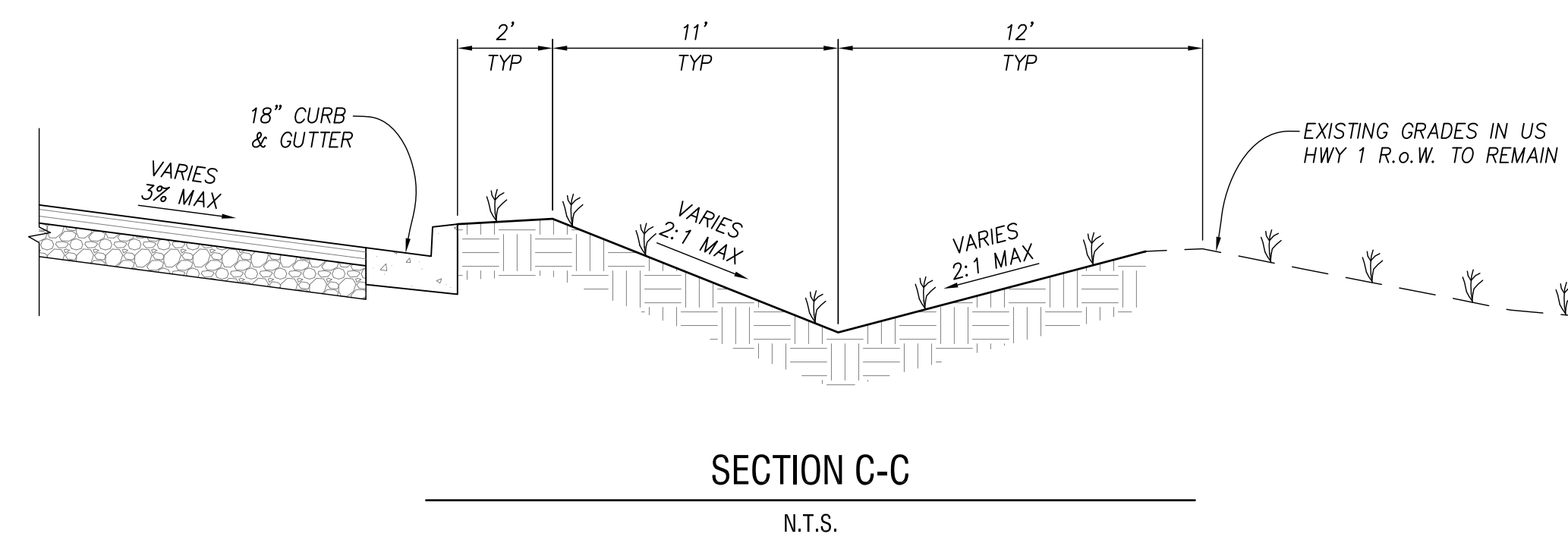
STATE HIGHWAY ONE

COE AVENUE

MONTEREY ROAD



DATE:	REVISION
11/28/14	REVISED SUBMISSION
06/25/15	REVISED SUBMISSION
01/04/16	REVISED SUBMISSION



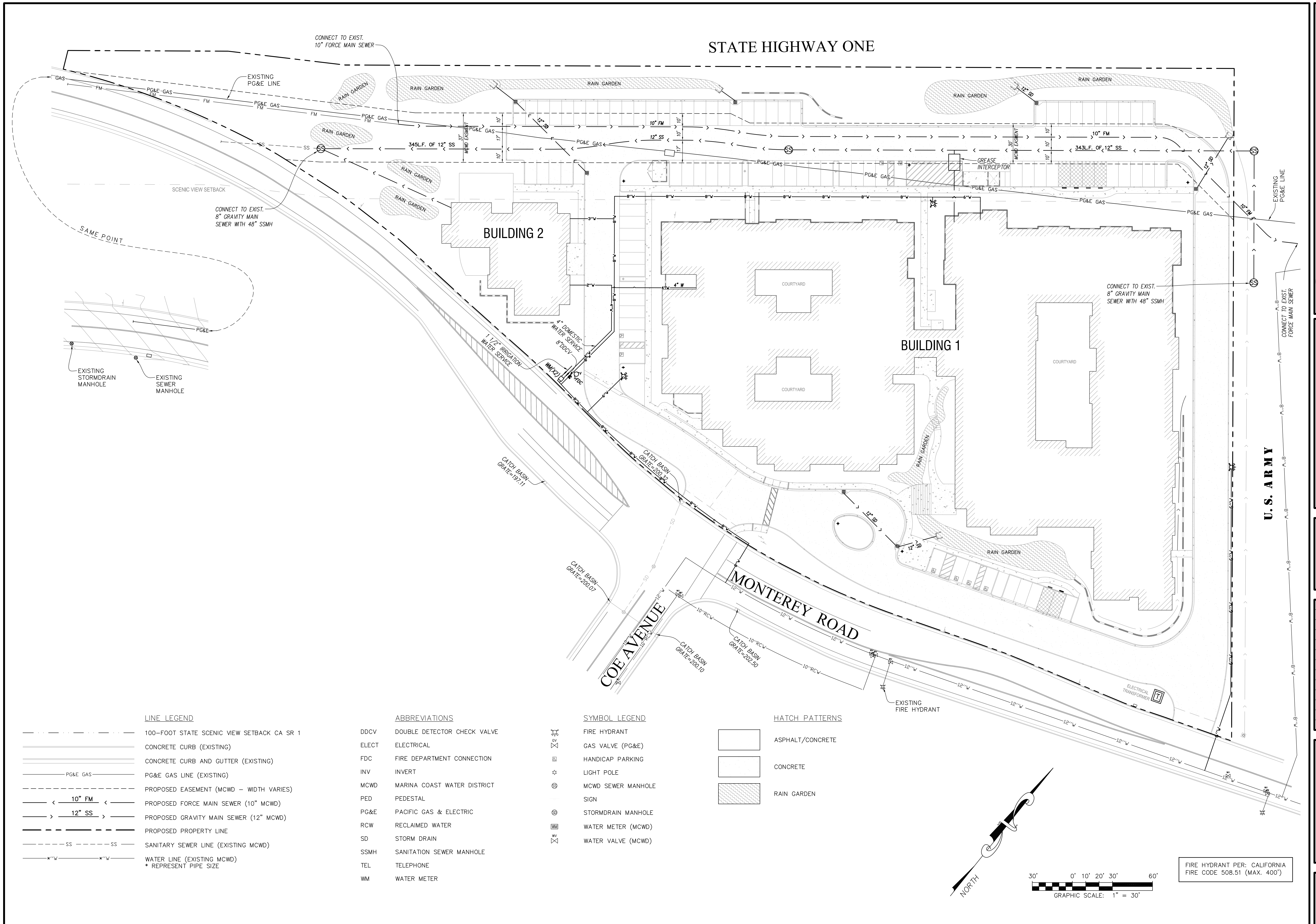
- ALL GRADING SHALL CONFORM TO THE REQUIREMENTS OF THE GRADING ORDINANCE SECTIONS 87.101 THROUGH 87.804 OF THE MONTEREY COUNTY CODE OF REGULATORY ORDINANCES.
2. A REGISTERED CIVIL ENGINEER IS REQUIRED TO SUPERVISE INSTALLATION OF THE FILL KEYWAY AND ALL FILL BENCHING AND COMPACTION. A SOILS REPORT WITH COMPACTION TESTS IS REQUIRED FOR ALL FILL THAT IS OVER 12" IN DEPTH, DPLU FORM #73, MINOR GRADING CERTIFICATION, AND THREE (3) COPIES OF THE COMPACTION REPORT COMPLETED BY A SOILS ENGINEER SHALL BE SUBMITTED PRIOR TO ROUGH GRADE APPROVAL.
3. ALL FILL MATERIAL SHALL BE COMPACTED AS NOTED.
4. NATURAL DRAINAGE SHALL NOT BE DIVERTED OR CONCENTRATED ONTO ADJACENT PROPERTY.
5. MAINTAIN 1% (MINIMUM) SLOPE AWAY FROM ALL BUILDINGS FOR AT LEAST 5'.
6. ALL GRADING DETAILS SHALL BE IN CONFORMANCE WITH THE FOLLOWING MONTEREY COUNTY DESIGN STANDARDS OR REGIONAL STANDARD DRAWINGS:
 - A. LOT GRADING
 - B. GRADING OF SLOPES
 - C. REQUIRED SETBACKS
 - D. RIP RAP ENERGY DISSIPATER
 - F. DEBRIS FENCE
 - G. FENCING CUT BANKS
7. BERMS SHALL BE REQUIRED AT THE TOP OF ALL FILL SLOPES AND SWALES OR BROW DITCHES SHALL BE REQUIRED AT THE TOP OF ALL CUT SLOPES. ALL BERMS, SWALES, OR BROW DITCHES SHALL CONFORM TO THE DESIGN STANDARDS OR REGIONAL STANDARD DRAWINGS LISTED ABOVE.
8. REGARDLESS OF WHICH BMP'S ARE IMPLEMENTED THE FACE OF ALL CUT AND FILL SLOPES IN EXCESS OF 3' VERTICAL HEIGHT SHALL BE PLANTED AND MAINTAINED WITH A GROUND COVER OR OTHER PLANTING TO PROTECT THE SLOPES AGAINST EROSION AND INSTABILITY. PLANTING SHALL COMMENCE AS SOON AS SLOPES ARE COMPLETED. ALL PLANTING MUST HAVE A PERMANENTLY INSTALLED IRRIGATION SYSTEM.
9. REQUIRED SLOPE RATIOS ARE AS FOLLOWS:
 - A. CUTS - 1.5:1 FOR MINOR SLOPES (UP TO 15' VERTICAL HEIGHT)
 - B. CUTS - 2:1 FOR MAJOR SLOPES (OVER 15' VERTICAL HEIGHT)
 - C. FILLS - 2:1 (MAXIMUM) FOR ALL FILL SLOPES
10. NOTWITHSTANDING THE MINIMUM STANDARDS SET FORTH IN THE GRADING ORDINANCE AND NOTWITHSTANDING THE APPROVAL OF THESE GRADING PLANS, THE OWNER AND PERMITEE ARE RESPONSIBLE FOR THE PREVENTION OF DAMAGE TO ADJACENT PROPERTIES. NO PERSON SHALL EXCAVATE SO CLOSE TO THE PROPERTY LINE AS TO ENDANGER ANY ADJOINING PUBLIC STREET OR SIDEWALK, OR THE FUNCTION OF ANY SEWAGE DISPOSAL SYSTEM OR ANY OTHER PUBLIC OR PRIVATE PROPERTY.
11. THE DIRECTOR OF PLANNING AND LAND USE MAY IMPOSE CONDITIONS THAT ARE REASONABLY NECESSARY TO PREVENT THE CREATION OF A NUISANCE OR HAZARD TO PERSONS OR TO PUBLIC OR PRIVATE PROPERTY. THE DIRECTOR MAY ALSO MODIFY OR ADD CONDITIONS TO ANY VALID GRADING PERMIT WHEN SUCH MODIFICATIONS OR ADDITIONS ARE REASONABLY NECESSARY TO PREVENT THE CREATION OF A NUISANCE OR HAZARD TO PERSONS OR TO PUBLIC OR PRIVATE PROPERTY. SUCH CONDITIONS MAY INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:
 - A. IMPROVEMENT OF EXISTING GRADING TO CONFORM WITH THE GRADING ORDINANCE, AND;
 - B. REQUIREMENTS FOR FENCING OF EXCAVATIONS OR FILLS THAT WOULD OTHERWISE BE HAZARDOUS, AND;
 - C. ADEQUATE DUST CONTROL MEASURES.
12. ALL OPERATIONS CONDUCTED ON THE PREMISES, INCLUDING THE WARMING UP, REPAIR, ARRIVAL, DEPARTURE OR RUNNING OF TRUCKS, EARTH MOVING EQUIPMENT, CONSTRUCTION EQUIPMENT OR ANY OTHER ASSOCIATED GRADING EQUIPMENT SHALL BE LIMITED TO THE PERIOD BETWEEN 7:00AM AND 6:00PM MONDAY THROUGH SATURDAY. NO EARTH MOVING OR GRADING SHALL BE CONDUCTED ON SUNDAYS OR HOLIDAYS.
13. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK. NOTICE OF THE PROPOSED WORK SHALL BE PROVIDED TO THE FOLLOWING AGENCIES:
 - A. GAS AND ELECTRIC - PACIFIC GAS & ELECTRIC (831) 648-3231
 - B. TELEPHONE - AT&T (855) 637-2527
 - C. CABLE TV - COMCAST (800) 945-2288
 - D. WATER UTILITY - MARINA COAST WATER DISTRICT (831) 384-6131
 - E. SEWER UTILITY - SEASIDE COUNTY SANITATION DISTRICT (831) 899-6825
14. APPROVAL OF THESE PLANS BY THE DIRECTOR OF PLANNING AND LAND USE DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL THE PROPERTY OWNER'S PERMISSION IS OBTAINED, RIGHT TO ENTRY FORM COMPLETED AND VALID GRADING PERMIT ISSUED.
15. THE ISSUANCE OF A GRADING PERMIT SHALL CONSTITUTE AN AUTHORIZATION TO PERFORM ONLY THAT WORK WHICH IS DESCRIBED OR SHOWN ON THE GRADING PERMIT APPLICATION AND APPROVED GRADING PLANS. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ANY CONDITIONS IMPOSED BY THE DIRECTOR OF PLANNING AND LAND USE AND IN ACCORDANCE WITH THE GRADING ORDINANCE.
16. THE GRADING FOR THE SITE SHALL INCLUDE THE CLEARING AND GRUBBING FOR A 238,502 SQ.FT. AREA.
17. THE BASIS OF EXISTING CONTOURS WAS PROVIDED IN A DIGITAL TERRAIN MODEL (DTM) BASED ON AN ASSUMED ELEVATION OF 201.12' FOR A 2 1/2" BRASS DISK BENCHMARK LOCATED IN THE PAVEMENT AT THE INTERSECTION OF MONTEREY ROAD AND COE AVENUE. THE DTM WAS CREATED IN CONJUNCTION WITH AN TOPOGRAPHICAL SURVEY AT 20-SCALE WITH 1 FOOT CONTOUR INTERVALS PERFORMED SEPTEMBER 2014.
18. AREAS DESIGNATED AS "SPECIAL FUEL MOD ZONE" ARE TO BE CLEARED OF EXISTING VEGETATION, THEN COVERED WITH LANDSCAPING FABRIC AND WEIGHTED DOWN USING AS SURFACING MATERIAL OF CRUSHED STONE.
19. EARTHWORK QUANTITIES:
 - CUT: 7,600 CUBIC YARDS
 - FILL: 6,400 CUBIC YARDS

THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN VALID GRADING PERMISSION BEFORE COMMENCING SUCH ACTIVITY.

1. DURING THE RAINY SEASON FROM OCTOBER 1ST TO APRIL 30TH THE AMOUNT OF EXPOSED SOIL ALLOWED AT ONE TIME SHALL NOT EXCEED THAT WHICH CAN BE ADEQUATELY PROTECTED WITHIN 48 HOURS OF A PREDICTED RAIN.
2. 125% OF ALL NEEDED BMP MATERIALS SHALL BE STORED ONSITE YEAR-ROUND TO ALLOW FULL DEPLOYMENT AND INSTALLATION WITHIN 48 HOURS OF A PREDICTED RAIN.
3. THE PROPERTY OWNER SHALL COMPLY WITH ALL APPLICABLE STORMWATER REGULATIONS AT ALL TIMES. THE BMPs THAT HAVE BEEN INCORPORATED INTO THIS PLAN SHALL BE IMPLEMENTED AND MAINTAINED TO PREVENT ONSITE EROSION AND TO PREVENT DISCHARGES OF POLLUTANTS FROM LEAVING THE SITE. MAINTENANCE OF BMPs IS THE RESPONSIBILITY OF THE PROPERTY OWNER AND FAILURE TO PROPERLY INSTALL OR MAINTAIN THE BMPs MAY RESULT IN ENFORCEMENT ACTION BY THE COUNTY OF MONTEREY OR OTHERS. IF INSTALLED BMPs FAIL, THEY MUST BE REPAIRED OR REPLACED WITH AN ACCEPTABLE ALTERNATE AS SOON AS IT IS SAFE TO DO SO.
4. PERIMETER SEDIMENT CONTROL BMPs SHALL BE INSTALLED IMMEDIATELY AFTER THE AREA TO BE GRADED IS BRUSHED OR CLEARED, BUT PRIOR TO THE START OF GRADING OPERATIONS.
5. EROSION CONTROL BMPs USED FOR SLOPE STABILIZATION SHALL BE INSTALLED AS SOON AS THE FINISHED SLOPES ARE COMPLETE.
6. A PERIMETER BMP INSPECTION IS REQUIRED ON THE FIRST DAY OF GRADING
7. WHERE AN EXISTING STORMWATER CONVEYANCE CROSSES OVER A PLANNED SECONDARY SERVICE ROAD, THE ROAD SHALL BE GRADED AND MAINTAINED AS A FORD.
8. RIP RAP SHALL BE PLACED AT ALL LOCATIONS WHERE ONE DRAINAGE FEATURE (SUCH AS A DITCH OR A SWALE) DRAINS INTO A LARGER DRAINAGE FEATURE.
9. DIP SECTIONS SHALL BE COMPOSED OF 6" OF REINFORCED STRUCTURAL CONCRETE SLABS, WHICH SHALL BE DESIGNED TO WITHSTAND AND CONVEY HUNDRED (100) YEAR FREQUENCY STORM.
10. ALL SURFACES THAT ARE NOT IMPROVED ROADS SHOULD BE SEEDED AND REVEGETATED WITH DROUGHT TOLERANT PLANTS.

1. THE MINIMUM PIPE RISER SHALL BE A 30" CORRUGATED STEEL PIPE (CSP), 14 GA., OR AN ALTERNATE APPROVED BY THE ENGINEER. RISER TO HAVE A CROSS-SECTIONAL AREA AT LEAST 1.5 TIMES THE CROSS-SECTIONAL AREA OF THE HORIZONTAL DRAIN PIPE.
2. THE MINIMUM DRAIN PIPE SHALL BE A 12" CSP, 14GA., OR AN ALTERNATE APPROVED BY THE ENGINEER.
3. THE UPPERMOST ELEVATION OF THE RISER SHALL BE SUCH THAT FULL FLOW WILL BE GENERATED BEFORE THERE IS DISCHARGE OVER THE EMERGENCY SPILLWAY AND AT LEAST ONE FOOT BELOW THE TOPE OF THE EMERGENCY SPILLWAY.
4. THE RISER SHALL BE PERFORATED WITH 1/2" X 12" (MAX.) SLOTS OR 1/2" TO 1-1/2" DIAMETER HOLES, 10 TO 12 INCHES ON CENTER AND STAGGERED. HOLES CUT WITH A WELDING TORCH ARE ACCEPTABLE. THE SMALL HOLES SHALL BE USED ON THE LOWER PORTION OF THE RISER.
5. THE DRAIN PIPE SHALL BE PLACED ON A FIRM FOUNDATION.
6. THE RISER SHALL HAVE A BASE ATTACHED WITH A WATERTIGHT CONNECTION AND SHALL HAVE SUFFICIENT WEIGHT TO PREVENT FLOTATION OF THE RISER. TWO RECOMMENDED METHODS ARE:
 - C. A SQUARE CONCRETE BASE 18 INCHES THICK WITH THE RISER EMBEDDED SIX INCHES INTO THE BASE. EACH SIDE OF THE BASE WILL BE ONE DIAMETER OF THE RISER PLUS 24 INCHES.
 - B. A 1/4 INCH MINIMUM THICKNESS STEEL PLATE WELDED ALL AROUND THE BASE OF THE RISER TO FORM A WATERTIGHT CONNECTION. THE PLATE SHALL BE SQUARE WITH EACH SIDE EQUAL TO TWO TIMES THE RISER DIAMETER. THE PLATE SHALL HAVE TWO FEET OF STONE, GRAVEL, OR TAMPED EARTH PLACED ON IT TO PREVENT FLOTATION.
7. A GRATE CONSISTING OF #4 REBAR, 6 INCHES ON CENTER SHALL BE WELDED TO THE TOP OF THE RISER.





DATE	ISSUANCE OR REVISION
02/15/2014	ISSUE ARCHITECT'S REPORT
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01/04/2016	PLANNING SUBMITTAL
02/02/2016	NOISE MITIGATION REDESIGN
02/25/2016	IS/ MND SUBMITTAL

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SHEET CONTENTS
SITE PLAN

PROJECT No: 9714

SHEET

A1.1

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LATEST REVISION

LEGEND

(E) STREET LAMP

PARKING LIGHT FIXTURE

DESIGNATED PARKING FOR LOW-EMITTING & FUEL EFFICIENT VEHICLE AND ELECTRIC VEHICLES CHARGING STATIONS

ELECTRICAL TRANSFORMER

LIGHT BOLLARDS

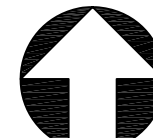
BICYCLE PARKING

MONUMENT SIGN

S I T E P L A N



NORTH



PROJECT NORTH

Scale: 1/32"=1'-0"



DATE	ISSUANCE OR REVISION
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05/04/2015	REVISED SUBMISSION
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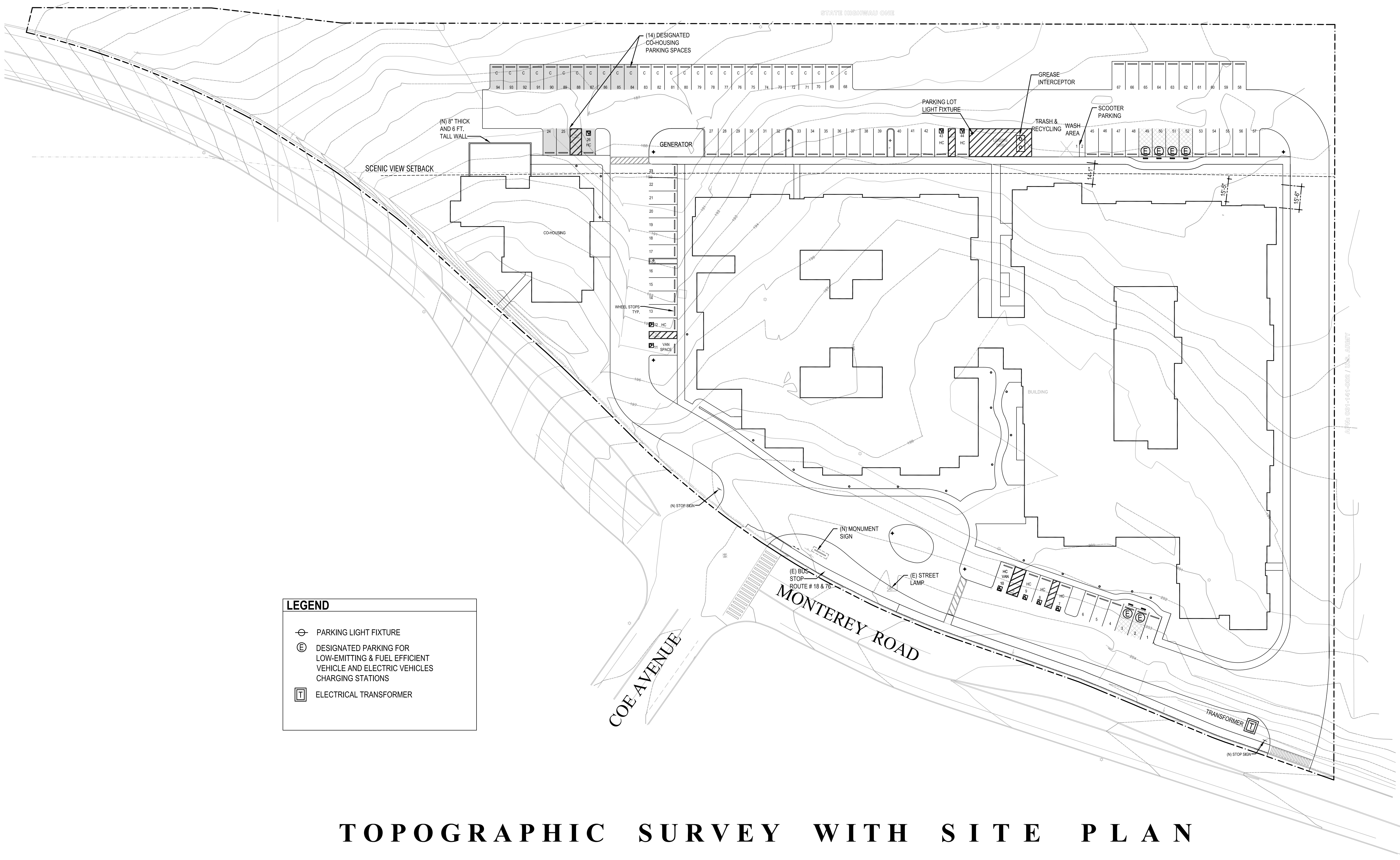
SHEET CONTENTS
BUILDING FOOTPRINT
w/ TOPOGRAPHY

PROJECT No: 9714

SHEET

A1.2

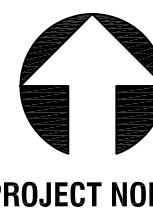
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TOPOGRAPHIC SURVEY WITH SITE PLAN



NORTH



PROJECT NORTH

Scale: 1/32"=1'-0"

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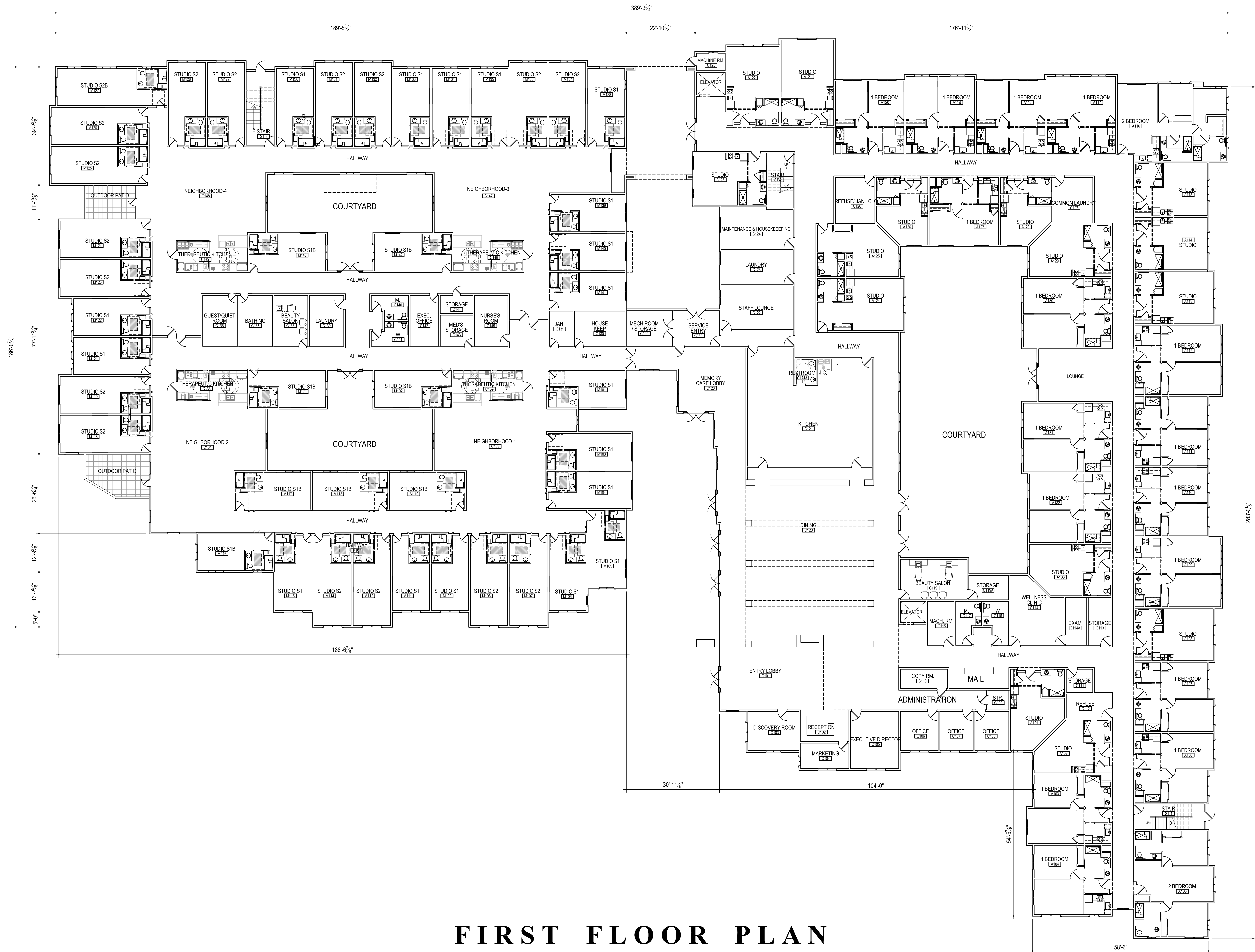
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SHEET

A2.1

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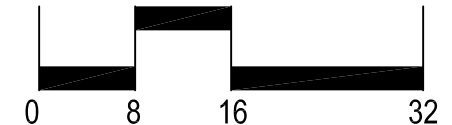


NORTH



PROJECT NORTH

Scale: 1/16"=1'-0"



FIRST FLOOR PLAN

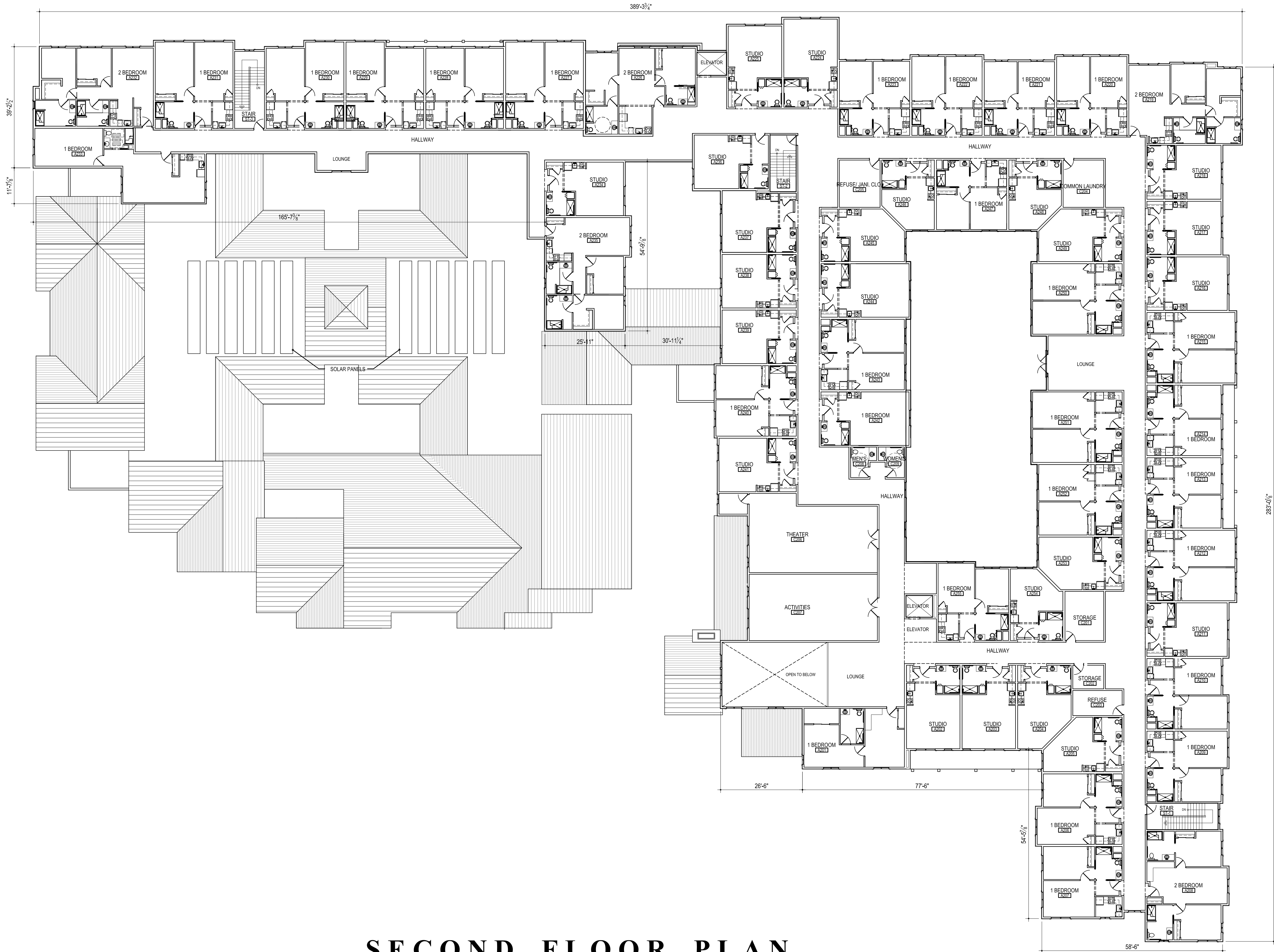
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SECOND FLOOR PLAN

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SECOND FLOOR PLAN



NORTH



PROJECT NORTH

Scale: 1/16"=1'-0"

0 8 16 32



SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD
SEASIDE, CA 93955

APN: 031-141-004

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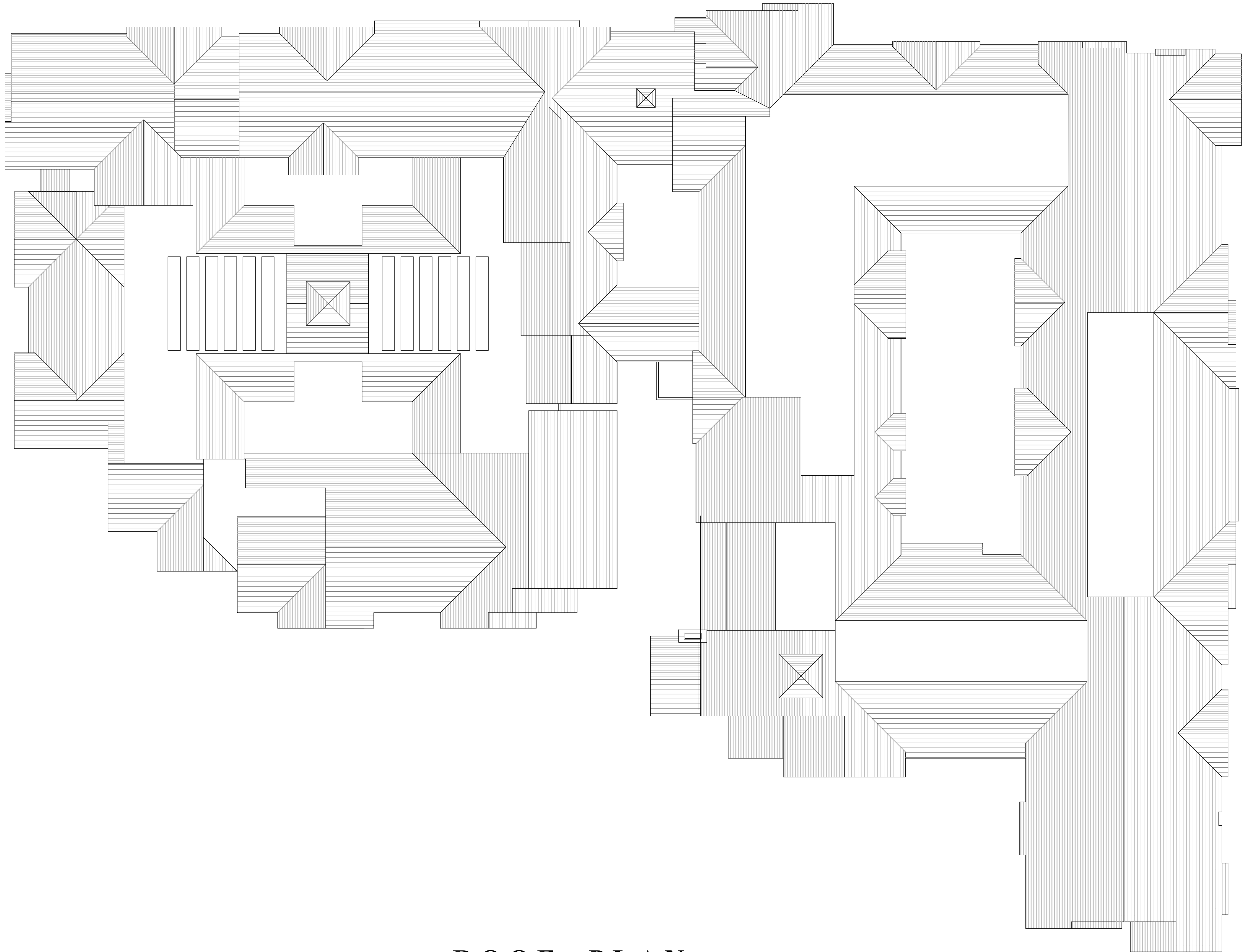
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ROOF PLAN

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SHEET

A2.3

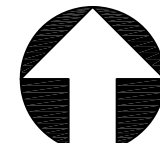
OF ALL SHEETS
LATEST REVISION



ROOF PLAN

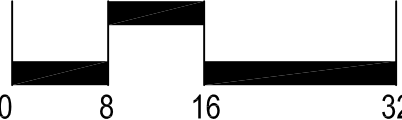


NORTH



PROJECT NORTH

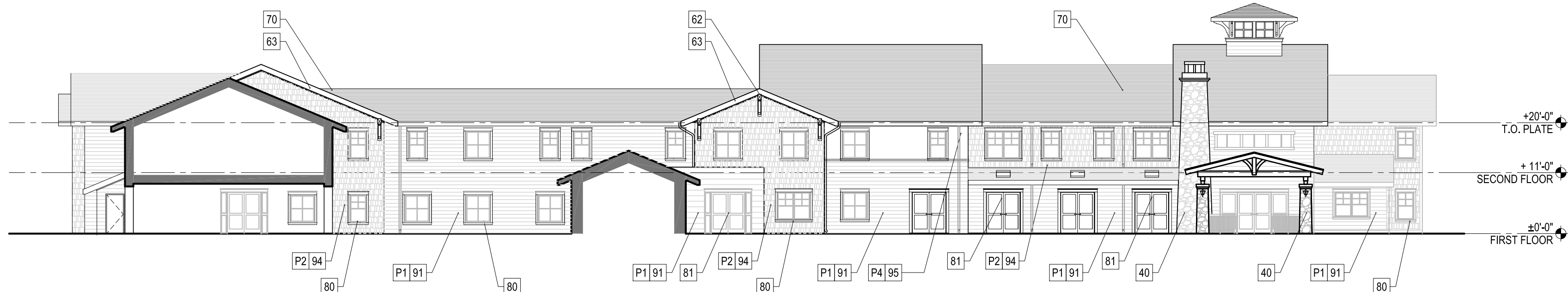
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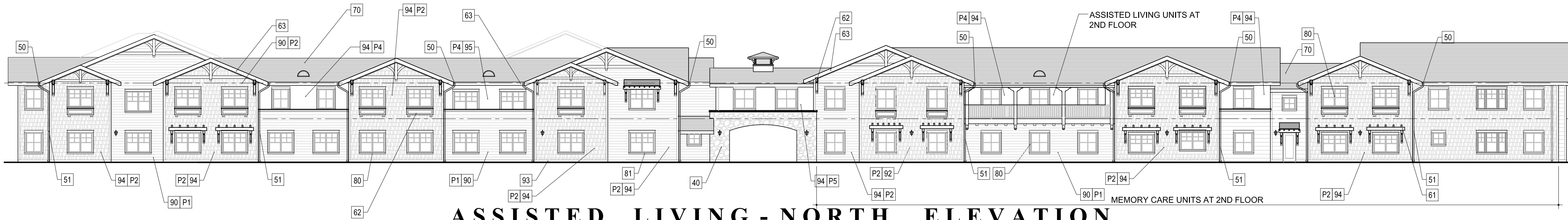
EXTERIOR ELEVATION KEYNOTES

- MASONRY
- 40 STONE MASONRY
- 41 FLAGSTONE PIER CAP
- METALS
- 50 GALVANIZED SHEET METAL HALF-ROUND (5" DIA) GUTTER (PREFINISHED) 'BRONZE'
- 51 GALVANIZED SHEET METAL DOWNSPOUT (5" DIA) (PREFINISHED) 'BRONZE'
- 52 PREFABRICATED DECORATIVE PREFINISHED CHIMNEY CAP ('CHIMNEY KING' #54 HACIENDA)
- WOODS & PLASTICS
- 60 LARGE-SECTION WOOD TRELLIS/BREAM MEMBERS (END PROFILE WHERE INDICATED)(STAIN FINISH) -
- 61 DECORATIVE WOOD LATTICE -
- 62 WOOD CORBEL @ ROOF GABLES & FLOWER BOXES -
- 63 WOOD FASCIA -
- THERMAL & MOISTURE PROTECTION
- 70 ROOF: ASPHALT SHINGLE
- CERTAINTED LMP 'WEATHERED WOOD'
- DOORS & WINDOWS
- 80 'JELDWEN' PREMIUM VINYL WINDOWS (PER WINDOW SCHEDULE)
- 81 'JELDWEN' ALUMINUM CLAD WOOD FRENCH DOORS & LITES
- 82 PREFINISHED ALUMINUM VENTILATION OR MECHANICAL LOUVER (SEE MECHANICAL DRAWINGS FOR OTHER LOCATIONS THAT MIGHT NOT OTHERWISE BE REPRESENTED)
- PAINT
- P1 PAINT - TYPE 1
- P2 PAINT - TYPE 2
- P3 PAINT - TYPE 3
- P4 PAINT - TYPE 4
- P5 PAINT - TYPE 5

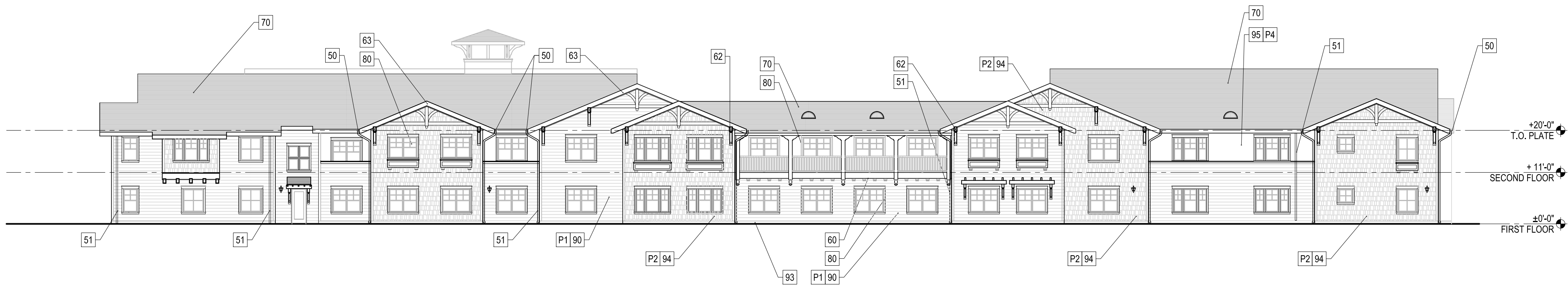
- FINISHES
- 90 CEMENTITIOUS HORIZONTAL LAP SIDING (HARDIEPLANK OR SIMILAR APPLIED OVER DENGlass SUBSTRATE AND MANUFACTURER'S RECOMMENDED BUILDING PAPER
- 91 CEMENTITIOUS WINDOW AND DOOR HEADER, JAMB AND SILL TRIM (HARDIE OR SIMILAR)
- 92 3" CEMENTITIOUS TRIM AT JUNCTION OF SIDING AND CEMENT PLASTER (HARDIE OR SIMILAR)
- 93 ADD 5" CEMENTITIOUS BASE TRIM (HARDIE OR SIMILAR)
- 94 CEMENTITIOUS SHINGLE SIDING (HARDIESHINGLE OR SIMILAR APPLIED OVER DENGlass SUBSTRATE AND MANUFACTURER'S RECOMMENDED BUILDING PAPER
- 95 3-COAT CEMENT PLASTER SYSTEM (3/8" FINISH)(PAINT FINISH) APPLIED OVER PLYWOOD SUBSTRATE AND MANUFACTURERS RECOMMENDED BUILDING PAPER



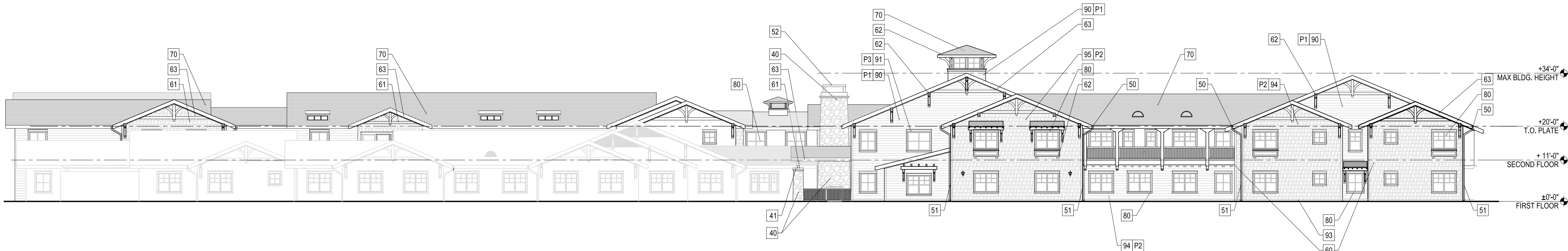
ASSISTED LIVING - WEST ELEVATION



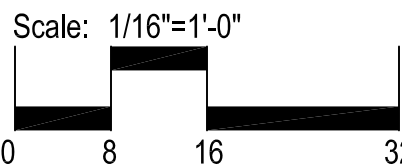
ASSISTED LIVING - NORTH ELEVATION



ASSISTED LIVING - EAST ELEVATION



ASSISTED LIVING - SOUTH ELEVATION



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ASSISTED LIVING-
EXTERIOR ELEVATIONS

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ASSISTED LIVING - WEST ELEVATION



ASSISTED LIVING - NORTH ELEVATION



MEMORY CARE - EAST ELEVATION



ASSISTED LIVING - SOUTH ELEVATION

EXTERIOR ELEVATION KEYNOTES

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 - ☐ FLAGSTONE PIER CAP
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 - ☐ 3-COAT CEMENT PLASTER SYSTEM (3/8" FINISH)(PAINT FINISH) APPLIED OVER PLYWOOD SUBSTRATE AND MANUFACTURER'S RECOMMENDED BUILDING PAPER



Hochhauser
Blatter

ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

SEASIDE SENIOR LIVING, LLC
550 MONTEREY ROAD
SEASIDE, CA 93955

APN: 031-141-004

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ASSISTED LIVING-
EXTERIOR ELEVATIONS

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MEMORY CARE -
EXTERIOR ELEVATIONS

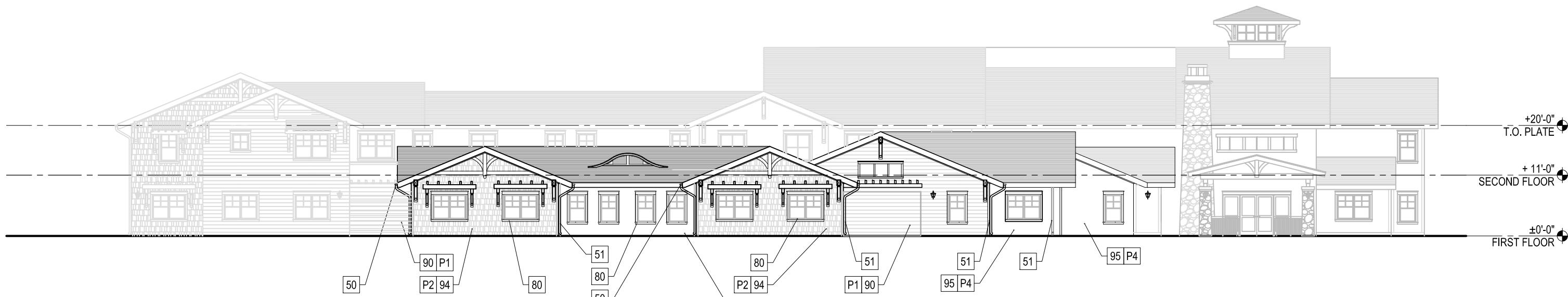
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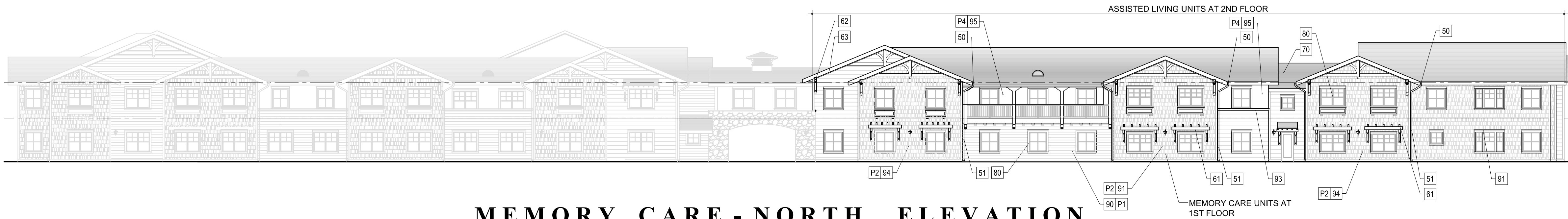
EXTERIOR ELEVATION KEYNOTES

MASONRY	PAINT
40 STONE MASONRY	P1 PAINT - TYPE 1
41 FLAGSTONE PIER CAP	P2 PAINT - TYPE 2
	P3 PAINT - TYPE 3
	P4 PAINT - TYPE 4
	P5 PAINT - TYPE 5
METALS	
50 GALVANIZED SHEET METAL HALF-ROUND (6" DIA) GUTTER (PREFINISHED) 'BRONZE'	
51 GALVANIZED SHEET METAL DOWNSPOUT (6" DIA) (PREFINISHED) 'BRONZE'	
62 PREFABRICATED DECORATIVE PREFINISHED CHIMNEY CAP ('CHIMNEY KING' #54 HACIENDA)	
WOODS & PLASTICS	
60 LARGE-SECTION WOOD TRELLIS/BEAM MEMBERS (END PROFILE WHERE INDICATED)(STAIN FINISH) -	
61 DECORATIVE WOOD LATTICE -	
62 WOOD CORBEL @ ROOF GABLES & FLOWER BOXES -	
63 WOOD FASCIA -	
THERMAL & MOISTURE PROTECTION	
70 ROOF: ASPHALT SHINGLE CERTAINTED LMP 'WEATHERED WOOD'	
DOORS & WINDOWS	
80 'JELDWEN' PREMIUM VINYL WINDOWS (PER WINDOW SCHEDULE)	
81 'JELDWEN' ALUMINUM CLAD WOOD FRENCH DOORS & LITES	
82 PREFINISHED ALUMINUM VENTILATION OR MECHANICAL LOUVER (SEE MECHANICAL DRAWINGS FOR OTHER LOCATIONS THAT MIGHT NOT OTHERWISE BE REPRESENTED)	

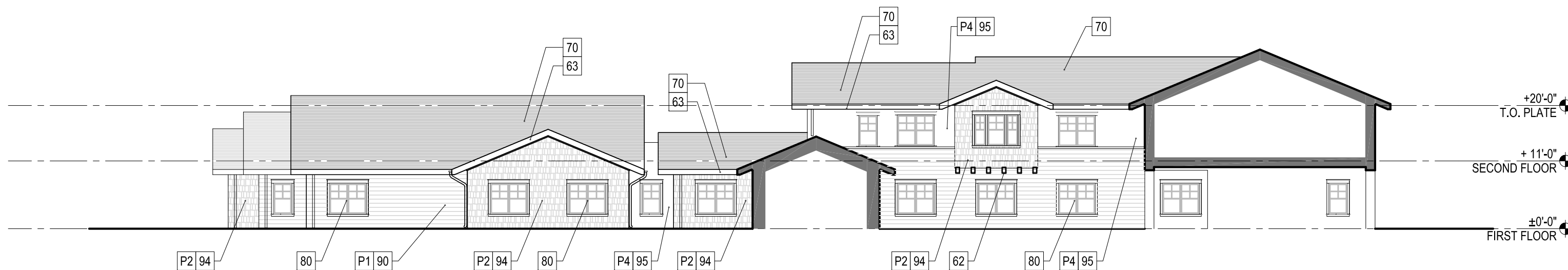
FINISHES
90 CEMENTITIOUS HORIZONTAL LAP SIDING (HARDIEPLANK OR SIMILAR APPLIED OVER DENGSLASS SUBSTRATE AND MANUFACTURER'S RECOMMENDED BUILDING PAPER
91 CEMENTITIOUS WINDOW AND DOOR HEADER, JAMB AND SILL TRIM (HARDIE OR SIMILAR)
92 3/2" CEMENTITIOUS TRIM AT JUNCTION OF SIDING AND CEMENT PLASTER (HARDIE OR SIMILAR)
93 ADD 5/2" CEMENTITIOUS BASE TRIM (HARDIE OR SIMILAR)
94 CEMENTITIOUS SHINGLE SIDING (HARDIESHINGLE OR SIMILAR APPLIED OVER DENGSLASS SUBSTRATE AND MANUFACTURER'S RECOMMENDED BUILDING PAPER
95 3-COAT CEMENT PLASTER SYSTEM (3/8" FINISH)(PAINT FINISH) APPLIED OVER PLYWOOD SUBSTRATE AND MANUFACTURERS RECOMMENDED BUILDING PAPER



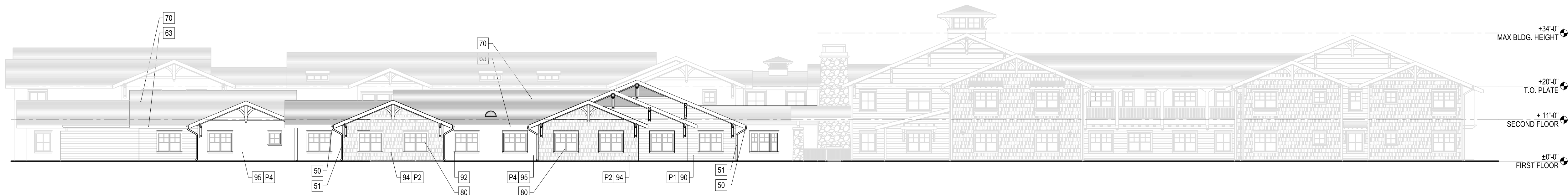
MEMORY CARE - WEST ELEVATION



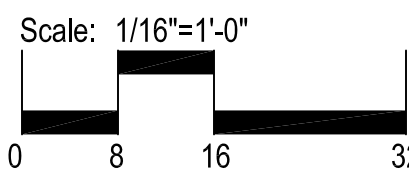
MEMORY CARE - NORTH ELEVATION



MEMORY CARE - EAST ELEVATION



MEMORY CARE - SOUTH ELEVATION



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MEMORY CARE -
EXTERIOR ELEVATIONS

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EXTERIOR ELEVATION KEYNOTES

- MASONRY

 - ☐ STONE MASONRY
 - ☐ FLAGSTONE PIER CAP
- METALS

 - ☐ GALVANIZED SHEET METAL HALF-ROUND (5" DIA) GUTTER (PREFINISHED) 'BRONZE'
 - ☐ GALVANIZED SHEET METAL DOWNSPOUT (5" DIA) (PREFINISHED) 'BRONZE'
 - ☐ PREFABRICATED DECORATIVE PREFINISHED CHIMNEY CAP (CHIMNEY KING #54 HACIENDA)
- WOODS & PLASTICS

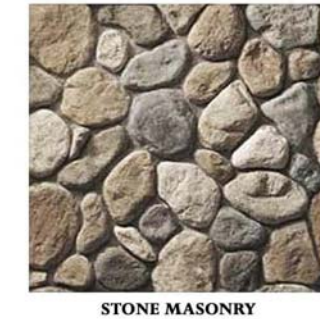
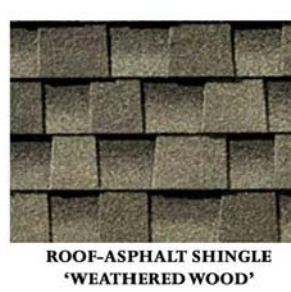
 - ☐ LARGE-SECTION WOOD TRELLIS/BEAM MEMBERS (END PROFILE WHERE INDICATED)(STAIN FINISH) -
 - ☐ DECORATIVE WOOD LATTICE -
 - ☐ WOOD CORBEL @ ROOF GABLES & FLOWER BOXES -
 - ☐ WOOD FASCIA -
- THERMAL & MOISTURE PROTECTION

 - ☐ ROOF: ASPHALT SHINGLE
 - ☐ CERTAINTED LMP 'WEATHERED WOOD'
- DOORS & WINDOWS

 - ☐ 'JELDWEN' PREMIUM VINYL WINDOWS (PER WINDOW SCHEDULE)
 - ☐ 'JELDWEN' ALUMINUM CLAD WOOD FRENCH DOORS & LITES
 - ☐ PREFINISHED ALUMINUM VENTILATION OR MECHANICAL LOUVER (SEE MECHANICAL DRAWINGS FOR OTHER LOCATIONS THAT MIGHT NOT OTHERWISE BE REPRESENTED)
- PAINT

 - ☐ PAINT - TYPE 1
 - ☐ PAINT - TYPE 2
 - ☐ PAINT - TYPE 3
 - ☐ PAINT - TYPE 4
 - ☐ PAINT - TYPE 5

- FINISHES
- ☐ CEMENTITIOUS HORIZONTAL LAP SIDING (HARDIEPLANK OR SIMILAR APPLIED OVER DENGGLASS SUBSTRATE AND MANUFACTURER'S RECOMMENDED BUILDING PAPER
 - ☐ CEMENTITIOUS WINDOW AND DOOR HEADER, JAMB AND SILL TRIM (HARDIE OR SIMILAR)
 - ☐ 3 3/8" CEMENTITIOUS TRIM AT JUNCTION OF SIDING AND CEMENT PLASTER (HARDIE OR SIMILAR)
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 - ☐ 3-COAT CEMENT PLASTER SYSTEM (3/8" FINISH)(PAINT FINISH) APPLIED OVER PLYWOOD SUBSTRATE AND MANUFACTURERS RECOMMENDED BUILDING PAPER



MEMORY CARE - WEST ELEVATION



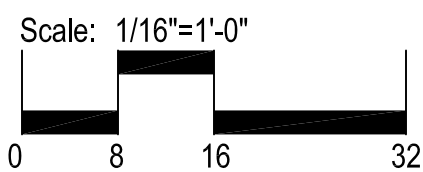
MEMORY CARE - NORTH ELEVATION



MEMORY CARE - EAST ELEVATION



MEMORY CARE - SOUTH ELEVATION





HARDIESHINGLE SIDING



HARDIEPLANK LAP SIDING



STONE MASONRY

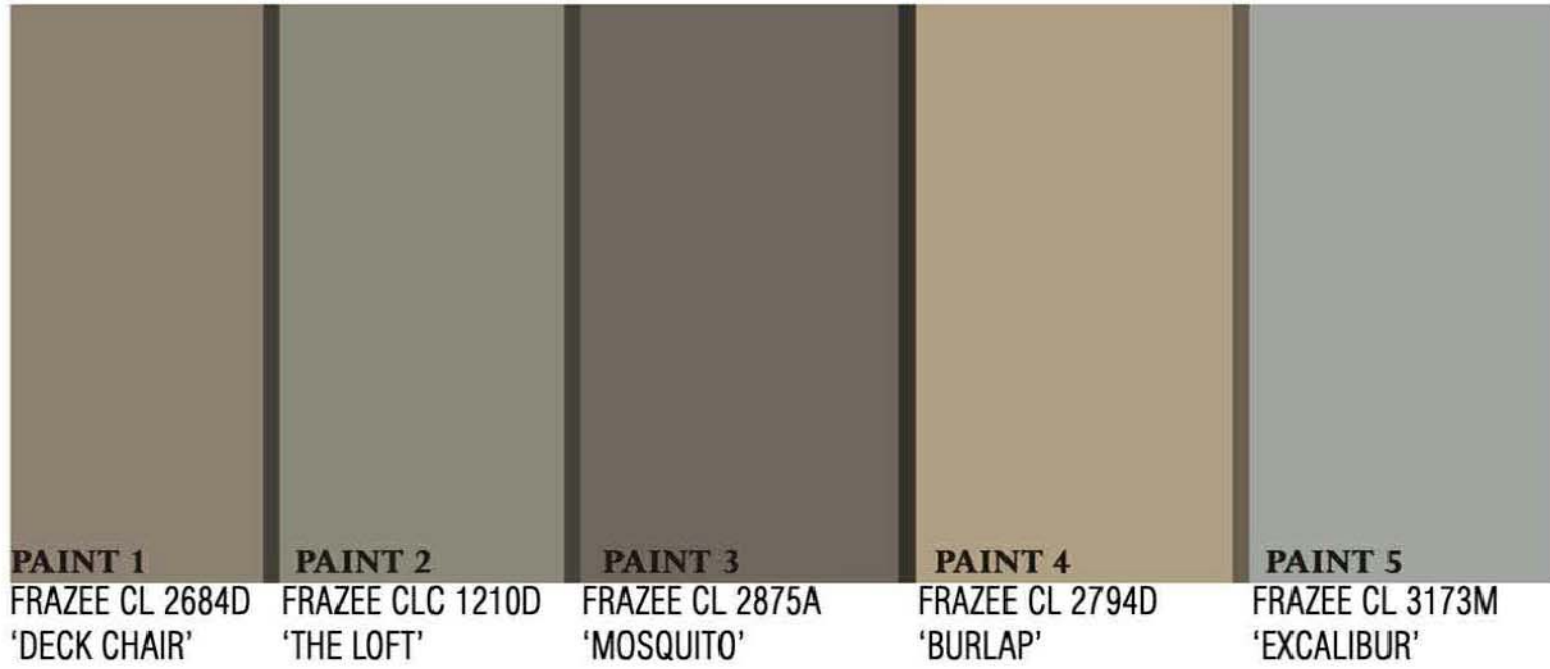


ROOF-ASPHALT SHINGLE
'WEATHERED WOOD'

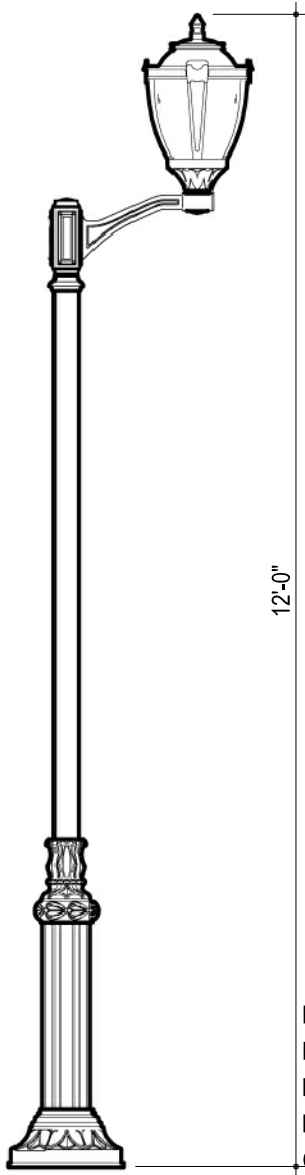


JELDWEN SINGLE-HUNG
WINDOWS-HARTFORD GREEN

ALL TRIM/FASCIA
FRAZEE CL 2887N
'MERCURY'



PAINT 1 FRAZEE CL 2684D 'DECK CHAIR'
PAINT 2 FRAZEE CLC 1210D 'THE LOFT'
PAINT 3 FRAZEE CL 2875A 'MOSQUITO'
PAINT 4 FRAZEE CL 2794D 'BURLAP'
PAINT 5 FRAZEE CL 3173M 'EXCALIBUR'



BASIS OF DESIGN: ELA, INC. 'MEDITERRANEAN'
MED14-H2-40LED-DSFG
POST: 3" DIA. SHAFT
POST BASE: P-3026
CROSS ARM: CR-353A

CONCEPT COLOR AND MATERIAL BOARD (SEPARATE EXHIBIT ATTACHED)

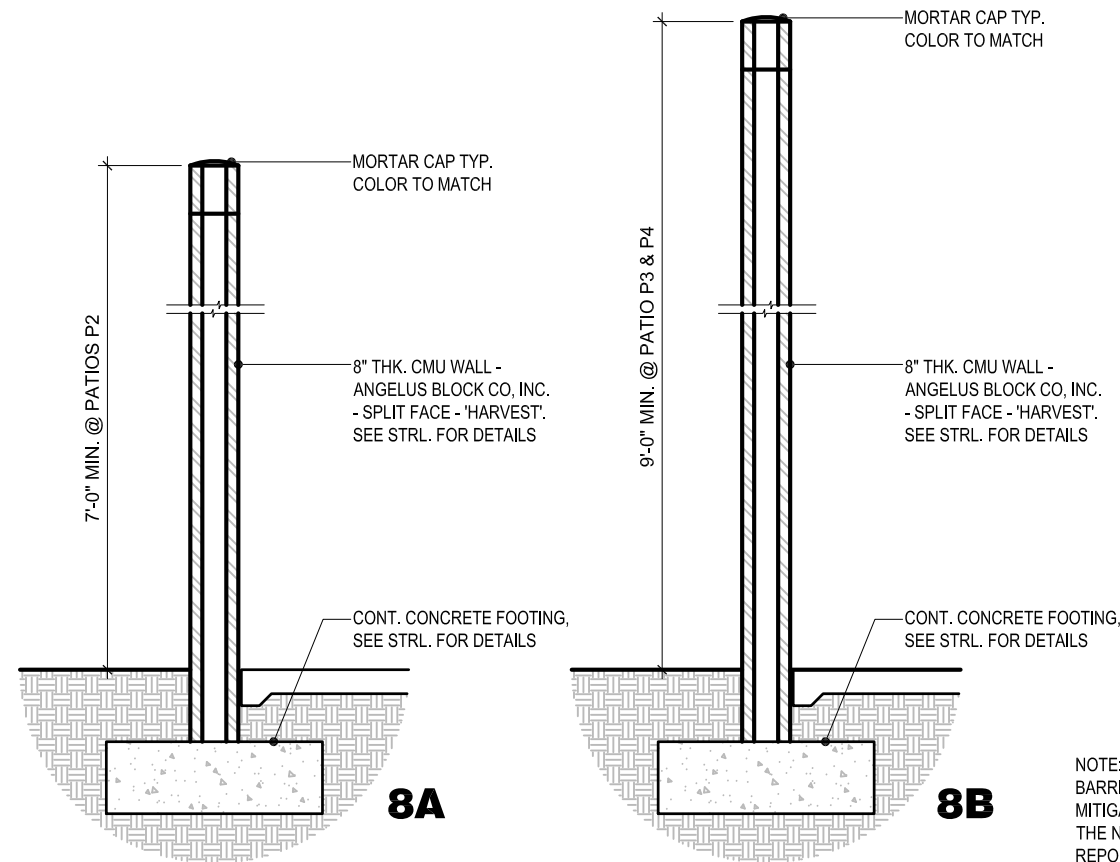
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4

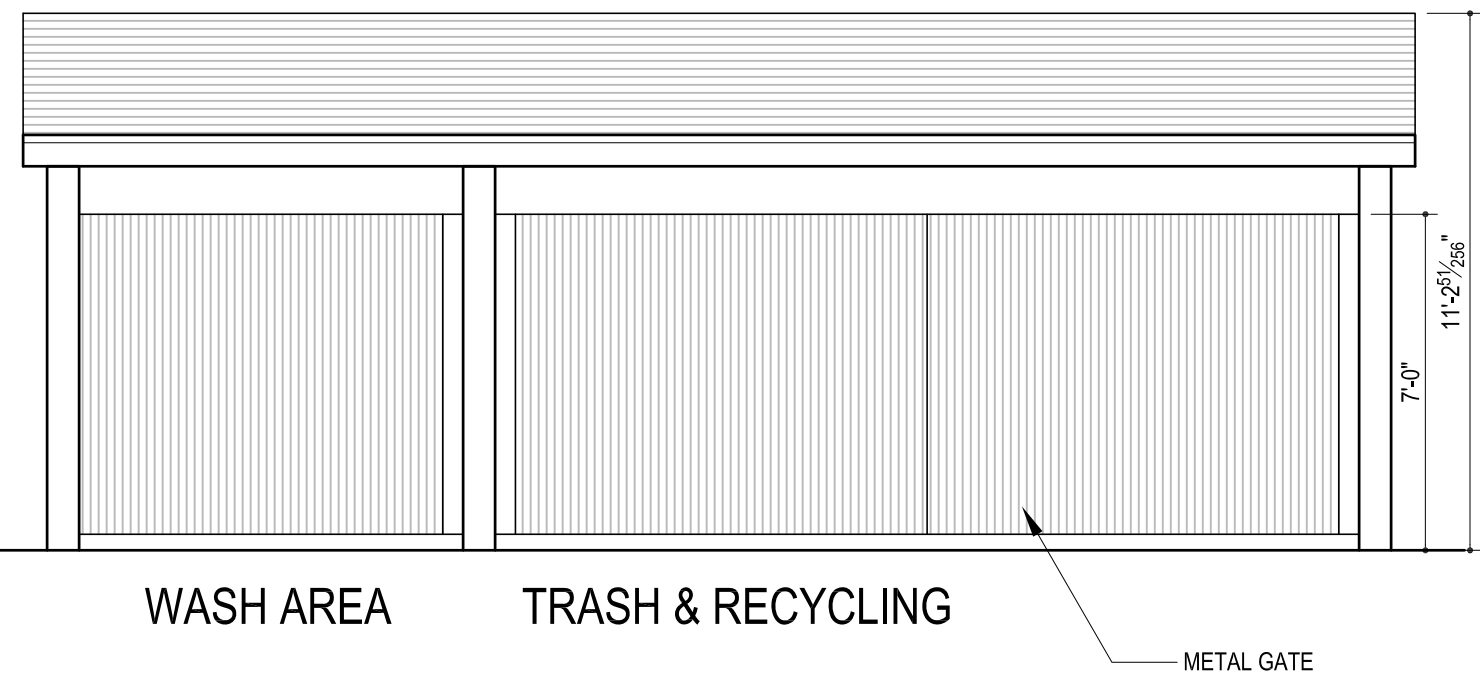
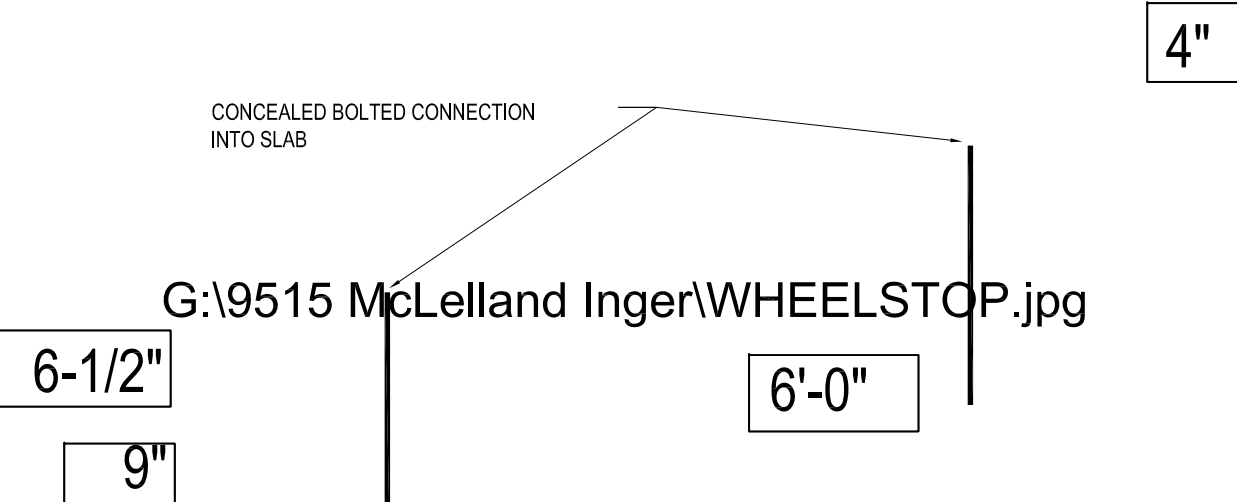
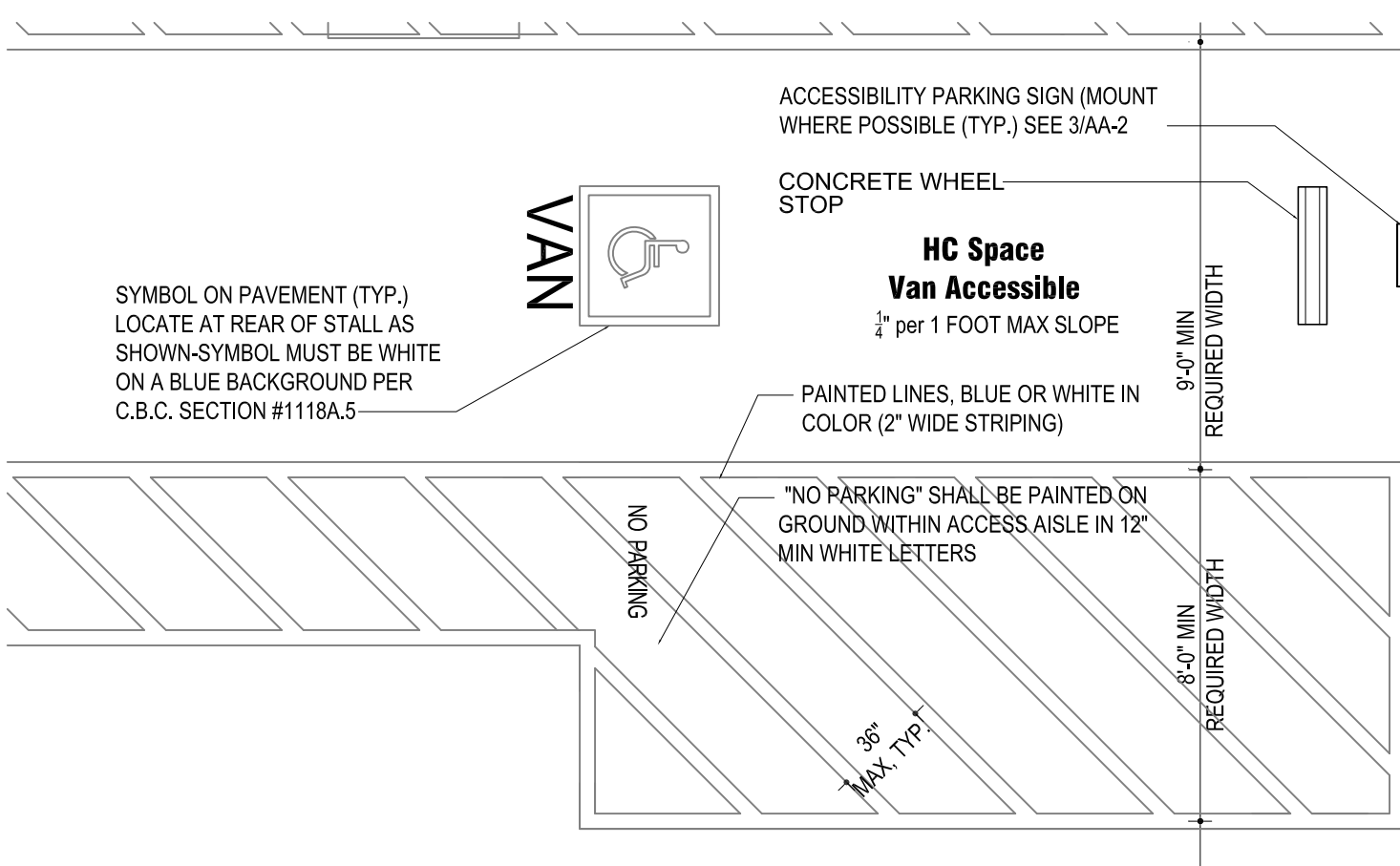
PARKING LIGHT FIXTURE

1/2"=1'-0"

3



NOTE: BARRIER HEIGHT NOTED IS BASED ON MITIGATION METHODS PROPOSED WITH THE NOISE AND VIBRATION ASSESSMENT REPORT BY ILLINGWORTH & RODRIG, INC., FOR PATIOS P2, P3 & P4.



SOUND BARRIER AT OUTDOOR PATIOS

3/8"=1'-0"

8

ACCESSIBLE PARKING STALL

1/4"=1'-0"

6

TYPICAL WHEEL STOP

3/4"=1'-0"

5

TRASH & RECYCLING ENCLOSURE DETAIL

1/4"=1'-0"

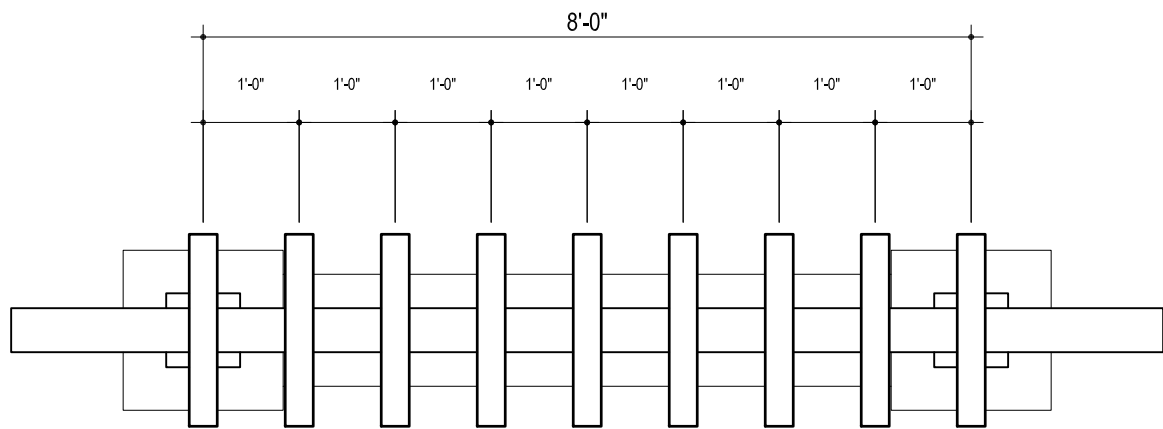
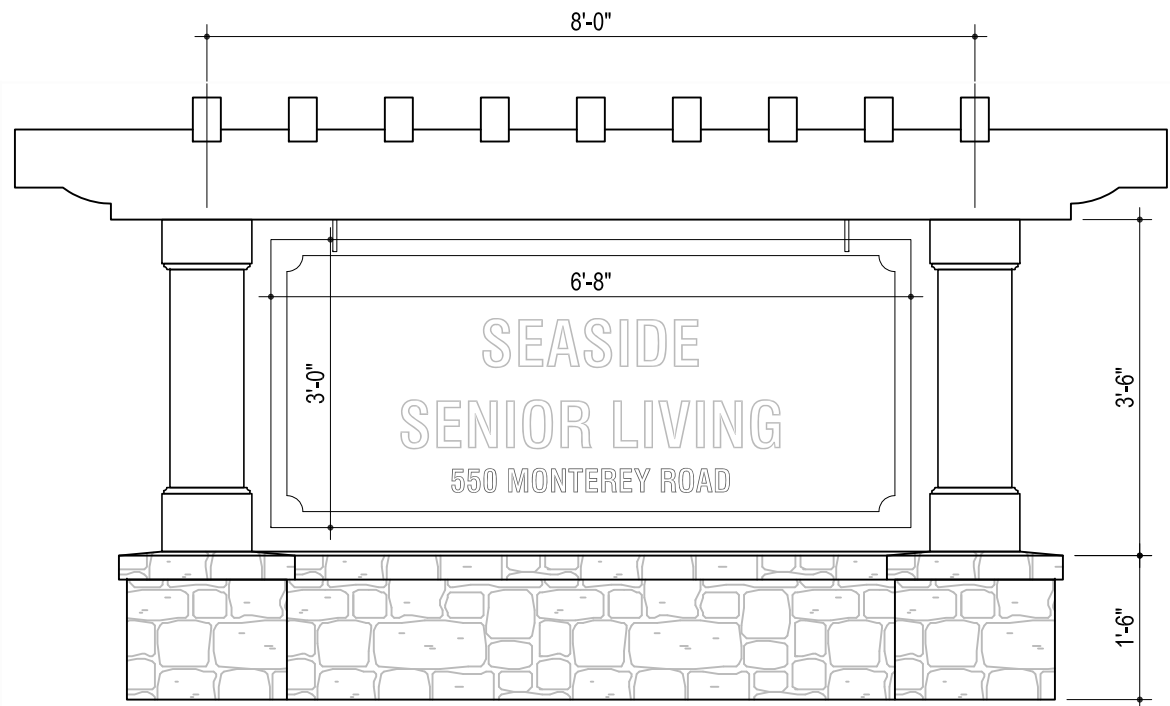
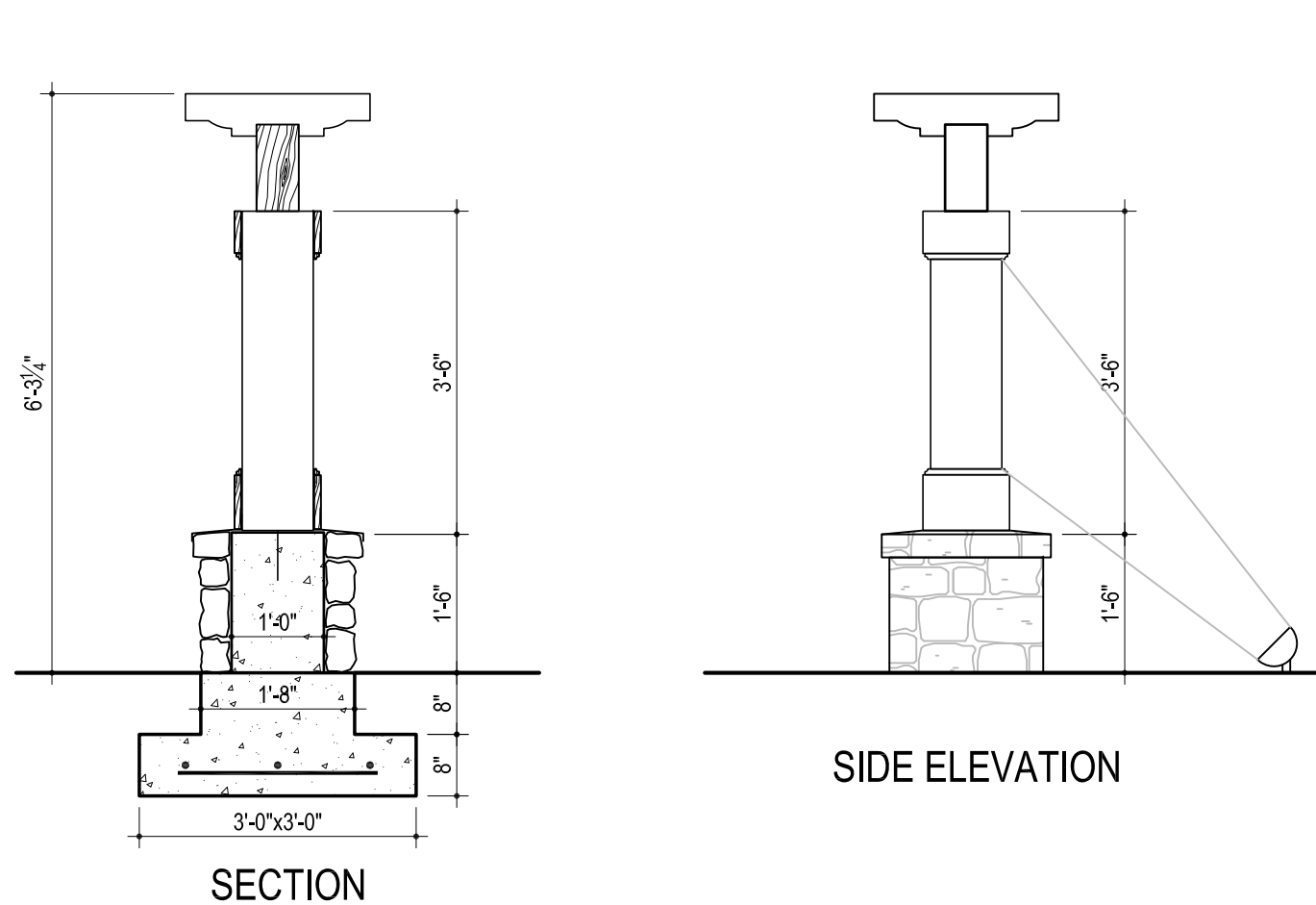
2



ASSISTED LIVING ENTRY ELEVATION

3/16"=1'-0"

7



FRONT ELEVATION

SIDE ELEVATION

SECTION

MONUMENT SIGN PLAN

MONUMENT SIGN DETAILS

1/2"=1'-0"

1

Hochhauser
Blatter

ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD
SEASIDE, CA 93955

APN: 031-141-004

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EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

EXTERIOR ELEVATION KEYNOTES

MASONRY	PAINT
STONE MASONRY	PAINT - TYPE 1
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	PAINT - TYPE 3
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WOOD CORBEL @ ROOF GABLES & FLOWER BOXES -	
WOOD FASCIA -	
THERMAL & MOISTURE PROTECTION	
ROOF: ASPHALT SHINGLE	
CERTAINTED LMP 'WEATHERED WOOD'	
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3-COAT CEMENT PLASTER SYSTEM (2% FINISH)(PAINT FINISH) APPLIED OVER PLYWOOD SUBSTRATE AND MANUFACTURERS RECOMMENDED BUILDING PAPER



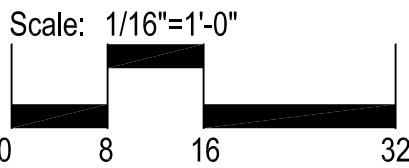
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SENIOR CO-HOUSING:
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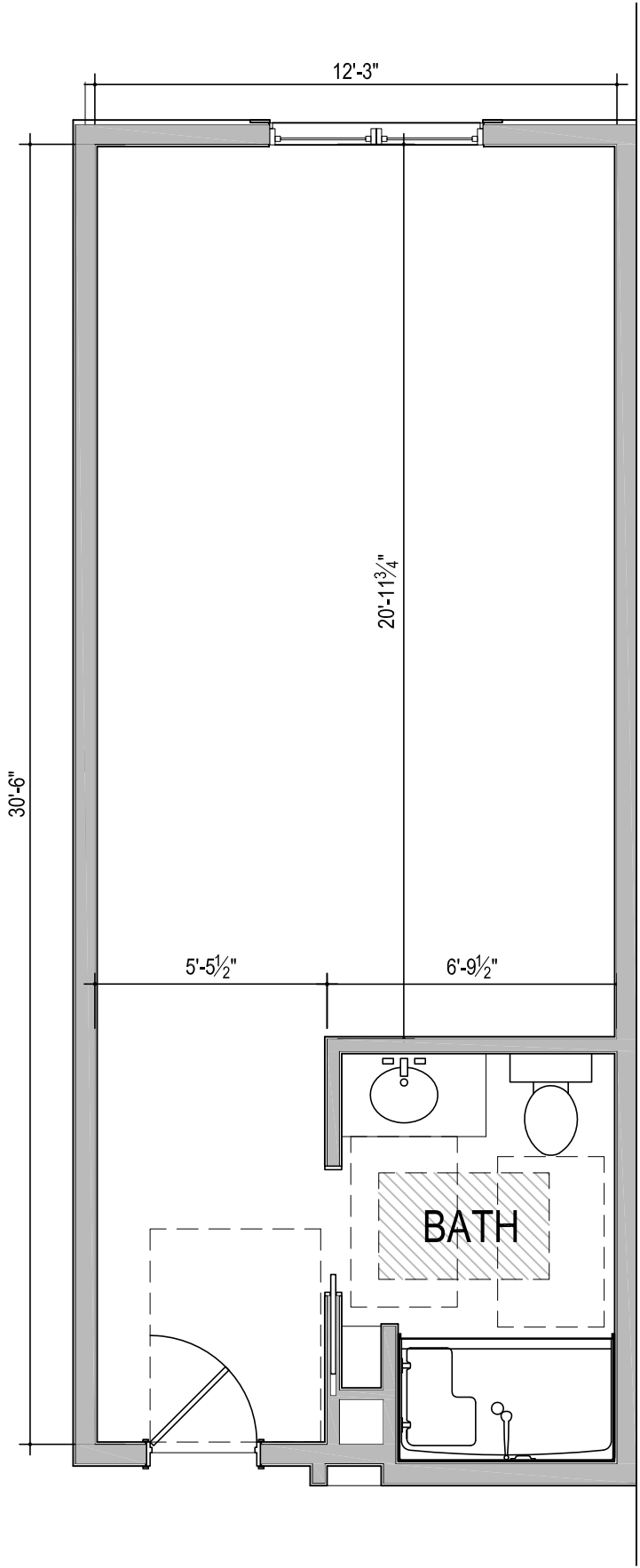
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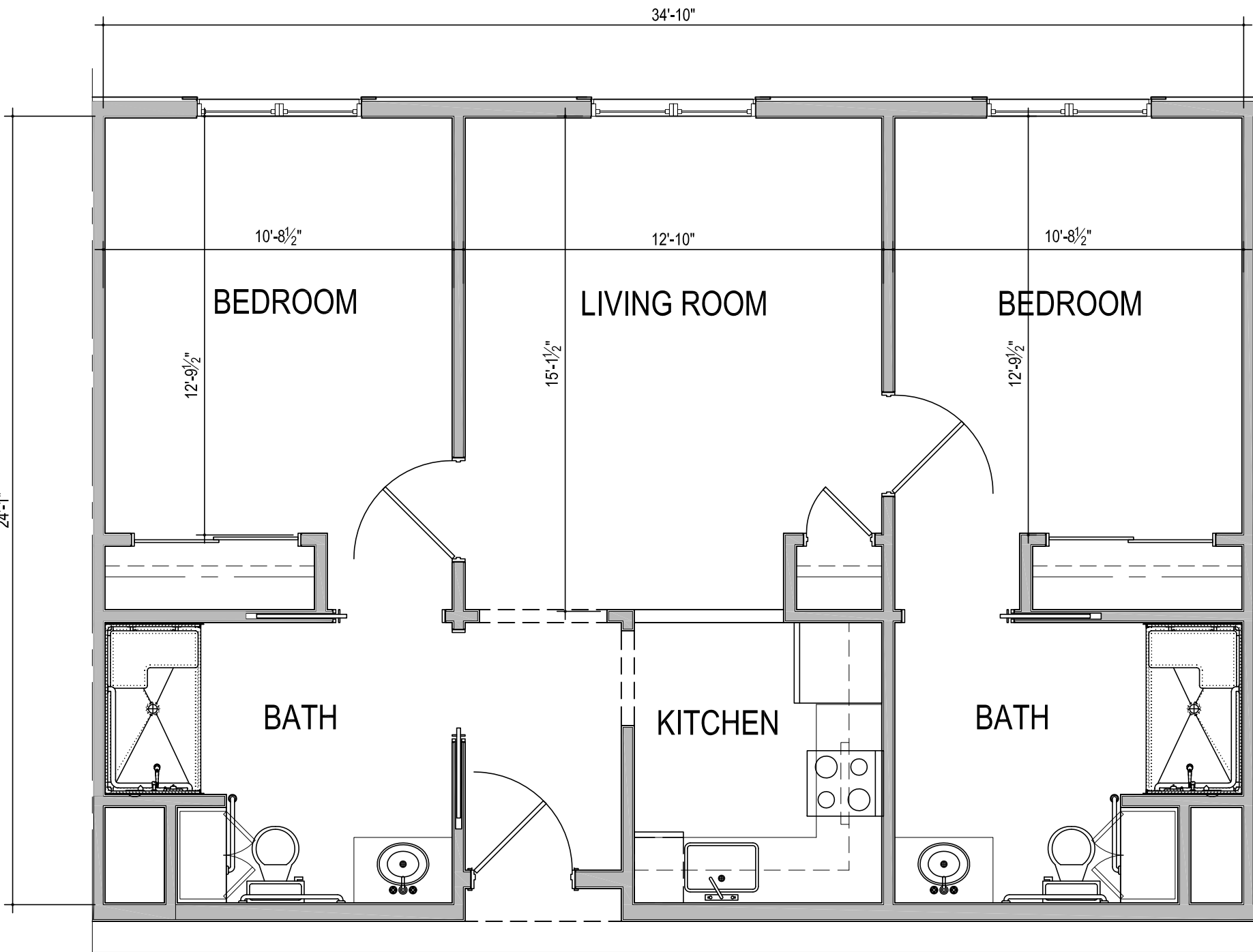
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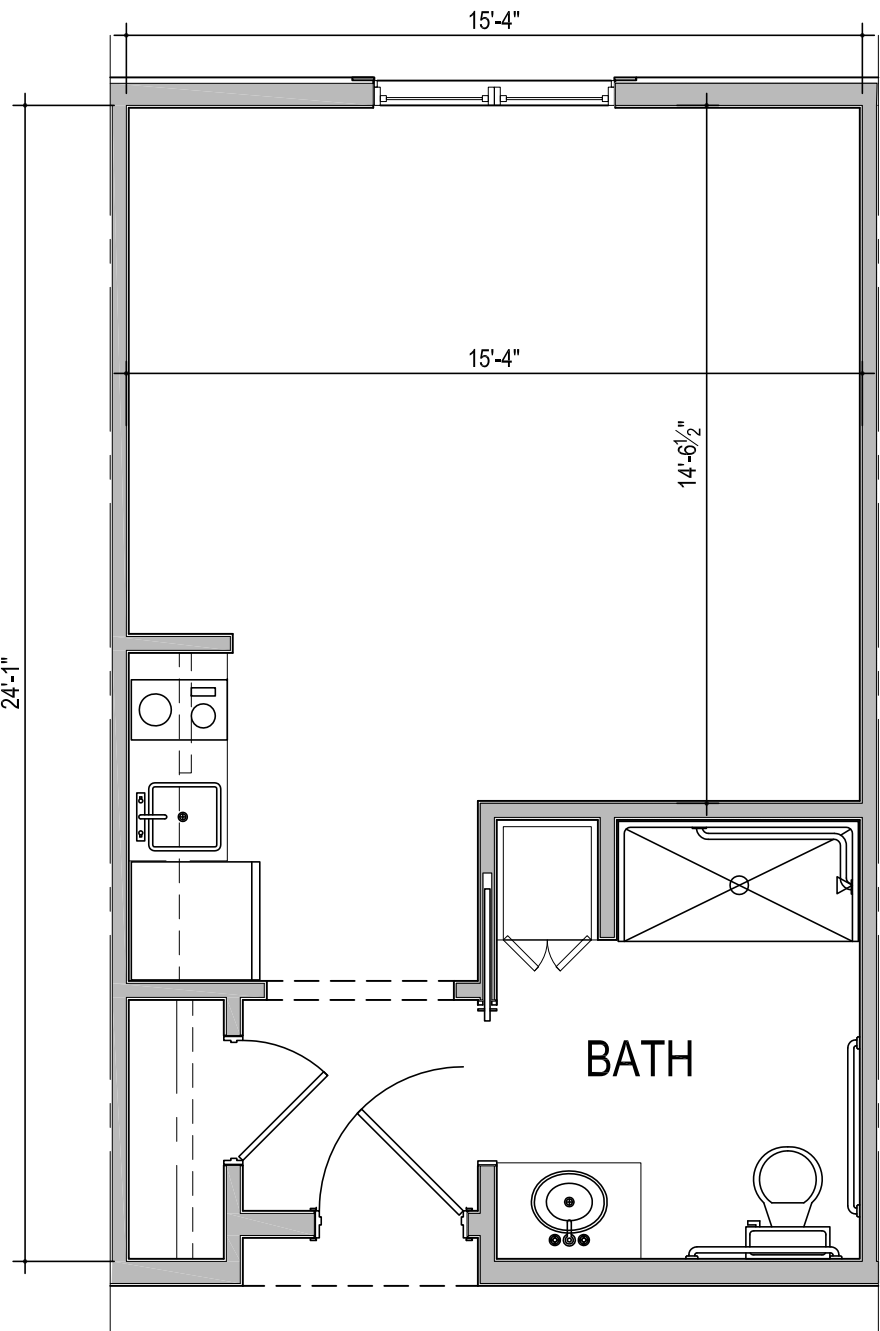
TYPICAL 1-BEDROOM UNIT
(ALF)



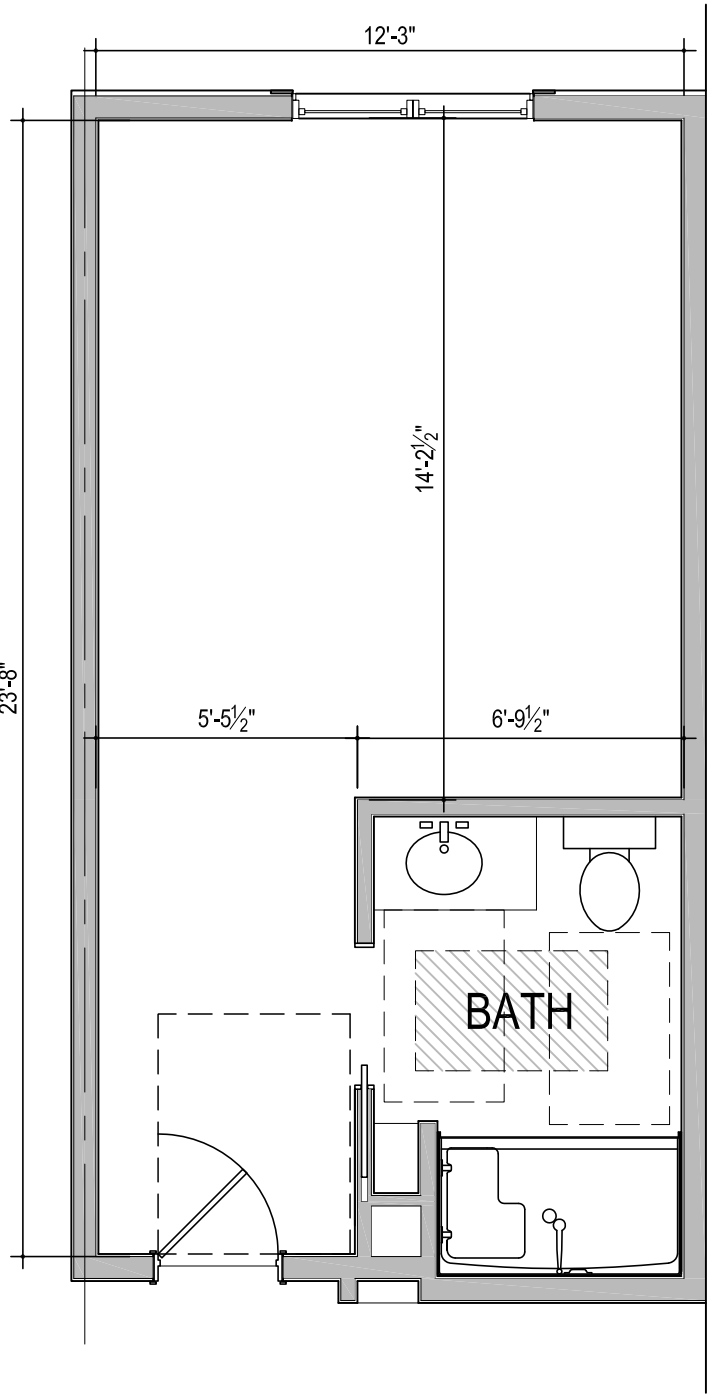
TYPICAL STUDIO UNIT TYPE 2
(MC)



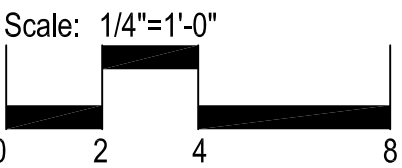
TYPICAL 2-BEDROOM UNIT
(ALF)

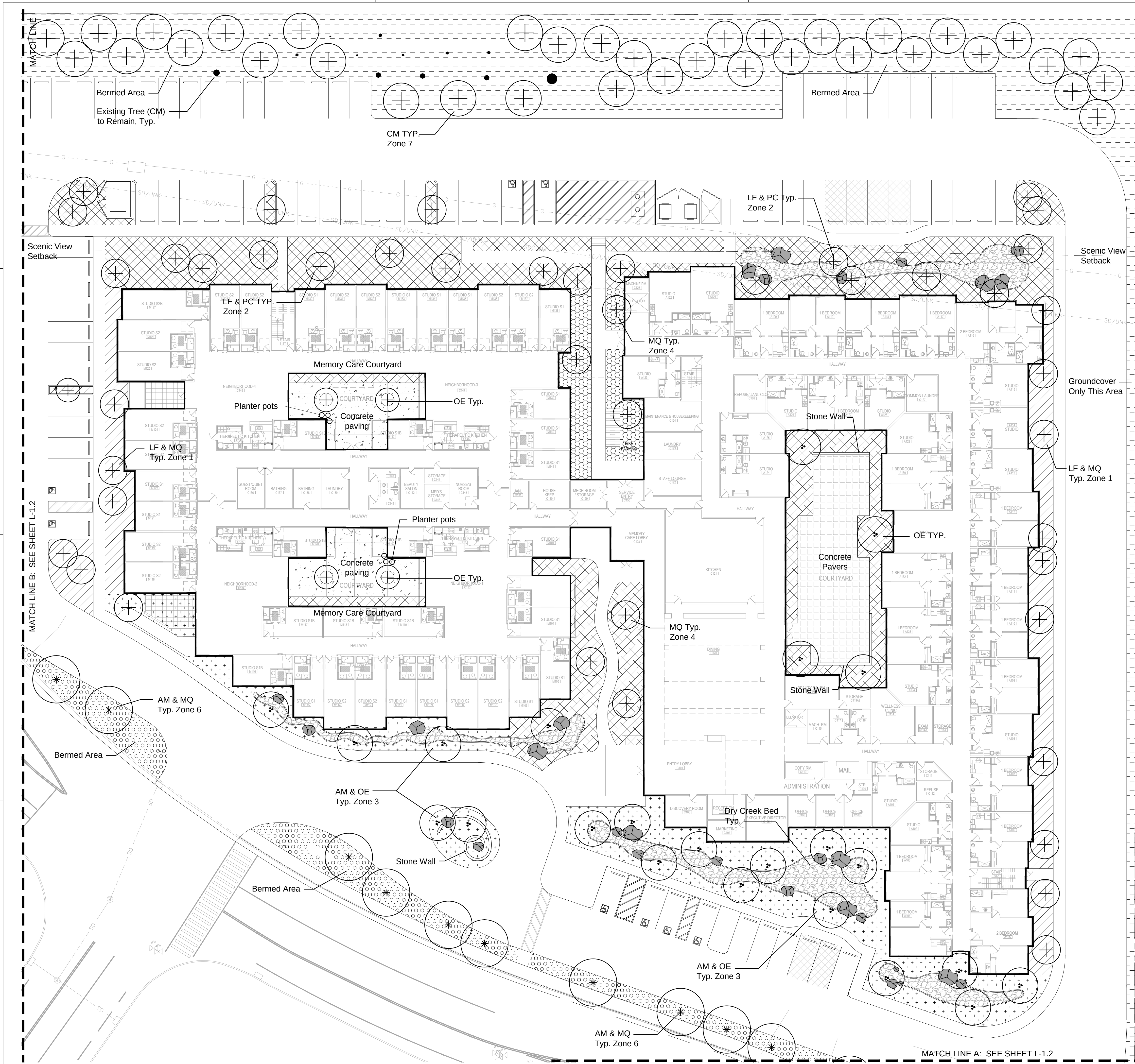


TYPICAL STUDIO UNIT
(ALF)



TYPICAL STUDIO UNIT TYPE 1
(MC)





TREE INVENTORY AND MITIGATION SUMMARY

Per Zoning Ordinance Section 17.30.40 (&a and 7b) and the City's Tree ordinance, *Municipal Code Chapter 8.5*, The *City of Seaside* requires any mature tree removed to be replaced at a 1:1 ratio. Below tabulation shows how this requirement is met.

COMMON NAME	BOTANICAL NAME	QUANTITY
TREES CURRENTLY ON SITE		
Monterey Cypress	Cupressus macrocarpa	94
Blue Gum Eucalyptus	Eucalyptus globulus	3
Total Number of Trees on Site		97

TREES RETAINED ON SITE		
Monterey Cypress	Cupressus macrocarpa	13
Total Number of Trees Retained		13

TREES REMOVED FROM SITE		
Monterey Cypress	Cupressus macrocarpa	81
Blue Gum Eucalyptus	Eucalyptus globulus	3
Total Number of Trees Removed		84

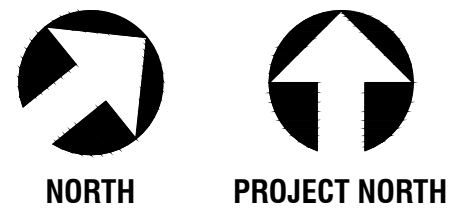
TREES REPLACED PER ORDINANCE RATIO		
Monterey Cypress Replaced with same Species		63
Monterey Cypress Replaced with other Species		18
Eucalyptus Replaced with other Species		3
Total Number of Trees Replaced		84

TREES INSTALLED PER LANDSCAPE PLAN		
Replacement Trees as shown Above		84
Additional Other Species Intalled		77
Total Number of Trees Installed per Landscape Plan		174

IRRIGATION NOTES

- IRRIGATION PLAN WILL BE INCLUDED WITH CONSTRUCTION DRAWINGS.
- PER AB 1881 THE IRRIGATION DESIGN WILL INCLUDE:
1. IRRIGATION SYSTEM WILL CONNECT TO NEW POINT OF CONNECTION
 2. A SOIL MANAGEMENT REPORT ANALYSIS OF THE EXISTING SITE SOIL WITH SITE SPECIFIC RECOMMENDATIONS
 3. A SYSTEM DESIGNED TO THE RECORDED STATIC PRESSURE AVAILABLE ONSITE
 4. AUTOMATIC IRRIGATION CONTROLLER WITH EVAPOTRANSPIRATION DATA AND RAIN SENSORS
 5. THE SYSTEM WILL BE DESIGNED TO PREVENT RUNOFF AND OVERSPRAY
 6. THE SYSTEM WILL BE DESIGNED PER HYDROZONES AS ESTABLISHED FROM THE PLANTING PLAN
 7. ALL SPRINKLER HEADS WILL BE MATCHED PRECIPITATION
 8. NO OVERHEAD SPRAY WILL BE USED IN AREAS LESS THAN 8' IN WIDTH
 9. OVERHEAD IRRIGATION WILL BE SET BACK 24" FROM NON-PERMEABLE SURFACES
 10. IRRIGATION DISTRIBUTION WILL BE THROUGH A MIX OF:
 - 10.1 LOW FLOW, HIGH-EFFICIENCY SPRAY NOZZLES - HUNTER MP ROTATORS OR RAINBIRD ROTARY SPRAYS
 - 10.2 POINT SOURCE DRIP- RAINBIRD OR SALCO DRIP EMITTERS
 - 10.3 SUBSURFACE DRIP - NETAFIM
 - 10.4 BUBBLERS - RAINBIRD OR TORO

SEE SHEET L1.3 FOR NOTES AND PLANTING LEGEND



bfs LANDSCAPE ARCHITECTS
 425 PACIFIC STREET #201
 MONTEREY, CALIFORNIA 93940
 831.646.1383 • BFS@BFLA.COM

Hochhauser
 Blatter

ARCHITECTURE
 AND PLANNING

122 E. ARRELLAGA
 SANTA BARBARA
 CALIFORNIA 93101
 805 962 2746

SEASIDE SENIOR LIVING, LLC
 550 MONTEREY ROAD
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LANDSCAPE PLAN

PROJECT NO: 9714

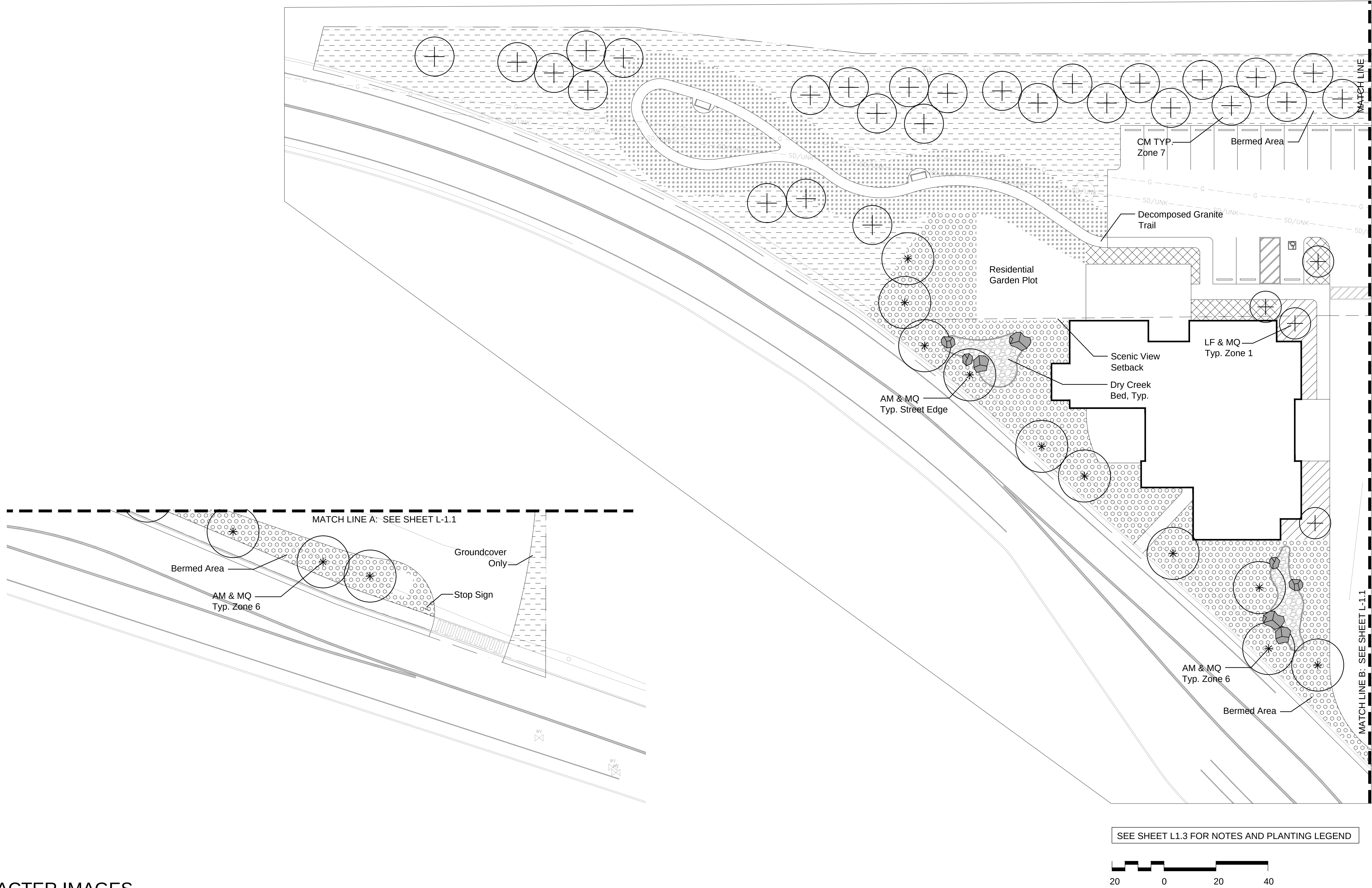
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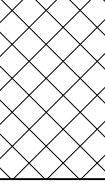
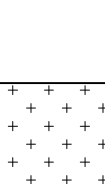
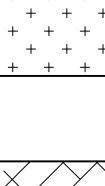
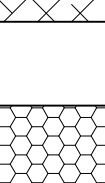
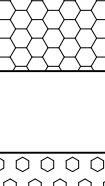
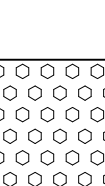
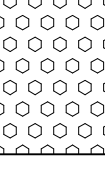
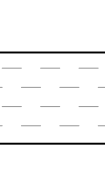
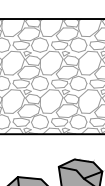
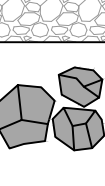
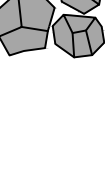


PLANT LEGEND

WUCOLS RATING*		BOTANICAL NAME	COMMON NAME	SIZE
<u>Trees</u>				
L	AM	Arbutus marina	NCN	24" box-multi
M	CM	Cupressus macrocarpa	Monterey Cypress	1, 5, 15 Gal.
L	LF	Lyonothamnus floribundus asplenifolius	Fernleaf Catalina Ironwood	15 Gal.
L	MQ	Melaleuca quinquenervia	Cajeput Tree	15 Gal.
L	OE	Olea europaea 'Swan Hill'	Fruitless Olive	24" box-multi
M	PC	Pinus contorta	Beach Pine	24" box
<u>Shrubs</u>				
L	Al	Achillea millefolium	Common Yarrow	1 Gal.
L	Ad	Arctostaphylos 'Dr Hurd'	Manzanita	5 Gal.
VL	Ac	Artemesia californica 'Canyon Gray'	California Sagebrush	1 Gal.
L	Cs	Ceanothus 'Skylark'	Wild Lilac	5 Gal.
L	Cl	Cistus salvifolius 'Prostratus'	Sageleaf Rockrose	5 Gal.
L	Dv	Dodonea viscosa	Hop Bush	15 Gal.
L	Es	Echeveria sp.	Hens and chickens	1 Gal.
VL	Fk	Fremontodendron 'Ken Taylor'	Flannel Bush	5 Gal.
L	Lm	Lavatera maritima	Bush Mallow	5 Gal.
L	Lv	Lavendula sp.	Lavender	1 Gal.
L	Le	Leucodendron sp.	Leucodendron	5 Gal.
L	Lp	Limonium perezii	Statice	1 Gal.
L	Mn	Melaleuca nesophila	Pink Melaleuca	15 Gal.
L	Ph	Phormium sp.	New Zealand Flax	5 Gal.
M	Pm	Polystichum munitum	Western Sword Fern	1 Gal.
L	Sl	Salvia leucophylla	Purple Sage	5 Gal.
L	Ss	Salvia spathacea	Hummingbird Sage	1 Gal.
L	Wa	Watsonia sp.	Watsonia	5 Gal.
L	Zc	Zauschneria californica	California Fuchsia	1 Gal.
<u>Groundcovers</u>				
L	Ae	Arctostaphylos 'Emerald Carpet'	Creeping Manzanita	5 Gal. 4' o.c.
M	Ar	Armeria maritima 'Californica'	Sea Pink	1 Gal.12" o.c.
L	Cg	Ceanothus griseus horizontalis	Carmel Creeper	5 Gal. 8' o.c.
L	Eg	Eriogonum grande 'Rubescens'	Red Buckwheat	1 Gal. 18" o.c.
VL	Ec	Eschscholzia californica	California Poppy	Seed
M	Fc	Fragaria chiloensis	Beach Strawberry	Plugs 12" o.c.
L	Id	Iris douglasiana	Douglas Iris	Bulbs 12" o.c.
<u>Grasses</u>				
L	Cf	Calamagrostis foliosa	Leafy Reed Grass	Plugs 9" o.c.
L	Fc	Festuca californica	California Fescue	1 Gal.
L	Fg	Festuca glauca	Blue Fescue	1 Gal.
L	Fr	Festuca rubra	Creeping Red Fescue	Plugs 6" o.c.
L	Hs	Helictotrichon sempervirens	Blue Oat Grass	1 Gal.
L	Mr	Muhlenbergia rigens	Deer Grass	1 Gal.
VL	Sb	Sisyrinchium bellum	Blue-Eyed Grass	1 Gal.

* WUCOLS (Water Use Classification of Landscape Species): Provides an assessment of irrigation water needs. VL= Very Low, L=Low, M=Medium.

PLANT ZONES

ZONE	SYMBOL TYPE	BOTANICAL NAME
1		Shrubs Artemesia californica, Arctostaphylos 'Dr. Hurd', Ceanothus 'Skylark', Cistus salvifolius 'Prostratus', Dodonea viscosa, Phormium sp., Zauschneria californica
		Groundcovers Arctostaphylos 'Emerald Carpet', Ceanothus griseus horizontalis
		Grasses Calamagrostis foliosa, Helictotrichon sempervirens, Festuca glauca, Festuca californica
2		Shrubs Artemesia californica, Arctostaphylos 'Dr. Hurd', Ceanothus 'Skylark', Lupinus arboreus, Salvia leucophylla
		Groundcovers Arctostaphylos 'Emerald Carpet', Fragaria chiloensis
		Grasses Calamagrostis foliosa, Festuca rubra, Helictotrichon sempervirens, Muhlenbergia rigens
3		Shrubs Achillea millefolium, Artemesia californica, Ceanothus 'Skylark', Cistus salvifolius 'Prostratus', Echeveria, Leucodendron sp., Limonium perezii, Phormium sp., Salvia leucophylla, Watsonia, Zauschneria californica
		Groundcovers Arctostaphylos 'Emerald Carpet', Eschscholzia californica, Iris douglasiana
		Grasses Calamagrostis foliosa, Festuca californica, Festuca rubra, Helictotrichon sempervirens, Muhlenbergia rigens
4		Shrubs Achillea millefolium, Artemesia californica, Ceanothus 'Skylark', Cistus salvifolius 'Prostratus', Echeveria, Leucodendron sp., Limonium perezii, Phormium sp., Polystichum munitum, Salvia leucophylla, Zauschneria californica
		Groundcovers Arctostaphylos 'Emerald Carpet', Armeria maritima, Fragaria chiloensis
		Grasses Calamagrostis foliosa, Festuca glauca, Helictotrichon sempervirens
5		Shrubs Ceanothus 'Skylark', Dodonea viscosa, Phormium sp., Polystichum munitum
		Groundcovers Arctostaphylos 'Emerald Carpet', Ceanothus griseus horizontalis
		Grasses Festuca californica
6		Shrubs Ceanothus 'Skylark', Cistus salvifolius 'Prostratus', Dodonea viscosa, Echium candicans, Phormium sp., Salvia leucophylla
		Groundcovers Arctostaphylos 'Emerald Carpet', Ceanothus griseus horizontalis
		Grasses Helictotrichon sempervirens, Muhlenbergia rigens
7		Shrubs Ceanthous 'Ray Hartman', Melaleuca nesophila
		Groundcover Arctostaphylos 'Emerals Carpet'
	<u>California Natives @ DG Walking Loop</u>	
8		Shrubs Artemesia californica, Ceanothus 'Skylark', Fremontodendron 'Ken Taylor', Lavatera maritima, Zauschneria californica
		Groundcovers Achillea millefolium, Arctostaphylos 'Emerald Carpet', Armeria maritima, Erigonum grande 'Rubescens', Salvia leucophylla, Salvia spathacea
		Grasses Muhlenbergia rigens, Festuca californica
<u>Dry Creek Bed</u>		
		River Cobble
		4'-6" Boulders
		Shrubs Achillea millefolium, Artemesia californica, Cistus salvifolius, Phormium, Salvia spathacea, Watsonia, Zauschneria californica
		Groundcovers Arctostaphylos 'Emerald Carpet', Eschscholzia californica, Iris douglasiana
		Grasses Calamagrostis foliosa, Festuca glauca, Festuca rubra, Helictotrichon sempervirens, Sisyrinchium bellum

TREE PROTECTION NOTES

The City of Seaside has two effective tools to protect and preserve trees associated with this project. The two tools are the City Tree Ordinance, as discussed earlier, and the BAR, which will issue instructions as to appropriate action by the Applicant. Best Management Practices (BMP) for tree preservation and resource protection are provided in this section. Additional information in the Arborist Report by Thompson Wildland Management, which is on file with the City Planning Department

Proper implementation of tree protection measures and regular construction site monitoring will assist in minimizing harmful impacts to trees, as well as safeguarding and sustaining the health and well---being of trees on the property. ANSI A300 tree care and management practices should be utilized to ensure the greatest level of tree preservation and welfare. Tree protection and preservation BMP will be determined on---site by the project arborist and other

involved parties. Tree and resource preservation measures will be regularly inspected by the Project Arborist and properly maintained by assigned personnel for the duration of the project to ensure they are performing and functioning effectively.

Prior to the commencement of proposed development activities, a pre---construction meeting with the project Arborist will be scheduled to discuss the installation of tree and resource protection measures and BMP that will be necessary for the project. Additionally, a monitoring program should be implemented for the duration of the project that will serve to regularly monitor and inspect the condition of tree and resource protection measures; determine if any repairs, modifications or improvements are necessary; and, to make certain that tree and resource protection measures are functioning and performing effectively. Proper execution and implementation of BMP, and performing regular project site monitoring will assist in preventing and minimizing impacts to trees and other natural resources.

An additional property inspection should be conducted prior to beginning any proposed construction activities to determine the presence or absence of nesting birds, roosting bats and any other sensitive resources that have the potential of occurring on the property. These resources will also be monitored during subsequent inspections. The City should require a contract between the Applicant and a qualified Arborist to perform these inspections periodically for the duration of the project.

The following are recommended tree and resource protection and BMP for the proposed project:

8.1) Exclusionary Fencing: Prior to commencing grading and construction activities install high visibility exclusionary fencing in a manner that clearly defines the work area, limits unnecessary disturbance and protects the critical root zone (i.e., canopy drip---line) of individual trees and tree groupings. The Project Arborist should be involved with identifying and delineating sensitive root zone areas within and beyond the canopy drip---line of retained trees to ensure these trees will be protected and preserved for the duration of the project. To avoid or limit tree impacts, necessary repairs, modifications and maintenance should be conducted on an as---needed basis.

8.2) Sedimentation Control: Install appropriate sedimentation control measures (e.g., silt fence) along the downslope perimeter of the site, and, if necessary, apply soil stabilization and source control measures (e.g., rice straw mulch, erosion control blankets, all---weather surfaces) to exposed soil surfaces to prevent erosion problems and sediment runoff during rain events. Erosion problems and sediment deposition around trees can adversely affect tree health and stability. Routine monitoring as well as necessary maintenance and improvements will ensure erosion and sedimentation control measures are functioning effectively.

8.3) Trunk and Stem Protection: Where grading and construction activities are occurring within 3---feet of trees, install trunk and stem protection measures (e.g., weed free rice straw bales or construction lumber). Tree protection measures should be securely installed to trees with rope and high visibility exclusionary fencing. If it is necessary to perform any pruning, use proper tree pruning practices to minimize stress and maximize wound healing.

8.4) Root Zone Protection: Where possible avoid damaging or severing roots located within critical root zone (i.e., canopy drip---line) of trees, especially roots that are 2 inches in diameter or larger. Construction footings should be designed and excavation cuts performed in a manner to minimize impacts to primary roots. If significant roots are encountered, efforts should be made to carefully excavate (e.g., tunnel or dig) under or around primary lateral roots. Trenching operations that may occur in close proximity to retained trees should be performed under the guidance and monitoring of the project Arborist. Tree roots severed or significantly damaged during grading and excavating operations should be cleanly cut and promptly covered with moist burlap fabric or equivalent until roots are permanently covered with backfill material or until the exposed grading cut and soil profile are permanently stabilized and protected. If burlap covered cut roots are exposed to the outside environment for a prolonged time period, make certain a site attendant is assigned the task of regularly wetting burlap covered roots to prevent root desiccation.

8.5) Trees Damage: In accordance with the established tree care and preservation BMP, when trees are damaged during construction each should be promptly repaired and/or treated as prescribed by the project Arborist specifications. Remedial or corrective treatments will depend largely on the condition of specific tree and the damage or injury sustained.

8.6) Natural Grade Protection: Where possible avoid altering the natural grade and applying excessive fill material within the critical root zone of trees to reduce the likelihood of crown rot and root decay disorders developing. It is particularly important to avoid applying fill material against the lower trunk and root crown of protected trees.

8.7) Irrigation: Trees are to be irrigated on a schedule to be determined by an Arborist at the start of construction. Tree irrigation shall wet the soil within the tree protection zone to a depth of 30 inches.

8.8) Pruning: If tree pruning is necessary, it is important proper pruning BMP are performed. The Project Arborist should oversee proper pruning to minimize harmful impacts to trees and to reduce potential tree hazards. Ideally, tree pruning should be performed during the Fall through early winter months. An important principle is to make proper pruning cuts, keeping them as small as possible while removing as few living branches as possible. Excessive pruning stresses trees by depleting energy reserves and reducing food making processes (i.e., photosynthesis) compromising a tree's ability to replenish essential reserves during periods of stress (e.g. root zone disturbance and drought conditions). Additionally, excessive pruning creates wounds that provide entry points to potentially harmful biotic disorders (e.g., disease, decay and insect pests) that can adversely affect the health and structural integrity of trees. Additional pruning BMP and guidelines are available upon request.

8.9) Woodchip Mulch from Site: Woodchip mulch produced during tree removal operations should be retained on site. This sourced mulch can be utilized for erosion control (i.e., mulch can be effective at stabilizing and protecting exposed soil surfaces) as well as preventing soil compaction within tree root zones and may even be used for future landscaping activities.

8.10) Storage: Avoid storing construction tools, materials and equipment within the canopy drip---line of trees. Do not wash out or dispose of excess materials (e.g., paint, plaster, concrete, etc.) within critical root zones. If it is unavoidable and necessary to temporarily store or stockpile materials and equipment within the drip---line of trees, apply 6---12 inches of clean and properly sourced woodchip mulch to prevent significant soil compaction and root zone disturbance. Once construction activities are complete this thick temporary mulch layer should be removed and reduced to a 3---4 inch layer of woodchip mulch to allow for increased water and oxygen penetration into the subgrade.

8.11) Site Inspections: Regularly perform construction site inspections for the duration of the project to monitor the condition of trees and resource protection measures and to determine if any repairs, adjustments or modifications are necessary. Additionally, trees impacted by site development should be periodically monitored and assessed during and following the project to determine if any tree care and management actions are necessary and to make certain trees do not present a hazard to property and/or nearby structures.

8.12) Contracted Arborist: Prior to the issuance of a building permit, the Applicant shall submit proof of an executed agreement, signed by a qualified Arborist, to ensure compliance with the recommendations of this Arborist Assessment prepared for the project by TWM. All recommendations must be in compliance with the TWM Arborist Report, including the pre---construction surveys for nesting birds and roosting bats in accordance with assessment protocols established in the General Plan and implementation of Best Management Practices (BMPs) for construction activities. In addition, the agreement shall include a schedule of the proposed construction and a pre---construction survey schedule for the Arborist. Also, the agreement should include a schedule for the project biologist as well as including details of the survey process. Results of the pre---construction surveys shall be submitted to the Planning Department prior to the issuance of any Tree Removal Permits. There may be other tree and resource protection recommendations added to this list during the preparation of the City's Conditions of Approval.

Hochhauser Blatter

ARCHITECTURE AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

SEASIDE SENIOR LIVING, LLC

550 MONTEREY ROAD
SEASIDE, CA 93955

APN: 031-141-004

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TREES



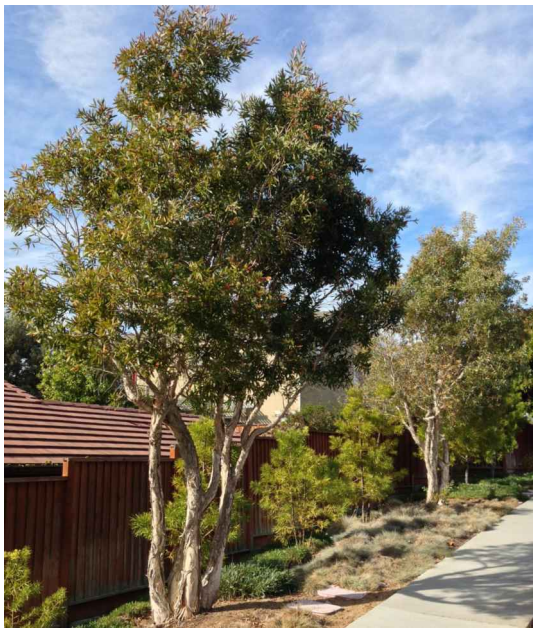
Arbutus marina



Cupressus macrocarpa



Lyonothamnus floribundus



Melaleuca quinquenervia



Olea europaea 'Swan Hill'



Pinus contorta

GROUND
COVERS



Arctostaphylos 'Emerald Carpet'



Armeria maritima 'Californica'



Ceanothus griseus horizontalis



Eschscholzia californica



Erigonum grande 'Rubescens'



Fragaria chiloensis



Iris douglasiana

GRASSES



Calamagrostis foliosa



Festuca californica



Festuca glauca



Festuca rubra



Helictotrichon sempervirens



Muhlenbergia rigens



Sisyrinchium bellum

SHRUBS



Achillea millefolium



Arctostaphylos 'Dr. Hurd'



Artemisia californica 'Canyon Gray'



Ceanothus 'Skylark'



Cistus salvifolius



Dodonea viscosa



Echeveria sp.

SHRUBS



Fremontodendron 'Ken Taylor'



Lavandula sp.



Lavatera maritima



Leucadendron sp.



Limonium perezii



Melaleuca nesophila



Phormium sp.

SHRUBS



Polystichum munitum



Salvia leucophylla



Salvia spathacea



Watsonia sp.



Zauschneria californica

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SANTA BARBARA
CALIFORNIA 93101
805 962 2746

SEASIDE SENIOR LIVING, LLC

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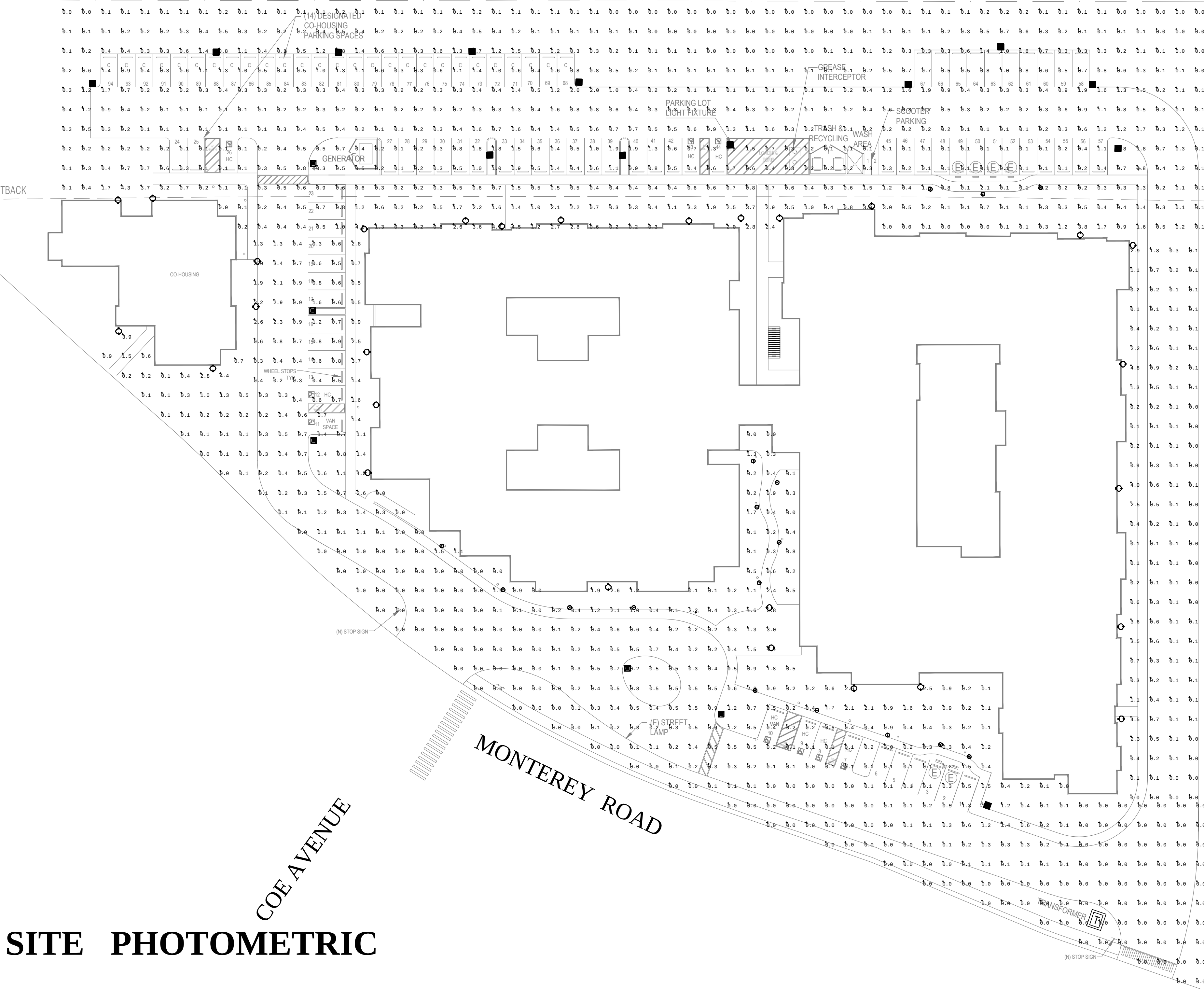
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SHEET

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PACIFIC COAST HIGHWAY



SITE PHOTOMETRIC

Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
■	13	MED14-H2-40LED-DSFG	SINGLE	N.A.	0.500	Pole top Type 2
■	5	MED14PT-H5-40LED-DS	SINGLE	N.A.	0.900	Pole Top Type 5
○	28	MED11-H3-40LED-DSCG	SINGLE	N.A.	0.500	Wall Mount Type 3
○	18	8554LED	SINGLE	1800	0.900	Bollard

Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Max/Avg
CO-HOUSING DRIVE	Illuminance	Fc	1.13	3.7	0.2	5.65	18.50	3.27
EAST	Illuminance	Fc	0.47	4.8	0.0	N.A.	N.A.	10.21
NORTH	Illuminance	Fc	0.51	4.6	0.0	N.A.	N.A.	9.02
SOUTH	Illuminance	Fc	0.37	4.5	0.0	N.A.	N.A.	12.16

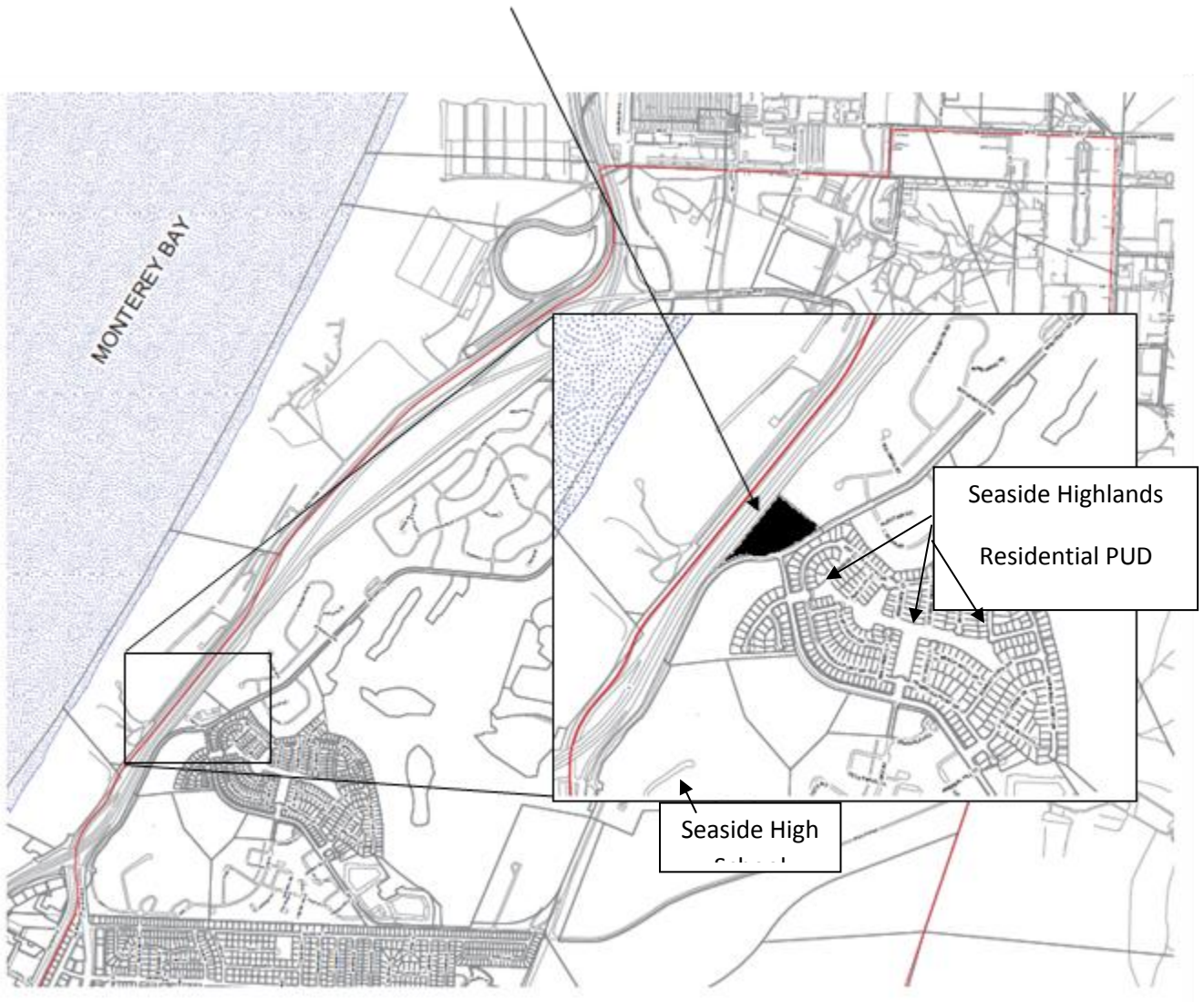


Scale: 1"=16'-0"

0 8 16 32

Location Map

Project Site: 550 Monterey Road





View from Highway 1 looking north



View from Highway 1 looking east



View from Highway 1 looking south

Project location



View from Monterey Road and Coe Avenue looking west

Project Location



View from Monterey Road looking southwest



View from Monterey Road looking at existing convenience store to be demolished

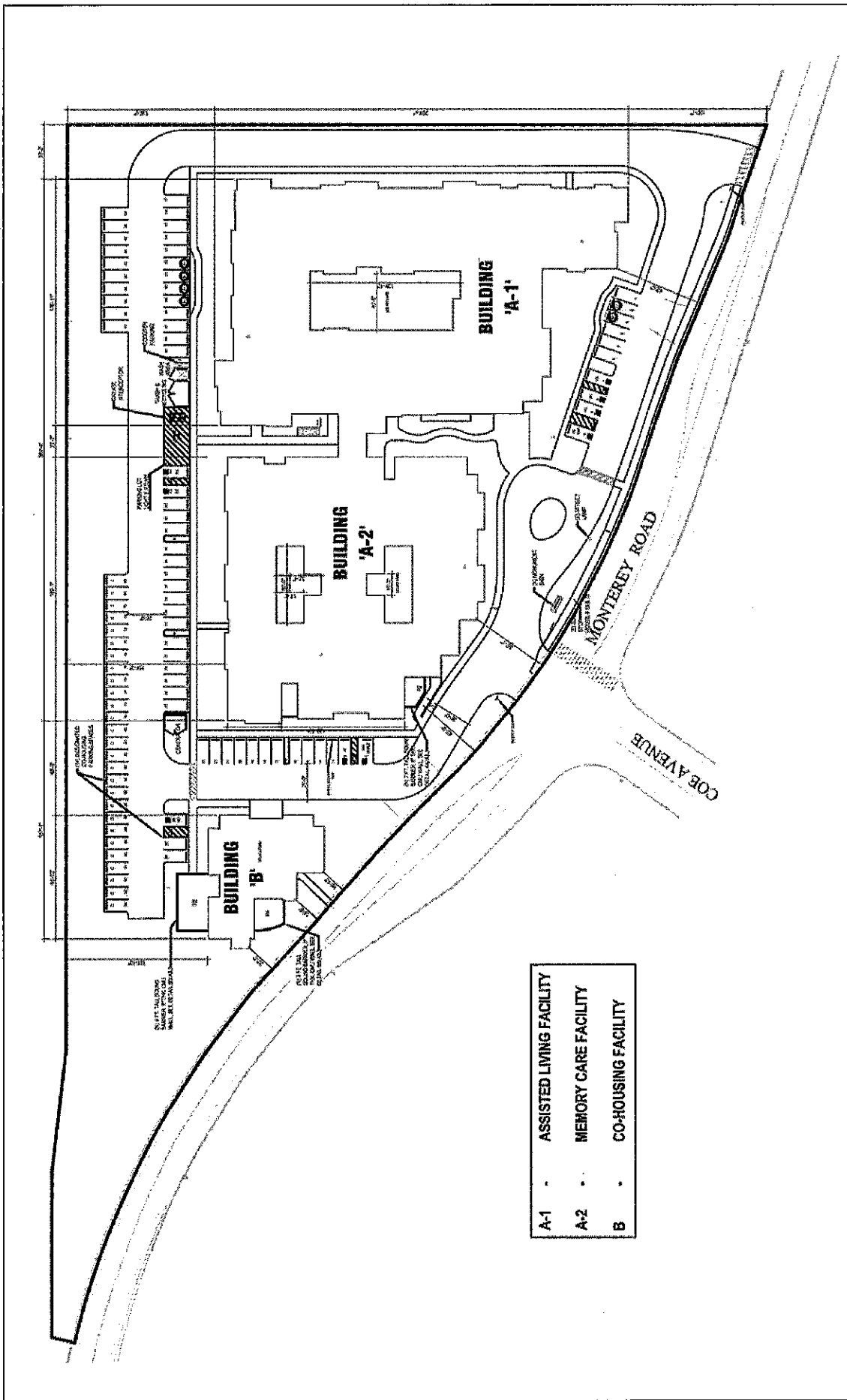


FIGURE II-2

LSA

0 64 128
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↑ N

SOURCE: Hochhauser Blatter
I:\SEZ1402\GISite Plan.cdr (3/3/2016)

General Plan ConsistencyTable

General Plan Goal/Policy	Evidence
Goal LU-2: Revitalize existing commercial area. Policy LU-2.4: During redevelopment and revitalization activities, ensure quality architectural and design themes.	Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 feet (ft) east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space. The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development.

General Plan Consistency Table

General Plan Goal/Policy	Evidence
Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods. Policy LU-4.1: Require that all new development 1) funds its share of community services and facilities; 2) uses quality design and materials; 3) is compatible with surrounding uses, the site, and available infrastructure.	Evidence: The proposed project will complement the existing site and enhance the character of the community as follows: 1. The proposed project will consist of demolishing an abandoned gas station/convenience store and redeveloping the site with an Assisted Living Facility; a Memory Care Facility; and a Co-Housing Assisted Living Facility. The Assisted Living Facility and the Memory Care Facility are contained in an 111,386 sf building. Of the 111,386 sf building, 81,679 sf will be used by the Assisted Living Facility and 29,707 sf will be used by the Memory Care Facility (refer to Building A-1 for the Assisted Living Facility and Building A-2 for the Memory Care Facility on Figure 1-2). The Co-Housing Assisted Living Facility will be 10,894 sf. The project will be able to fund its share of infrastructure improvements by re-constructing all required gas, water, and sewer lines to serve the development and pay the required Fort Ord Reuse Agency Fees. 2. The proposed project is being designed such that the height and setback of the buildings are similar to (e.g., two-story) or greater than (e.g., setbacks varying from approximately 16 to 63 ft) the neighboring residential areas. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. The project would be designed in the traditional California Craftsman architectural style. The architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables, flower boxes, and wood fascia. The architectural detail would also be characterized by neo-traditional California Craftsman design including entry porches, hip roofs, overhangs with exposed rafter tails, windows with divided lights, and wood castings and head and sill trim around all windows and doors. The roofs would consist of asphalt shingles in a weathered wood finish. The proposed project includes aluminum-clad French doors and lights and single-hung windows. The City Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design plans before the proposed project is considered and approved by the Planning Commission and the City Council. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development. The proposed project will water conservation measures to comply with Title 24 of the 2013 California Building Code and a planting and

General Plan ConsistencyTable

General Plan Goal/Policy	Evidence
	irrigation system in compliance with the State Model Landscape Ordinance. The proposed project would also be designed to conform to Section R2.1 Occupancy, of the most current California Building Code (CBC), which includes building code requirements for residential care facilities for the elderly with more than six non-ambulatory residents. 3. The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City's standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project's final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR's review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City's General Plan. Furthermore, because the proposed project would include the development of residential housing for seniors, the land use character of the project site would be similar to the surrounding residential uses so the proposed project would not substantially change the character of the views currently experienced by off-site viewers. As mentioned above, the proposed project includes landscaping along the perimeter of the project site and around each of the two buildings to buffer the view of the facilities from passing motorists and off-site viewers. Furthermore, the proposed project will allow for the relocation of existing infrastructure system on-site and will not require any expansion in the capacity of the existing infrastructure system.
Goal LU-5: Collaborate with local and regional water suppliers to continue to provide quality water supply and treatment capacity to meet community needs. Policy LU-5.1: Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without negatively impacting the existing community. Policy LU-5.3: Actively promote water conservation by	Evidence: Operation of the proposed senior assisted living facility would result in a projected water demand of approximately 40.8 af/yr.¹ This does not include any reduction that would be obtained through incorporation of the sustainability features listed in Section II.B of this IS/MND. Based on the current and 10-year annual water consumption rates provided by the Marina Coast Water District, there is sufficient water allocation remaining in the 1,012 af/yr Ord Community/City of Seaside water allocation limit to meet the water supply needs of the proposed project. Therefore, water supply is available to meet the incremental increase in demand from the proposed project. The project would not necessitate new or expanded water entitlements, and the MCWD would be able to accommodate the increased demand for potable water. Evidence: Provision of a landscape and development plan for the proposed project that includes:

General Plan Consistency Table

General Plan Goal/Policy	Evidence
City residents and businesses.	• Native and/or drought-tolerant plants; • Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls; • Restricted watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Provision of ultra-high efficiency water fixtures within the living units and dining area facilities in accordance with the Marina Coast Water District standards.
Goal LU-6: Ensure that sewer services and facilities are provided and maintained to adequately meet the community's current and future need for sewer collection and treatment. Policy LU-6.1: Maintain the existing sewer system to provide a high level of service to community neighborhoods. Policy LU-6.2: Ensure new development and redevelopment projects provide adequate sewage collection infrastructure.	Evidence: Wastewater from the proposed project would be sent, via lines owned and managed by MCWD, to the Monterey Regional Water Pollution Control Agency's (MRWMD) Regional Wastewater Treatment Plant where it would be treated. The existing sewer lines within the vicinity of the project site include one 8-inch gravity-fed sewage line and one 10-inch pressurized line. Buildings would connect directly to the 8-inch gravity-fed sewage line, which would be relocated and upgraded to a 12-inch gravity-fed sewage line as part of the proposed project. The MCWD facilities would receive wastewater generated from the proposed project. The wastewater is ultimately pumped to the Monterey Regional Water Pollution Control Agency (MRWPCA) regional treatment plant for processing, which is located 2 miles north of the City of Marina in northern Monterey County. Any future development on the project site would be serviced by the MRWPCA regional treatment facility. The regional treatment facility is responsible for the disposal of treated wastewater. MRWPCA has provided the Applicant with a will service letter (see Appendix B of this IS/MND) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. Evidence: The MRWPCA regional treatment facility has been designed to treat typical wastewater flows from different land uses in the region, including within the City. The proposed project would generate wastewater flows typical of residential and commercial uses in the City. Therefore, the proposed project would not produce wastewater atypical of flows received at the MRWPCA regional treatment plant. MRWPCA has provided the Applicant with a will service letter (see Appendix B of IS/MND) suggesting there is adequate capacity to serve the proposed project's projected demand in addition to existing commitments. In addition, as discussed in Response XVII(b) of the environmental checklist, the proposed project is anticipated to generate approximately 24,000 gallons of wastewater per day, which is a fraction of 0.1 percent of the available daily treatment capacity at

General Plan ConsistencyTable

General Plan Goal/Policy	Evidence
	MRWPCA. Therefore, the increased wastewater flows from the proposed project can be accommodated within the existing design capacity of the MRWPCA regional treatment plant, would be typical of wastewater flows in the City, and would not result in the MRWPCA regional treatment facility exceeding its wastewater treatment requirements.
Goal LU-8: Provide a level of flood control and protection that meets the needs of the community. Policy LU-8.2: Ensure developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State and federal standards.	Evidence: Throughout the project site, drain inlets and a pipe system would be provided to collect the storm water from the driveways and other impervious surfaces, and direct it to the rain gardens, with the exception of the southerly, undeveloped end of the project site. In this location, the existing vegetation would be protected in place and runoff would infiltrate directly into the ground. Pervious pavers would be installed at interior courtyards and in all parking stalls. The new stormwater drainage system would accommodate storm water up to the 100-year storm. Prior to the issuance of a grading permit, the Applicant shall prepare a Final Stormwater Control Plan. The Final Stormwater Control Plan shall be prepared by a qualified hydrologist or Professional Engineer. The Final Stormwater Control Plan shall be prepared consistent with the post-construction requirements of the Monterey Regional Stormwater Management Program (MRSWMP), including the Stormwater Technical Guide for Low Impact Development and the Stormwater Control Plan Template. The Final Stormwater Control Plan shall specify Best Management Practices (BMPs) to be incorporated into the design of the proposed project. In addition, the Final Stormwater Control Plan shall demonstrate that the storm water controls comply with the Fort Ord Reuse Authority requirement that 100 percent of the on-site storm water from a 24-hour 100-year storm event be infiltrated on the site. The Final Stormwater Control Plan shall include pre-project and post-project flow calculations to demonstrate that the rain gardens are designed to infiltrate 100 percent of the runoff from a 100-year storm. The Applicant shall provide the Final Stormwater Control Plan to the City of Seaside Public Works Department for review and approval.
Goal C-4: Ensure adequate parking is provided on-site Policy C-4.1: Require off-street parking in new development and redevelopment projects.	Evidence: The proposed project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The Assisted Living Facility and Memory Care Facility combined would provide 78 parking spaces for residents, visitors and employees. The Co-Housing Facility would provide 14 parking spaces for residents and visitors. Of the 92 total parking spaces, 8 parking spaces would be ADA-compliant and designated as handicap parking, 6 parking spaces would be designated for low-emitting and fuel-efficient vehicles and provide electric vehicle charging stations, 23 parking spaces would be designated for compact vehicles, and 55 parking spaces would be designated for standard vehicles. An additional 9 spaces would be provided for bicycle parking, and 2 spaces would be provided for motorcycle parking.

General Plan Consistency Table

General Plan Goal/Policy	Evidence
Goal S-1: Reduce the risks to people and property from hazards related to seismic activity, flooding, geologic conditions, and wildfires Policy 8-S.1: Reduce the risk of impacts from seismic and geologic hazards.	Evidence: The project site is located in a region characterized by moderate to high seismic activity, which could result in damage to the proposed buildings. There are several faults in the vicinity of the project site that are capable of producing strong ground motion. A fault search conducted as part of the <i>Geotechnical Investigation Report</i> identified 24 active faults and potentially active faults mapped within a 62-mile radius of the project site. These 24 faults, their distance from the site, and their estimated mean moment magnitude are listed in Table VI.VI.1. During an earthquake along any of these faults, seismically induced ground shaking at the project site would be expected to occur. The severity of the shaking would be influenced by the distance of the project site to the seismic source, the soil conditions, and the depth to groundwater. According to the <i>Geotechnical Investigation Report</i>, the Rinconada Fault is the closest known fault to the project site and, because of the fault's proximity, has the greatest potential to generate the highest level of ground shaking at the project site. The probabilistic maximum considered earthquake (MCE)² for the project site is estimated to result in a peak ground acceleration of 0.56 g.³ Due to the proximity of the project site to the Rinconada Fault, the Blanco section of the Reliz Fault and the Monterey Bay-Tularcitos Fault and other active faults in the area, it is likely that the project site would be subjected to strong ground shaking from at least one moderate to severe earthquake during the lifespan of the proposed project. Therefore, strong seismic ground shaking generated by seismic activity is considered a potential constraint that may affect the proposed project. All applicable guidelines, including compliance with the California Building Code and the City of Seaside Building Code, accepted industry standards, and other regional and local regulations that address seismic hazards, would be incorporated into the project's building plans.
Policy S-1.2: Protect the community from flooding hazards.	Evidence: According to the City's General Plan Safety Element (2004), the project site is not located within a 100-year flood zone. In addition, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is not located within a 100-year special flood hazard area. The project site is mapped as Zone X, Other Flood Areas, which is defined as areas of 0.2 percent annual chance floodplain (500-year floodplain), areas of 1 percent annual chance flood (100-year flood) with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood (Map No. 06053C0290G; April 2, 2009).
Policy S-1.3: Reduce the risk of wildfire hazard in the community.	Evidence: According to the City's General Plan Safety Element, the project site is located within a Fire Hazard Area. Although located in a Fire Hazard Area, the project site is surrounded by residential development to the east and south and SR-1 to the west and north. During operation, the project site

General Plan Consistency Table

General Plan Goal/Policy	Evidence
	would be developed with structures and landscaping and surrounded by urban development and roadways. In addition, the proposed use of the site would be typical of urban development and would have a low risk of igniting a wildfire. Because of the urban nature of the project site and surrounding development, and the proposed on-site uses, the risk of wildfire during operation would be low.
Goal 8-2: Protect the community from public safety hazards related to human activities. Policy 8-2.2: Minimize the risk to the community associated with hazardous materials.	Evidence: Construction of the proposed project would involve the use of chemical agents, solvents, paints, and other hazardous materials that are associated with construction activities. The amount of hazardous chemicals present during construction would be limited and would be handled in compliance with existing government regulations. The potential for the release of hazardous materials during project construction is low and, in the unlikely event that a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials used during construction. Construction of the proposed project would result in the disturbance of soils on the project site, which was once a gas station for Fort Ord. The project site previously contained three 1,000 gallon underground storage tanks (USTs) and associated product piping. The USTs and product piping located on site were properly removed in January 1997. Additionally, soil and soil vapor sampling was conducted to confirm soils on site do not contain any significant residual impacts from the gas station operations. Based on soil and soil vapor sampling conducted, there is no evidence of a petroleum hydrocarbon or VOC release resulting from the former gas station operation. Project operation would involve the use of potentially hazardous materials (e.g., cleaning agents, paints, fertilizers, or pesticides) that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to residents or workers in the vicinity of the project site. The proposed project would not produce hazardous emissions or handle acutely hazardous materials, substances, or waste.
Goal N-1: Provide consistent and effective noise control through proper and use planning. N-3: Minimize non-transportation related noise impacts. Policy N-1.1: Ensure new development and reuse/revitalization projects can be made compatible with the noise environment and existing development.	Evidence: The City of Seaside General Plan requires that interior noise levels be maintained at or below 45 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) for residential uses. Interior noise levels would vary depending upon the design of the buildings (relative window area to wall area) and the selected construction materials

General Plan Consistency Table

General Plan Goal/Policy	Evidence
Policy N-3.1: Reduce the impacts of noise producing land uses, activities, and businesses on noise sensitive land uses.	and methods but in general, interior noise levels would be up to 58 to 59 dBA CNEL. The proposed project will be required to install doors and windows with varying Sound Transmission Class (STC) ratings in units subjected to potentially high interior noise levels. The proposed project will also be required to install forced-air mechanical ventilation in all residential units. These requirements will help maintain interior noise levels below the City's 45 dBA CNEL noise threshold. Evidence: Traffic-related Noise. The project site is located between State Route 1 (SR-1) and Monterey Road just north of the Monterey Road and Coe Avenue intersection in the City of Seaside. Existing ambient noise was compared to projected ambient noise levels after the project is developed to determine if the project would be compatible with the existing noise environment and existing development. The primary existing noise source in the vicinity of the project site is vehicular traffic along SR-1 and local traffic along Monterey Road. Neighborhood traffic along Coe Avenue also affects the noise environment. Traffic-related noise will not be compatible with outdoor patios in three specific locations within the project site. Therefore, the proposed project includes walls around certain patios within the proposed development to ensure that use of the patios does not expose residents to excessive noise. Stationary Noise. The proposed project includes the operation of mechanical ventilation as well as emergency vehicles that may periodically assist residents. Neither the operation of mechanical equipment nor the periodic use of emergency vehicles will generate noise that will impact surrounding sensitive land uses. Mechanical Equipment. The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems. The placement of such equipment would occur on either the interior or the northern boundary of the project site. During daytime hours, typical existing hourly average noise levels range from 64 to 69 dBA L_{eq}, and during nighttime hours, existing noise levels range from 56 to 66 dBA L_{eq}. The nearest mechanical equipment room proposed near the southern property line would be a distance of 180 ft away from on-site residential units. Typical air conditioning units and heat pumps range from approximately 54 to 62 dBA L_{eq} at a distance of 5 ft. At 180 ft, these units would have noise levels below 40 dBA L_{eq}. Any other identified locations for mechanical equipment would be located further than 180 ft from the nearest noise-sensitive receptors. Emergency Response. The proposed senior assisted-living facility may, on occasion, require emergency vehicle assistance, which may include the use of a siren. At a distance of approximately 50 ft, sirens could reach levels of 92 to 94 dBA L_{max}. The nearest existing residences would be located approximately 125 ft from the entrance driveway of the project site, which would result in maximum instantaneous noise levels of 88 to 90 dBA L_{max}. While these levels could be considered to be excessive, they would occur within short time spans and would be in response to emergencies. According to Chapter 9.12.040 of the City's

General Plan Consistency Table

General Plan Goal/Policy	Evidence
	Municipal Code, excessive, unnecessary, or unusually loud noise is exempt from the established noise regulations.
Goal H-1: Maintain a range of housing opportunities to address the existing and projected needs of the community. Policy H-1.6: Support the concept of “aging in place” by maintaining a range of housing types that allows people to remain in the community as their housing needs change. Policy H-1.7: Ensure new residential developments are adequately served by infrastructure, including water and sewer, park and recreation areas, libraries, transportation, public safety and other necessary community services. Goal H-2: Maintain and improve existing neighborhoods and housing. Policy H-2.6: Through a design review process, ensure new residential developments and revitalization projects are compatible (i.e. scale, size, height, design, and appearance) with surrounding uses: Policy H-2.7: Support public education programs that promote property maintenance. Goal H-3: Use public-private partnerships and collaborative efforts to ensure that all segments of the community have access to safe and decent housing that meets their special needs.	Evidence: The proposed project will contribute to improved residential options for senior citizens within the City by creating a development that incorporates a range of housing types for seniors, such as assisted living and memory care. The proposed project will provide seniors currently living in the Seaside/Monterey area an opportunity to “age in place” and remain in the area as they begin to require different housing options and a higher level of care. Evidence: The project proposes to construct 144 new senior living residential units located within three facilities and would be designed to accommodate approximately 174 senior residents. It is expected that the proposed facilities would primarily accommodate seniors that are currently living in the City, although some of the senior residents would relocate to obtain assisted living care in this location. Furthermore, the proposed project will include utilities and recreation areas on-site. Therefore, the proposed project would not substantially increase the demand on existing public services or the need for new or expanded public services. Evidence: The architecture and scale of the development will consist of California Craftsman style architecture. As part of the City’s standard review process for development projects, the Board of Architectural Review (BAR – Application No. 14-20) would be responsible for reviewing and approving the proposed project’s final architectural design plans before the project is considered and approved by the Planning Commission and City Council. The BAR’s review would ensure that the architectural design of the proposed buildings is consistent with the urban design goals set forth in the City’s General Plan and that the design is consistent with the surrounding residential neighborhoods. Evidence: The proposed project will include a demonstration garden at the south end of the development which will include drought tolerant species native to the Monterey Peninsula.

General Plan ConsistencyTable

General Plan Goal/Policy	Evidence
Policy H-3.1: Participate in programs assisting in the production and conservation of adequate, safe, and attractive housing affordable to very-low, low, and moderate income households and other special needs groups.	Evidence: The assisted living and memory care facilities will provide housing opportunities for seniors with limited mobility and/or in need of special assistance for daily living functions. This type of housing type is limited within the community. The co-housing facility will provide affordable housing in a dormitory style environment.

¹ Water consumption was calculated based on the Marina Coast Water District's Urban Water Management Plan water demand factors. (144 dwelling units x 0.25 af/yr/dwelling unit) + (0.89 ac landscaping x 2.1 af/yr/ac) + (2,000 sf restaurant x 0.00145 af/yr/sf) = 40.8 af/yr.

² A maximum considered earthquake is defined as an earthquake that is expected to occur once in approximately 2,500 years, that is, it has a 2 percent probability of being exceeded in 50 years.

³ g = acceleration due to gravity 9.8 (m/s²)

ac = acres

af/yr = acre-feet per year

City = City of Seaside

ft = foot/feet

IS/MND = Initial Study/Mitigated Negative Declaration

MCWD = Marina Coast Water District

sf = square feet

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Residential Objective B: Ensure compatibility between residential development and surrounding land Uses. Residential Land Use Policy B-1: Residential Land Use Policy B-1: The City of Seaside shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Residential Objective C: Encourage highest and best use of residential land to enhance and maximize the market value of residential development and realize the economic opportunities associated with redevelopment at the former Fort Ord. Residential Land Use Policy C-1: The City of Seaside shall provide opportunities for developing market-responsive housing in the Fort Ord planning area.	Evidence: The project site is surrounded on two sides by single-family neighborhoods constituted by tightly spaced (approximately 0.125-acre lots) two-story single-family homes. The front, rear, and side-yard setbacks range between 5 and 15 ft, typical for single-family residential neighborhoods. The setbacks are landscaped with trees, shrubs, and grass. The proposed project is being designed as a two-story development with setbacks varying from approximately 16 to 63 ft. The proposed project will provide landscaping, including trees and shrubs, around the perimeter of the project as well as within the interior of the development. While the mass of the buildings will appear more dense than the surrounding residential areas, as noted above, the height, setbacks, landscaping, and architecture of the proposed project would be comparable to and compatible with the existing surrounding residential development. Evidence: The proposed project will provide Senior Housing, which is identified as an underserved housing type within the City of Seaside. By providing an underserved housing type to help maintain a variety of housing types in the City commensurate with projected housing needs, the proposed project would be consistent with the Seaside General Plan.
Institutional Land Use Objective D: Provide for Community Design principles and guidelines for institutional development at the former Fort Ord. Institutional Land Use Policy D-2: The City of Seaside shall adhere to the General Development Character and Design Objectives of the Fort Ord Reuse Plan Framework for institutional development at the former Fort Ord.	Evidence: Implementation of the proposed project would include the removal of the existing 5,000 sf structure and the construction of two buildings that would house three separate senior living facilities on the site, including an 81,679 sf Assisted Living Facility, a 29,707 sf Memory Care Facility, and a 10,894 sf Co-Housing Facility, for a total of 122,280 sf of new construction. The proposed Assisted Living Facility would be a two-story structure containing 88 residential units, and a portion of the second story would be located above the adjoining Memory Care

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	Facility. The proposed Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. The proposed Co-Housing Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for Assisted Living. The two facilities would be designed in the traditional California Craftsman architectural style to blend in with the surrounding residential housing to the east-northeast, south, southeast, and southwest. The proposed architectural design includes horizontal- and shingle-sided buildings with some plaster elements and stone masonry details, decorative wood lattice, wood corbels at the roof gables and flower boxes, and wood fascia. Parking for the project would include a total of 92 parking spaces for residents, visitors, employees, and short-term services. The project proposes adding two driveways onto Monterey Road, one of which would form a fourth leg of the Coe Avenue/Monterey Road intersection and would serve as the main entrance to the site. The second driveway would be located about 400 ft east of the Coe Avenue/Monterey Road intersection, near the eastern end of the project site. The proposed project would include approximately 61,856 sf of new landscaping supplementing the 17,958 sf of open space, providing the site with 79,814 sf (1.83 acres) of green space.
Conservation Element: Soils and Geology Objective A: Prevent the loss and transport of soil resulting from wind and water erosion and promote construction practices that recognize soils with development limitations. Conservation Element Soils and Geology Policy A-2: The City shall require developers to prepare and implement erosion control and landscape plans for projects that involve high erosion risk. Each plan shall be prepared by a registered civil engineer or certified professional in the field of erosion and sediment control and shall be Fort Ord subject to the approval of the public works director for the City of Seaside. The erosion component of the plan must at least meet the requirements of Storm Water Pollution Prevention Plans (SWPPPs) required by the California State Water Resources Control Board.	Evidence: During construction of the proposed project, the total disturbed soil area would be approximately 5.47 acres. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. The on-site slopes composed of cohesionless dune sand materials are potentially subject to erosion. Concentration of surface runoff has the potential to result in severe erosion where the ground is included and unprotected. Because the proposed project disturbs greater than 1 acre of soil, the project is subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ, NPDES

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
	No. CAS000002) (Construction General Permit). Under the Construction General Permit, the project would be required to prepare a SWPPP and implement construction Best Management Practices (BMPs) detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.
Conservation Element: Hydrology and Water Objective C: Control nonpoint and point water pollution sources to protect the adopted beneficial uses of water. Hydrology and Water Quality Policy C-2: At the project approval stage, the City shall require new development to demonstrate that all measures will be taken to ensure that on-site drainage systems are designed to capture and filter out urban pollution.	Evidence: The project site consists of approximately 1.34 acres of impervious surface area (approximately 24.4 percent of the project site). The proposed project would increase impervious surface areas on the project site by approximately 1.66 acres to approximately 3.0 acres of impervious surface area (approximately 54.8 percent of the project site). Pollutants of concern associated with project operations include suspended solids/sediments, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, and trash and debris. A <i>Preliminary Stormwater Control Plan</i> has been prepared for the proposed project that details Low Impact Development (LID) and Source Control BMPs that would be implemented to target pollutants of concern in stormwater runoff and reduce impacts to water quality during operation of the proposed project. The LID BMPs proposed in the <i>Preliminary Stormwater Control Plan</i> include pervious pavement within the interior building courtyards and vehicle parking stalls. In addition bioswales that resemble dry streambeds and rain gardens featuring native plants would be incorporated into the project's landscaping design. In addition to the LID BMPs, Source Control BMPs would also be implemented that focus on reducing or eliminating runoff and controlling sources of pollutants during operation of the proposed project. As a Condition of Approval, the Developer will be required to prepare a Final Stormwater Control Plan that includes LID BMPs to ensure that on-site drainage systems are designed to capture and filter out urban pollution.
Noise Element Objective A: Ensure that application of land use compatibility criteria for noise and enforcement of noise regulations are consistent	

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
throughout the Fort Ord Planning area. Noise Policy B-8: If the ambient DNL exceeds the normally acceptable noise range for public or institutional uses (passively and actively used open spaces; auditoriums, concert halls, and amphitheaters; schools, libraries, churches, hospitals and nursing homes; golf courses, riding stables, water recreation areas, and cemeteries), as identified in Table 4.5-3, new development shall not increase ambient Ldn by more than 3 dBA measured at the property line. Noise Policy B-9: The City shall require construction contractors to employ noise-reducing construction practices.	Evidence: Neither the long-time traffic nor stationary noise sources would cause an increase in ambient noise levels of more than 3 A-weighted decibels (dBA) within the project vicinity as measured at the property line. Evidence: As a Condition of Approval, the Construction Contractor will be required to prepare a construction noise plan that includes implementation of Best Management Noise Reduction Practices.
Safety Element: Seismic and Geologic Hazards Objective A. Seismic and Geologic Hazards Policy A-2: The City shall use the development review process to ensure that potential seismic or geologic hazards are evaluated and mitigated prior to construction.	Evidence: A <i>Geotechnical Investigation Report for the Seaside Senior Living Facility, City of Seaside, California</i> (December 2014) was prepared for the proposed project. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code and the City of Seaside Building Code and the recommendations of the project geotechnical consultant as summarized in the final written Geotechnical Report.
Safety Element: Fire, Flood and Emergency Management Objective A. Fire, Flood, and Emergency Management Policy A-2: The City shall provide fire suppression water system guidelines and implementation plans for existing and acquired former Fort Ord lands equal to those recommended in the Fort Ord Infrastructure Study (FORIS Section Table 4.1.8) for fire protection water volumes, system distribution upgrades, and emergency water storage.	Evidence: Fire protection services for the project site are provided by the Seaside Fire Department. The City operates one fire station located at 1635 Broadway Avenue that is located approximately 2.5 miles from the project site by way of surface streets. The daily staffing for the fire station includes One Chief Officer assigned to a Chevy Tahoe Command Vehicle, three to four firefighters assigned to an Engine company, and three or four firefighters assigned to a Truck company (Chief Brian Dempsey, Personal Communication). The project site will contain sufficient water service and water pressure to service the site for fire suppression purposes.
Safety Element: Hazardous Materials and Toxic Materials Safety Objective A: Ensure the timely and complete compliance by the U. S. Army with the Remedial Investigation/Feasibility Study and associated remedial action ROD as part of the land transfer process.	

Fort Ord Base Reuse Plan Consistency

FORA Objective/Policy	Evidence
Hazardous and Toxic Materials Safety Policy A-1: The City shall monitor and report to the public all progress made on the RA-ROD.	Evidence: A Hazardous Phase I environmental site assessment and a confirmation sampling report for the project was completed. Neither identified any hazardous wastes at the project site. Based on the results, there is no evidence that there are any hazardous materials remaining from the former gas station. Therefore, no remediation is necessary.

City = City of Seaside

ft = foot/feet

ROD = Record of Decision

sf = square feet

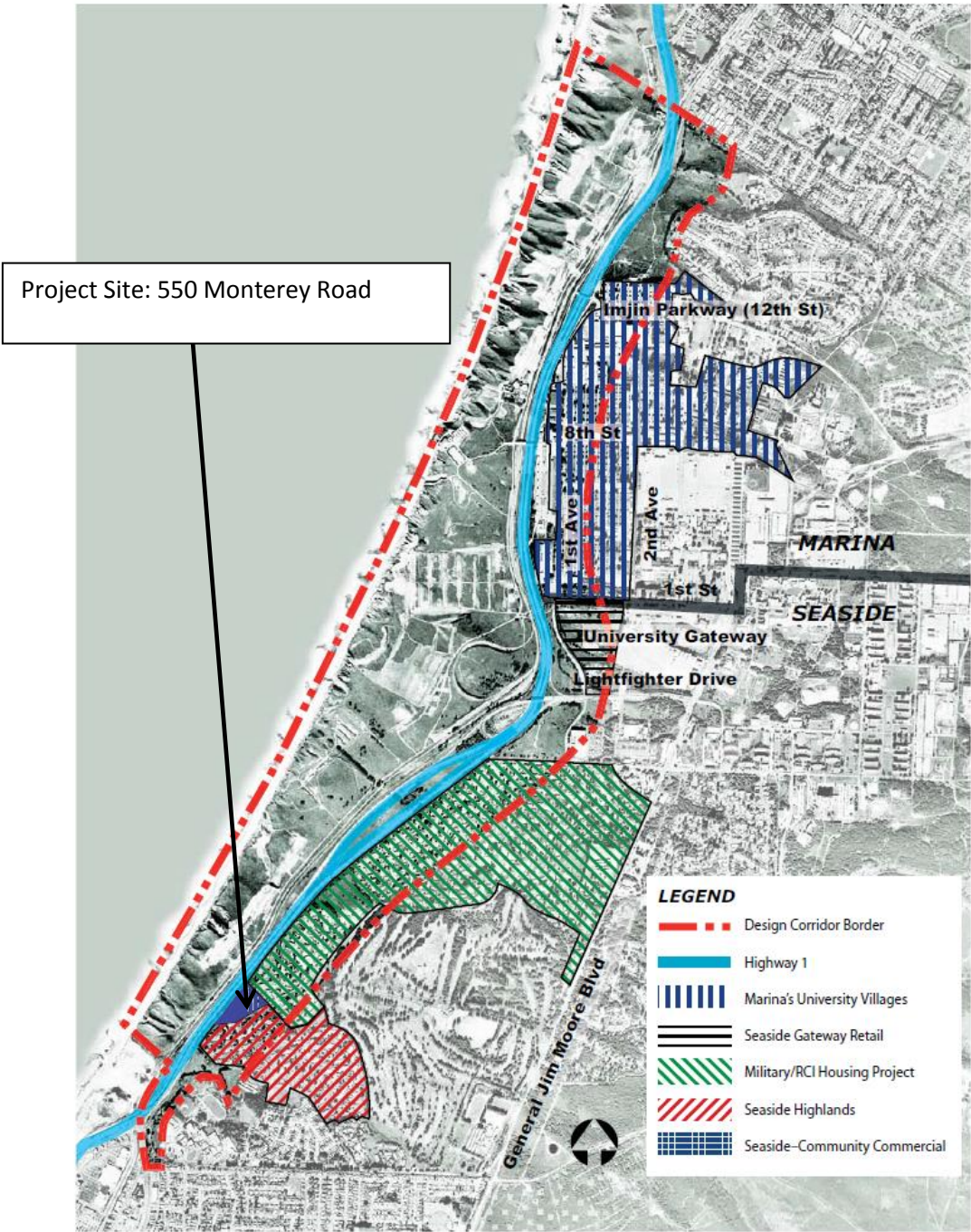


Figure 1.4—Highway 1 Design Corridor Proposed and Existing Developments

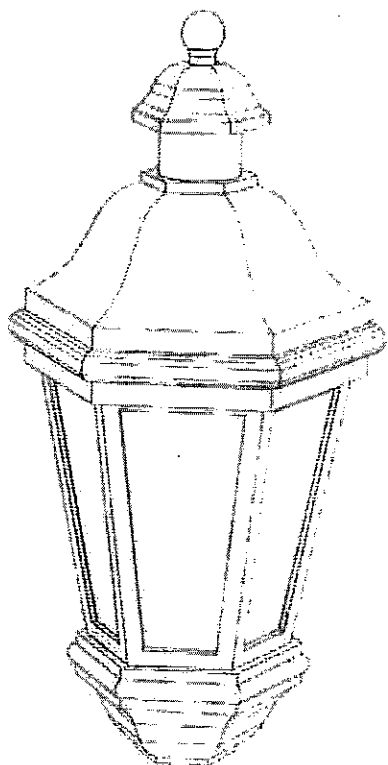
Exterior Lighting Cut Sheets



Project Name:	Type:
Notes:	Order Matrix Number:

Environmental Lighting for Architecture, Inc.

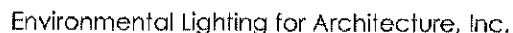
MEDITERRANEAN



The *Mediterranean* is a traditional six-sided lantern that comes in a multitude of sizes, mounting styles, and options. A legacy in ELA's line for years, this timeless design is suitable for pole, pier mount, cross arm, wall, or ceiling mounted applications. The *Mediterranean* is a perfect specification for shopping malls, decorative street lighting, parking lots, government buildings, site and walkway lighting, schools, libraries, high-end residential applications, and much more.

Constructed of high grade cast aluminum #A356 and finished with a powder-coated finish, the *Mediterranean* is built to endure the toughest of outdoor conditions. The *Mediterranean* can also meet the performance standards of today's lighting demands. It's available with an assortment of refractors or reflectors for all light distributions and is also available with a full cut-off to meet Dark Skies requirements. Available in up to a maximum 250 watt Metal Halide or High Pressure Sodium, the *Mediterranean* can also accommodate today's Low-Energy requirements with up to 135 watt LED or 250 watt Induction sources while still maintaining excellent light output.

With its classic traditional style, superior durability and high performance standards, the *Mediterranean* is the perfect solution to a full array of lighting applications.

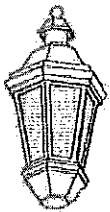
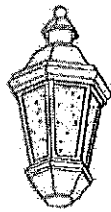
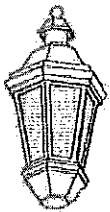
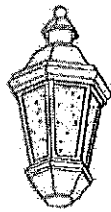
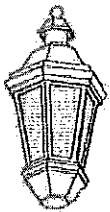
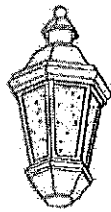
**Mediterranean - MED**

17891 Arentz Ave., City of Industry, CA 91748 • (800) 423-6561 • Fax: (626) 965-9494 • www.ela-lighting.com • info@ela-lighting.com

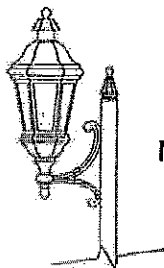


Environmental Lighting for Architecture, Inc.

Ordering Matrix
Mediterranean - MED

6. Voltage * Only these voltages are available with LED.	<table border="1"> <tr> <td>Matrix #:</td> <td>120 *</td> <td>208</td> <td>240</td> <td>277 *</td> <td>347</td> <td>480</td> </tr> <tr> <td>Description:</td> <td>120V</td> <td>208V</td> <td>240V</td> <td>277V</td> <td>347V</td> <td>480V</td> </tr> </table>						Matrix #:	120 *	208	240	277 *	347	480	Description:	120V	208V	240V	277V	347V	480V																																										
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7. Lens Notes: Consult factory for custom lens. * 50W max wattage.	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>CG Clear Glass</td> <td>FG Frosted Glass</td> <td>SG Seedy Glass</td> <td>DSCG Clear Glass (Dark Skies)</td> <td>DSFG Frosted Glass (Dark Skies)</td> <td colspan="2"></td> </tr> <tr> <td>CA Clear Acrylic *</td> <td>FA Frosted Acrylic *</td> <td>SA Seedy Acrylic *</td> <td colspan="4"></td> </tr> <tr> <td>CP Clear Polycarb. *</td> <td>FP Frosted Polycarb. *</td> <td colspan="4"></td> </tr> </table>													CG Clear Glass	FG Frosted Glass	SG Seedy Glass	DSCG Clear Glass (Dark Skies)	DSFG Frosted Glass (Dark Skies)			CA Clear Acrylic *	FA Frosted Acrylic *	SA Seedy Acrylic *					CP Clear Polycarb. *	FP Frosted Polycarb. *																																	
																																																														
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8. Color Notes: Consult factory for custom colors.	<table border="1"> <tr> <th colspan="2">Powder Coat Finish</th> <th colspan="2">Hand-Applied Finish</th> </tr> <tr> <td>Matrix #</td> <td>Description</td> <td>Matrix #</td> <td>Description</td> </tr> <tr> <td>AG</td> <td>Augustine Green</td> <td>MG</td> <td>Malaga Green</td> </tr> <tr> <td>GY</td> <td>Architectural Grey</td> <td>MN</td> <td>Midnight</td> </tr> <tr> <td>CC</td> <td>Charcoal</td> <td>PW</td> <td>Pewter</td> </tr> <tr> <td>CY</td> <td>Clay</td> <td>SS</td> <td>Sand Storm</td> </tr> <tr> <td>DB</td> <td>Dark Bronze</td> <td>SB</td> <td>Statuary Bronze</td> </tr> <tr> <td>HR</td> <td>Harbor Blue</td> <td>VL</td> <td>Village Green</td> </tr> <tr> <td>HP</td> <td>Hammered Pewter</td> <td>W</td> <td>White</td> </tr> <tr> <td></td> <td></td> <td>CH</td> <td>Cracked Hide</td> </tr> <tr> <td></td> <td></td> <td>LV</td> <td>Light Verde</td> </tr> <tr> <td></td> <td></td> <td>OR</td> <td>Old Iron</td> </tr> <tr> <td></td> <td></td> <td>R</td> <td>Rust</td> </tr> <tr> <td></td> <td></td> <td>V</td> <td>Verde</td> </tr> </table>						Powder Coat Finish		Hand-Applied Finish		Matrix #	Description	Matrix #	Description	AG	Augustine Green	MG	Malaga Green	GY	Architectural Grey	MN	Midnight	CC	Charcoal	PW	Pewter	CY	Clay	SS	Sand Storm	DB	Dark Bronze	SB	Statuary Bronze	HR	Harbor Blue	VL	Village Green	HP	Hammered Pewter	W	White			CH	Cracked Hide			LV	Light Verde			OR	Old Iron			R	Rust			V	Verde
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		OR	Old Iron																																																											
		R	Rust																																																											
		V	Verde																																																											
9. Options Notes: 1) BBU option is available for fluorescent lamp only. 2) Test button location shall have visibility for testing on site. Consult factory for placement location. Photocell Options: Photocell is available in 120 thru 480 volts. Photocell receptacle only fits some cross arms. Consult factory. Specify when ordering.	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td colspan="2"></td> </tr> <tr> <td>Matrix #:</td> <td>BBU</td> <td>PCB</td> <td>PCR</td> <td>TB</td> <td>HSS</td> <td></td> </tr> <tr> <td>Description:</td> <td>Battery Backup</td> <td>Photocell Button</td> <td>Photocell receptacle</td> <td>Terminal Block</td> <td>House Side Shield</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td>Twist Lock by others</td> <td></td> <td></td> <td></td> </tr> </table>													Matrix #:	BBU	PCB	PCR	TB	HSS		Description:	Battery Backup	Photocell Button	Photocell receptacle	Terminal Block	House Side Shield					Twist Lock by others																															
																																																														
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			Twist Lock by others																																																											

Fixture Ordering Example:



MED/14/PT/V5/100MH/120/FG/CY

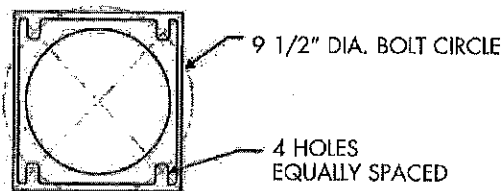
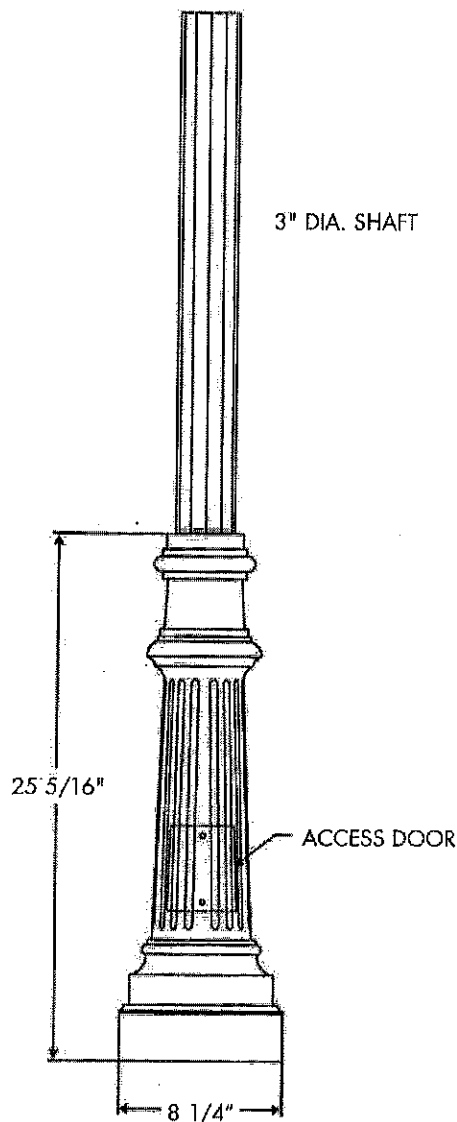
1	2	3	4	5	6	7	8	9
Fixture	Size	Mounting	Optics	Ballast	Voltage	Lens	Color	Option
MED	14	PT	V5	100MH	120	FG	CY	-
Mediterranean Fixture	14	Post Top	Vertical Type 5	100 Watt Metal Halide	120 Volts	Frosted Glass	Clay	-

Fixture Ordering Form:

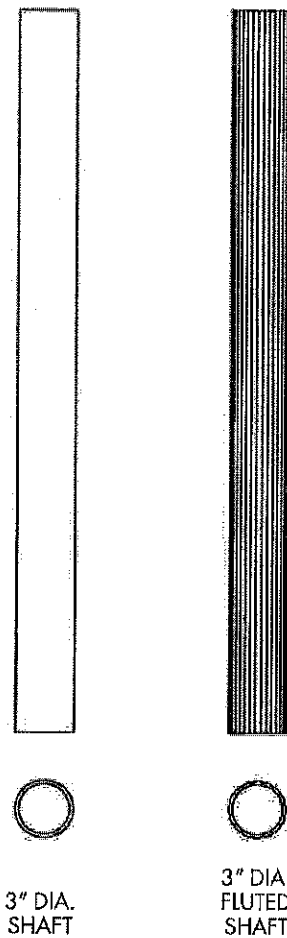
1	2	3	4	5	6	7	8	9	9	9
Fixture	Size	Mounting	Optics	Lamp	Voltage	Lens	Color	Option	Option	Option

1. MED / / / / / / / / / /

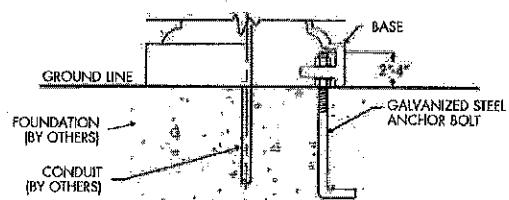
Note: Specifications are subject to change without notice. Always consult factory.



P-3026 BASE



Alternate Pole Shafts



Mounting Bolt Conditions with a Pole Base *(Basic Example)*

Maximum Pole Heights and Shaft types differ per project.

Pole shafts are normally determined by material loading specifications, location of project, and EPA requirements.

Please contact factory.



Environmental Lighting for Architecture, Inc.
17891 Arenth Avenue, City of Industry, CA 91748-1197
626.965.0821 • 800.423.6561 • fax 626.965.9494
www.ela-lighting.com



Specifications

Fixture Housing: One-piece sand-cast. Housing shall be corrosion resistant cast aluminum alloy #A356. The housing shall be free of any foreign materials or cosmetic fillers. Please consult factory for standard fitter sizes and other options. For wall and arm mounts, consult factory for installation.

Optics: Units shall be hydroformed or segmented sharp cut-off optics. Specular Alzak® optical segments are rigidly mounted within a sand-cast, low copper (<0.6% Cu) aluminum alloy enclosure. All sockets are factory prewired. An optional quick-disconnect plug for the ballast module is available when specified. The optical segments are positioned so that reflected light does not pass through the lamp arc tube to achieve maximum lamp output.

Electrical Module: All electrical components are UL and CSA recognized, mounted on a single plate, and factory prewired. Reference pages 2 and 3 for lamp characteristics, ballast types, and voltage technical data.

Lens: Six (6) side panels with stainless steel clips provided for attachment to the fixture. Glass shall be sealed in field by others. The Dark Skies lens options shall be tempered glass, factory installed.

Finish/Color: Finish is super TGIC thermoset polyester powder coat paint. ELA offers RAL color matches along with our standard color selection. Custom and hand applied colors are available upon special request.

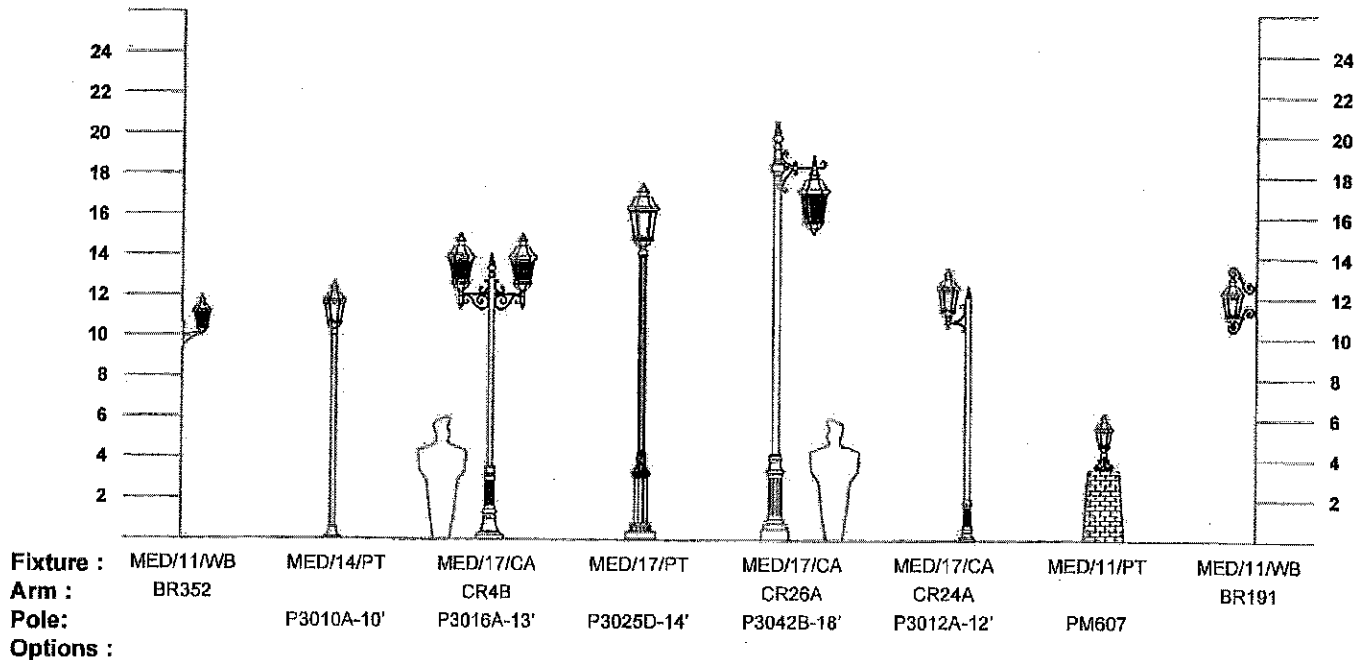
Certification: Fixtures shall be listed for outdoor, wet location. UL1598. IP rating 65.

CAUTION: Fixtures must be grounded in accordance with national, state, and/or local codes. Failure to do so may result in serious personal injury.

ELA RESERVES THE RIGHT TO CHANGE SPECIFICATIONS WITHOUT NOTICE.

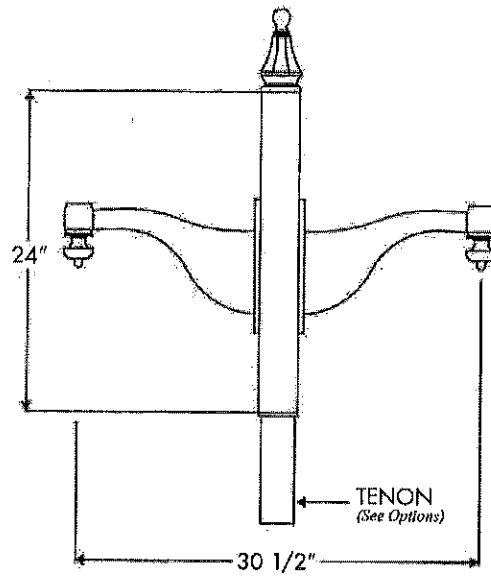
Elevated Scale

Suggested Poles and Arms
for the Mediterranean Fixture

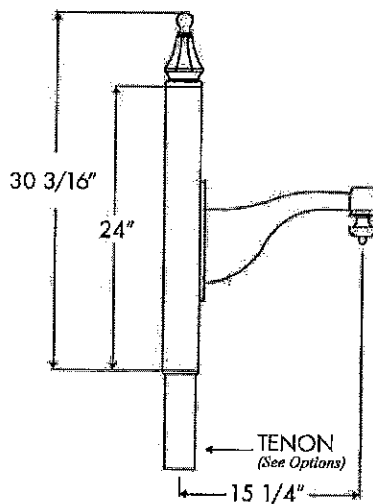


Note: Modifications to the fixture and additional pole heights are available.

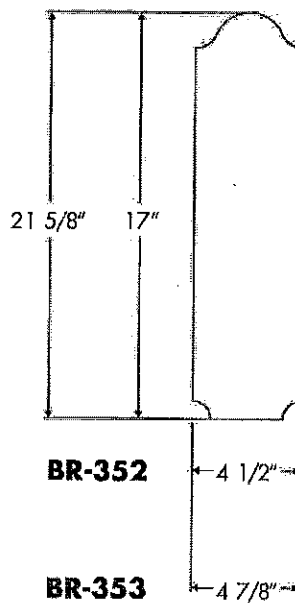
Note: Specifications are subject to change without notice. Always consult factory.



CR-353B

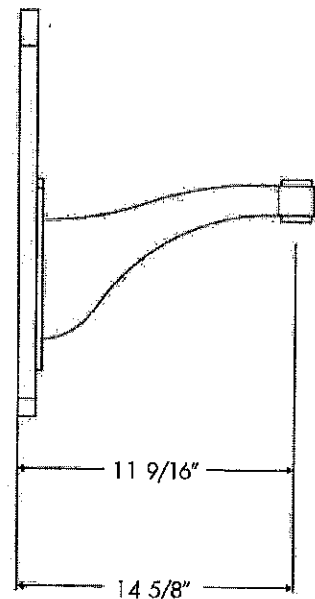


CR-353A



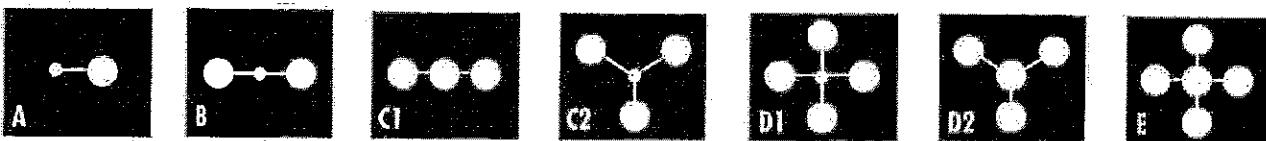
BR-352

BR-353



Durable Cast and Extruded Aluminum Construction

CONFIGURATIONS



Options
Cross Arm tenon is fitted for 3"
and 4" diameter poles per request.

Environmental Lighting for Architecture, Inc.
17891 Arenth Avenue, City of Industry, CA 91748-1197
626.965.0821 • 800.423.6561 • fax 626.965.9494
www.ela-lighting.com

LED Bollards with rotationally symmetrical distribution

Post construction: One piece extruded aluminum, with a one piece aluminum top housing and base, internally welded into an assembly. Die castings are marine grade, copper free ($\leq 0.3\%$ copper content) A360.0 aluminum alloy.

Enclosure: Heavy walled, die-cast aluminum cap. Clear $\frac{3}{16}$ " thick borosilicate glass with pure anodized aluminum cone reflector. Fully gasketed using high temperature silicone rubber O-ring gaskets.

Electrical: 18.2W LED luminaire, 24.5 total system watts, -20°C start temperature. Integral 120V through 277V electronic LED driver, dimming not available. LED module(s) are available from factory for easy replacement. Standard LED color temperature is 3000K with a >80 CRI. Available in 4000K (>80 CRI); add suffix K4 to order.

Note: Due to the dynamic nature of LED technology, LED luminaire data on this sheet is subject to change at the discretion of BEGA-US. For the most current technical data, please refer to www.bega-us.com.

Anchor base: Heavy cast aluminum, slotted for precise alignment. Mounts to BEGA #895A anchorage kit (supplied).

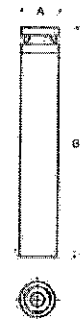
Finish: All BEGA standard finishes are polyester powder coat with minimum 3 mil thickness. Available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

UL listed for US and Canadian Standards, suitable for wet locations. Protection class IP65.

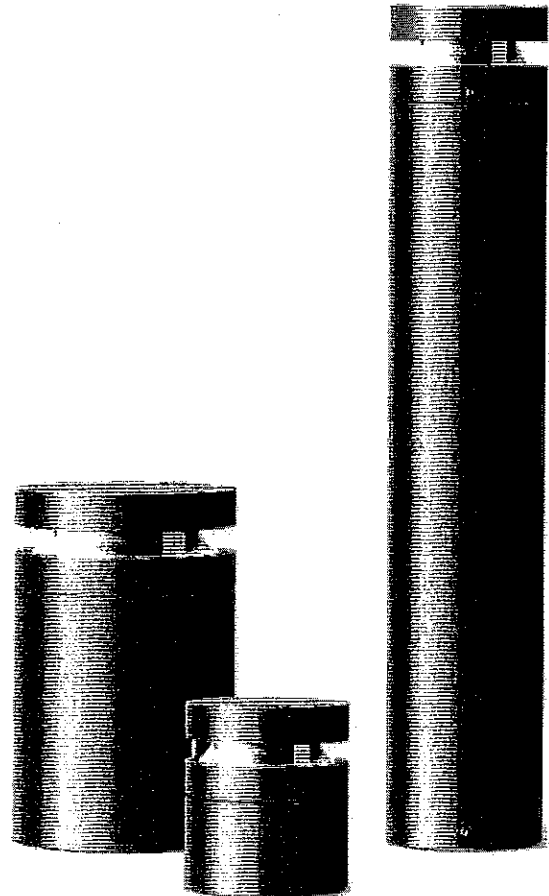
Luminaire Lumens: 881

Tested in accordance with LM-79-08

Type:
BEGA Product:
Project:
Voltage:
Color:
Options:
Modified:



	Lamp	A	B	Anchorage
8554 LED	18.2W LED	6 1/2"	39 3/4"	895 A



1000 BEGA Way, Carpinteria, CA 93013 (805) 684-0533 FAX (805) 566-9474 www.bega-us.com
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**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Brian Dempsey, Fire Chief

DATE: August 18, 2016

SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT FOR THE PURCHASE AND FINANCING OF PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT AT A COST OF \$47,150.85 TO BE FINANCED OVER A THREE-YEAR PERIOD.

PURPOSE

The purpose of this item is to provide the City Council an opportunity to review, discuss and consider authorizing the City Manager to sign a contract with Community Leasing Partners and Municipal Emergency Services, Inc. to provide 21 sets of turnout gear at a cost of \$47,150.85 financed over a three year period at 0% interest.

RECOMMENDATION

It is recommended that the City Council approve authorizing the City Manager to sign a contract with Community Leasing Partners and Municipal Emergency Services, Inc. to provide 21 sets of turnout gear at a cost of \$47,150.85 financed over a three year period at 0% interest. Also, direct finance to prepare and execute the appropriate FY 16/17 budget amendments.

BACKGROUND

Firefighter turnout gear is one of the most important tools that firefighters have to protect themselves while in the line of duty. A firefighter's turnout gear must be tough and durable while maintaining comfort and breathability to minimize fatigue and heat stress for those wearing it. Turnout gear must be fitted to the individual to provide proper protection and prevent burns to exposed skin.

The National Fire Protection Association Standard 1851: establishes requirements for selection, care and maintenance of firefighting gear to reduce health and safety risks associated with improper maintenance, contamination or damage. Soiled or contaminated or damaged gear can

expose firefighters to toxins, bio-hazards and carcinogens that enter the body through ingestion, inhalation or absorption. Soiled gear must be cleaned as soon as the incident is over, washing and air drying takes approximately 36 hours.

Furthermore, damaged gear must be taken out of service, sent to a certified third party vendor, which generally takes one to two weeks. Another NFPA requirement is annual advanced cleaning and inspection, also sent out to the certified third party vendor.

With the above standards, regulations and best practices, it is important for the safety of our firefighters to provide them with a second set of turnout clothing.

FISCAL REVIEW

The City of Seaside Deputy City Manager Daphne Hodgson has reviewed the contract and approved as to form.

FISCAL IMPACT

The fiscal impact to the City is \$47,150.85. Three annual payments of \$15,716.95 will be due in 2016, upon delivery of the turnout gear and in 2017 and in 2018. Although the contract reflects principal and interest, the City of Seaside is paying only the cost of the turnout gear for a total of \$47,150.85 inclusive of tax and Municipal Emergency Services will be paying the financing costs directly to Community Leasing Partners. The annual payment of \$15,716.95 has been budgeted in the FY 16/17 fire department budget and the same will be done for two additional fiscal years.

ATTACHMENTS

1. Resolution
 2. Community Leasing Partners Contract
 3. Municipal Emergency Services Invoice
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 16-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE **

AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT FOR THE PURCHASE AND FINANCING OF PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT AT A COST OF \$47,150.85 TO BE FINANCED OVER A THREE-YEAR PERIOD.

WHEREAS, firefighter turnout gear is one of the most important tools that firefighters have to protect themselves while in the line of duty; and,

WHEREAS, the National Fire Protection Association Standard 1851 establishes requirements for selection, care and maintenance for firefighting gear to reduce health and safety risks associated with improper maintenance, contamination or damage; and,

WHEREAS, Soiled gear must be cleaned as soon as the incident is over; washing and air drying takes approximately thirty-six hours; and,

WHEREAS, damaged gear must be taken out of service and sent to a certified third-party vendor, generally taking one to two weeks; and,

WHEREAS, another National Fire Protection Association requirement is annual advanced cleaning and inspection which also requires gear be sent out to a certified third-party vendor; and,

WHEREAS, with the above standards, regulations and best practices, it is important for the safety of our firefighters to provide them with a second set of turnout clothing; and,

WHEREAS, the fiscal impact to the City, should the financing agreement be approved, will be \$47,150.85 with three annual payments of \$15,716.95 due in 2016, 2017 and 2018.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside authorizes the City Manager to sign a contract agreement for the purchase and financing of Personal Protective Equipment for the Fire Department at a cost of \$47,150.85.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 18th day of August, 2016, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



215 S. Seth Child Road
Manhattan, KS 66502
Phone: 888.777.7850
Fax: 888.777.7875
www.clpusa.net

July 28, 2016

Daphne Hodgson
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

RE: Financing for Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants)

Dear Daphne,

Thank you for the opportunity to work with City of Seaside on your financing project!

This package includes the documentation with instructions to complete financing of the equipment.

Community First National Bank is listed as Lessor to this Agreement. Community Leasing Partners is a division of Community First National Bank and is the exclusive marketing, origination and placement agent for the bank.

Please return all documents with original signatures by 8/26/2016 to avoid any potential change in the payments or interest rate.

This Agreement requires three different signers from the City of Seaside and an attorney's signature.

Signer 1- Craig Malin, City Manager
Signer 2- Brian Dempsey, Fire Chief
Signer 3- Lesley Milton-Rerig, City Clerk

Upon receipt of all listed documents; delivery of the equipment and your approval of the equipment invoice; we will remit payment to the vendor. This transaction is subject to acceptance of the documentation and final review and approval by the Lessor.

If you have any questions regarding the documentation, please feel free to contact me at 888.777.7850.

Sincerely,

Wanida

Wanida Nondorf
Leasing Associate

Documentation Instructions

◇ **EQUIPMENT LEASE PURCHASE AGREEMENT**

- ☐ Craig Malin -sign where indicated
- ☐ Brian Dempsey -sign as "Attested By"

◇ **Exhibit A – EQUIPMENT DESCRIPTION**

- ☐ Provide physical location where equipment will be stored after delivery

◇ **Exhibit B –PAYMENT SCHEDULE**

- ☐ Craig Malin -sign where indicated

◇ **Exhibit C – CERTIFICATE OF INCUMBENCY & RESOLUTION**

- ☐ Lesley Milton-Rerig -Fill in the date, sign where indicated, provide organization's Federal tax ID number, and list Officers

◇ **Exhibit D - OPINION OF COUNSEL**

- ☐ Request your legal counsel sign, print his/her name, firm information, and date

◇ **Exhibit E- INSURANCE COVERAGE REQUIRMENTS**

- ☐ Provide Agent's contact information
- ☐ Craig Malin -sign where indicated

◇ **Exhibit F- ACCEPTANCE CERTIFICATE**

- ☐ Craig Malin -sign where indicated and date- at delivery of equipment

◇ **INVOICE INSTRUCTIONS**

- ☐ Complete contact information for payment billing invoices

◇ **ESCROW AGREEMENT**

- ☐ Craig Malin -sign where indicated

◇ **Exhibit A- PAYMENT REQUEST FORM/ SIGNATURE CARD**

- ☐ Craig Malin -sign where indicated

◇ **TAX COMPLIANCE WITH NO ARBITRAGE**

- ☐ Craig Malin -sign and date where indicated

◇ **8038 - IRS Form**

- ☐ Verify employer identification number in Box 2
- ☐ Complete Boxes 6 & 7
- ☐ Craig Malin -sign and date where indicated under "Signature and Consent"

◇ **ADDITIONAL DOCUMENTATION NEEDED PRIOR TO VENDOR PAYMENT (at delivery):**

- ☐ Certificate of Insurance from your insurance provider
- ☐ First payment check made payable to Community First National Bank in the amount of \$15,716.95.

Conditions to Funding

If, for any reason: (i) the required documentation is not returned by 8/26/2016, or has unresolved issues relating thereto, or (ii) on, or prior to the return of the documentation, there is a change of circumstances which adversely affects the expectations, rights or security of the Lessor or its assignees; then Lessor or its assignees reserves the right to adjust the quoted interest rate or withdraw/void its offer to fund this transaction in its entirety.

This contract is being issued based upon review of credit and financial materials provided by lessee that resulted in a credit approval decision. CLP is committed to working with the lessee on this transaction throughout the entire process. Failure to complete the lease in its entirety may result in a \$500 documentation fee being charged. This fee is for credit analysis, drafting of the contract, overnight services and expenses incurred in processing this agreement.

EQUIPMENT LEASE PURCHASE AGREEMENT (Short-form)

LESSEE:

City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

LESSOR:

Community First National Bank
215 S. Seth Child Road
Manhattan, KS 66502

Lease Number: 61666

Equipment: Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants)

This Equipment Lease Purchase Agreement dated as of 8/1/2016 is between Lessor and Lessee as listed above. Lessor desires to finance the purchase of the Equipment described in Exhibit "A" to Lessee and Lessee desires to finance the purchase of the Equipment from Lessor subject to the terms and conditions of this Agreement which are set forth below.

I. Definitions:

Section 1.01. Definitions. The following terms will have the meanings indicated below unless the context clearly requires otherwise:

"Agreement" means this Equipment Lease Purchase Agreement and all Exhibits attached hereto. "Budget Year" means the Lessee's fiscal year. "Commencement Date" is the date when Lessee's obligation to pay rent begins. "Equipment" means all of the items of Equipment listed on Exhibit "A" and all replacements, restorations, modifications and improvements. "Lessee" means the entity listed above as Lessee and which is leasing the Equipment from Lessor under the provisions of this Agreement. "Lessor" means the entity originally listed above as Lessor or any of its assignees. "Lease Term" means the Original Term and all Renewal Terms. "Original Term" means the period from the Commencement Date until the end of the Budget Year of Lessee. "Renewal Term" means the annual term which begins at the end of the Original Term and which is simultaneous with Lessee's Budget Year. "Rental Payments" means the payments Lessee is required to make under this Agreement as set forth on Exhibit "B". "State" means the state in which Lessee is located.

II. Lessee Warranties

Section 2.01. Lessee represents, warrants and covenants as follows for the benefit of Lessor or its assignees: (a) Lessee is an "issuer of tax exempt obligations" because Lessee is the State or a political subdivision of the State within the meaning of Section 103(a) of the Internal Revenue Code of 1986, as amended, (the "Code"). Lessee is authorized under the Constitution and laws of the State to enter into this Agreement, and has used such authority to properly execute and deliver this Agreement. Lessee has followed all proper procedures of its governing body in executing this Agreement. The Officer of Lessee executing this Agreement has the authority to execute and deliver this Agreement. This Agreement constitutes a legal, valid, binding and enforceable obligation of the Lessee in accordance with its terms. (b) Lessee shall use the Equipment only for essential, traditional government purposes. (c) Lessee has never non-appropriated funds under an Agreement similar to this Agreement. (d) Lessee presently intends to continue this Agreement for the Original Term and all Renewal Terms as set forth on Exhibit "B" hereto. The official of Lessee responsible for budget preparation will include in the budget request for each Budget Year the Rental Payments to become due in such Budget year, and will use all reasonable and lawful means available to secure the appropriation of money for such Budget Year sufficient to pay the Rental Payments coming due therein. Lessee reasonably believes that moneys can and will lawfully be appropriated and made available for this purpose. (e) Upon request by Lessor, Lessee will provide Lessor with current financial statements. (f) Lessee hereby warrants the General Fund of the Lessee is the primary source of funds or a backup source of funds from which the Rental Payments can be made.

III. Acquisition of Equipment, Rental Payments and the Purchase Option Price

Section 3.01. Acquisition. Lessee shall be solely responsible for the ordering of the Equipment and for the delivery and installation of the Equipment.

Section 3.02. Rental Payments. Lessee shall pay Rental Payments exclusively to Lessor or its assignees in lawful, legally available money of the United States of America. The Rental Payments shall constitute a current expense of the Lessee and shall not constitute an indebtedness of the Lessee. The Rental Payments are due as set forth on Exhibit B. Lessor shall have the option to charge interest at the highest lawful rate on any Rental Payment received later than the due date for the number of days the Rental Payment(s) were late, plus any additional accrual on the outstanding balance for the number of days the Rental Payment(s) were late. Lessor shall also have the option, on monthly payments only, to charge a late fee of up to 10% of the monthly Rental Payment that is past due. The Rental Payments will be payable without notice or demand. Section 3.03. Rental Payments Unconditional. Except as provided under Section 4.01, THE OBLIGATIONS OF LESSEE TO MAKE RENTAL PAYMENTS AND TO PERFORM AND OBSERVE THE OTHER COVENANTS CONTAINED IN THIS AGREEMENT SHALL BE ABSOLUTE AND UNCONDITIONAL IN ALL EVENTS WITHOUT ABATEMENT, DIMINUTION, DEDUCTION, SET-OFF OR DEFENSE. Section 3.04. Purchase Option Price. Upon thirty (30) days written notice, Lessee shall have the option to pay, in addition to the Rental Payment, the corresponding Purchase Option Price which is listed on the same line on Exhibit B. This option is only available to the Lessee on the Rental Payment date and no partial prepayments are allowed. If Lessee chooses this option and pays the Purchase Option Price to Lessor then Lessor will transfer any and all of its rights, title and interest in the Equipment to Lessee. Section 3.05. Lease Term. The Lease Term of the Agreement shall be the Original Term and all Renewal Terms until all the Rental Payments are paid as set forth on Exhibit B except as provided under Section 4.01 and Section 9.01 below. If, after the end of the budgeting process which occurs at the end of the Original Term or any Renewal Term, Lessee has not non-appropriated as provided for in this Agreement then the Lease Term shall be extended into the next Renewal Term and the Lessee shall be obligated to make all the Rental Payments that come due during such Renewal Term. Section 3.06. Disclaimer of Warranties. LESSOR MAKES NO WARRANTY OR REPRESENTATION, EITHER EXPRESS OR IMPLIED, AS TO THE VALUE, DESIGN, CONDITION, MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE, OR ANY OTHER WARRANTY WITH RESPECT TO THE EQUIPMENT. LESSOR SHALL NOT BE LIABLE FOR ANY INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGE ARISING OUT OF THE INSTALLATION, OPERATION, POSSESSION, STORAGE OR USE OF THE EQUIPMENT BY LESSEE.

IV. Non-Appropriation

Section 4.01. Non-Appropriation. If insufficient funds are available in Lessee's budget for the next Budget Year to make the Rental Payments for the next Renewal Term and the funds to make such Rental Payments are otherwise unavailable by any lawful means whatsoever, then Lessee shall have the option to non-appropriate the funds to pay the Rental Payments for the next Renewal Term. Lack of a sufficient appropriation shall be evidenced by the passage of an ordinance or resolution by the governing body of Lessee specifically prohibiting Lessee from performing its obligations under this Agreement and from using any moneys to pay the Rental Payments due under this Agreement for a designated Budget Year and all subsequent Budget Years. If Lessee chooses this option, then all obligations of the Lessee under this Agreement regarding Rental Payments for all remaining Renewal Terms shall be terminated at the end of the then current Original Term or Renewal Term without penalty or liability to the Lessee of any kind provided that if Lessee has not delivered possession of the Equipment to Lessor as provided herein and conveyed to Lessor or released its interest in the Equipment by the end of the last Budget Year for which Rental Payments were paid, the termination shall nevertheless be effective but Lessee shall be responsible for the payment of damages in an amount equal to the amount of the Rental Payments thereafter coming due under Exhibit "B" which are attributable to the number of days after such Budget Year during which Lessee fails to take such actions and for any other loss suffered by Lessor as a result of Lessee's failure to take such actions as required. Lessee shall immediately notify the Lessor as soon as the decision to non-appropriate is made. If such non-appropriation occurs, then Lessee shall deliver the Equipment to Lessor as provided below in Section 9.04. Lessee shall be liable for all damage to the Equipment other than normal wear and tear. If Lessee fails to deliver the Equipment to Lessor, then Lessor may enter the premises where the Equipment is located and take possession of the Equipment and charge Lessee for costs incurred.

V. Insurance, Damage, Insufficiency of Proceeds

Section 5.01. Insurance. Lessee shall maintain both casualty insurance and liability insurance at its own expense with respect to the Equipment. Lessee shall be solely responsible for selecting the insurer(s) and for making all premium payments. Lessee shall provide Lessor with a certificate of insurance which lists the Lessor and/or assigns as a loss payee and an additional insured on the policies with respect to the Equipment. (a) Lessee shall insure the Equipment against any loss or damage by fire and all other risks covered by the standard extended coverage endorsement then in use in the State and any other risks reasonably required by Lessor in an amount at least equal to the replacement cost of the Equipment. (b) The liability insurance shall insure Lessor from liability and property damage in any form and amount satisfactory to Lessor. (c) Lessee may self-insure against the casualty risks and liability risks described above. If Lessee chooses this option, Lessee must furnish Lessor with a certificate and/or other documents which evidence such coverage. (d) All insurance policies issued or affected by this Section shall be so written or endorsed such that the Lessor and its assignees are named additional insured and loss payee and that all losses are payable to Lessee and Lessor or its assignees as their interests may appear. Lessee shall furnish to Lessor certificates evidencing such coverage throughout the Lease Term. **Section 5.02. Damage to or Destruction of Equipment.** Lessee assumes the risk of loss or damage to the Equipment. At the option of Lessor, Lessee shall either (1) apply the Net Proceeds to replace, repair or restore the Equipment or (2) apply the Net Proceeds to the applicable Purchase Option Price. For purposes of this Section and Section 5.03, the term Net Proceeds shall mean the amount of insurance proceeds collected from all applicable insurance policies after deducting all expenses incurred in the collection thereof. **Section 5.03. Insufficiency of Net Proceeds.** If there are no Net Proceeds for whatever reason or if the Net Proceeds are insufficient to pay in full the cost of any replacement, repair, restoration, modification or improvement of the Equipment, then Lessee shall, at the option of Lessor, either (1) complete such replacement, repair, restoration, modification or improvement and pay any costs thereof in excess of the amount of the Net Proceeds or (2) apply the Net Proceeds to the Purchase Option Price and pay the deficiency, if any, to the Lessor. **Section 5.04. Lessee Negligence.** Lessee assumes all risks and liabilities, whether or not covered by insurance, for loss or damage to the Equipment and for injury to or death of any person or damage to any property. Lessee hereby assumes responsibility for and agrees to reimburse Lessor for all liabilities, obligations, losses, damages, penalties, claims, actions, costs and expenses (including reasonable attorneys' fees) incurred by or asserted against Lessor that relate to or arise out of a claim, suit or proceeding, based in whole or in part upon the negligent conduct of Lessee, its officers, employees and agents, to the maximum extent permitted by law.

VI. Title and Security Interest

Section 6.01. Title. Title to the Equipment shall vest in Lessee when Lessee acquires and accepts the Equipment. Title to the Equipment will automatically transfer to the Lessor in the event Lessee non-appropriates under Section 4.01 or in the event Lessee defaults under Section 9.01. In either of such events, Lessee shall execute and deliver to Lessor such documents as Lessor may request to evidence the passage of legal title to the Equipment to Lessor. **Section 6.02. Security Interest.** To secure the payment of all Lessee's obligations under this Agreement, Lessee hereby grants to Lessor a security interest under the Uniform Commercial Code constituting a first lien on the Equipment described more fully on Exhibit "A". The security interest established by this section includes not only all additions, attachments, repairs and replacements to the Equipment but also all proceeds therefrom. Lessee authorizes Lessor to prepare and record any Financing Statement required under the Uniform Commercial Code to perfect the Security Interest created hereunder.

VII. Assignment

Section 7.01. Assignment by Lessor. All of Lessor's rights, title and/or interest in and to this Agreement may be assigned and reassigned in whole or in part to one or more assignees or sub-assignees by Lessor at any time without the consent of Lessee. No such assignment shall be effective as against Lessee until the assignor shall have filed with Lessee written notice of assignment identifying the assignee. Lessee shall pay all Rental Payments due hereunder relating to such Equipment to or at the direction of Lessor or the assignee named in the notice of assignment.

VIII. Maintenance of Equipment

Section 8.01. Lessee shall keep the Equipment in good repair and working order. Lessee shall also maintain the Equipment during the lease term in accordance with all manufacturers' and warranty specifications. Lessor shall have no obligation to inspect, test, service, maintain, repair or make improvements or additions to the Equipment under any circumstances. Lessee will be liable for all damage to the Equipment, other than normal wear and tear, caused by Lessee, its employees or its agents. Lessee shall pay for and obtain all permits, licenses and taxes necessary for the installation, operation, possession, storage or use of the Equipment. If the Equipment includes any titled vehicle(s), then Lessee is responsible for obtaining such title(s) from the State and also for ensuring Lessor is listed as first lienholder on all of the title(s). Lessee shall not during the term of this Agreement create, incur or assume any levies, liens or encumbrances of any kind with respect to the Equipment except those created by this Agreement. Lessee agrees Lessor or its Assignee may execute any additional documents including financing statements, affidavits, notices, and similar instruments, for and on behalf of Lessee which Lessor deems necessary or appropriate to protect Lessor's interest in the Equipment and in this Agreement. The Equipment is and shall at all times be and remain personal property. Lessee shall allow Lessor to examine and inspect the Equipment at all reasonable times.

IX. Default

Section 9.01. Events of Default defined. The following events shall constitute an "Event of Default" under this Agreement: (a) Failure by Lessee to pay any Rental Payment listed on Exhibit "B" for fifteen (15) days after such payment is due according to the Payment Date listed on Exhibit "B". (b) Failure to pay any other payment required to be paid under this Agreement at the time specified herein and a continuation of said failure for a period of fifteen (15) days after written notice by Lessor that such payment must be made. If Lessee continues to fail to pay any payment after such period, then Lessor may, but will not be obligated to, make such payments and charge Lessee for all costs incurred plus interest at the highest lawful rate. (c) Failure by Lessee to observe and perform any warranty, covenant, condition, promise or duty under this Agreement for a period of thirty (30) days after written notice specifying such failure is given to Lessee by Lessor, unless Lessor agrees in writing to an extension of time. Lessor will not unreasonably withhold its consent to an extension of time if corrective action is instituted by Lessee. Subsection (c) does not apply to Rental Payments and other payments discussed above. (d) Any statement, material omission, representation or warranty made by Lessee in or pursuant to this Agreement which proves to be false, incorrect or misleading on the date when made regardless of Lessee's intent and which materially adversely affects the rights or security of Lessor under this Agreement. (e) Any provision of this Agreement which ceases to be valid for whatever reason and the loss of such provision would materially adversely affect the rights or security of Lessor. (f) Lessee admits in writing its inability to pay its obligations. Lessee defaults on one or more of its other obligations. Lessee applies or consents to the appointment of a receiver to manage its affairs or makes a general assignment for the benefit of creditors. **Section 9.02. Remedies on Default.** Whenever any Event of Default exists, Lessor shall have the right to take one or any combination of the following remedial steps: (a) With or without terminating this Agreement, Lessor may declare all Rental Payments and other amounts payable by Lessee hereunder to the end of the then current Budget Year to be immediately due and payable. (b) With or without terminating this Agreement, Lessor may require Lessee at Lessee's expense to redeliver any or all of the Equipment to Lessor as provided below in Section 9.04. Such delivery shall take place within fifteen (15) days after the event of default occurs. If Lessee fails to deliver the Equipment, Lessor may enter the premises where the Equipment is located and take possession of the Equipment and charge Lessee for cost incurred. Notwithstanding that Lessor has taken possession of the Equipment, Lessee shall still be obligated to pay the remaining Rental Payments due up until the end of the then current Original Term or Renewal Term. Lessee will be liable for any damage to the Equipment caused by Lessee or its employees or agents. (c) Lessor may take whatever action at law or in equity that may appear necessary or desirable to enforce its rights. Lessee shall be responsible to Lessor for all costs incurred by Lessor in the enforcement of its rights under this Agreement including, but not limited to, reasonable attorney fees. **Section 9.03. No Remedy Exclusive.** No remedy herein conferred upon or reserved to Lessor is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or shall be construed to be a waiver thereof. **Section 9.04. Return of Equipment and Storage.** (a) Surrender: The Lessee shall, at its own expense, surrender the Equipment to the Lessor in the event of a default or a non-appropriation by delivering the Equipment to the Lessor to a location accessible by common carrier and designated by Lessor. In the case that any of the Equipment consists of software, Lessee shall destroy all intangible items constituting such software and shall deliver to Lessor all tangible items constituting such software. At Lessor's request, Lessee shall also certify in a form acceptable to Lessor that Lessee has complied with the above software return provisions and they will immediately cease using the software and they shall permit Lessor and/or the vendor of the

software to inspect Lessee's locations to verify compliance with the terms hereto. (b) Delivery: The Equipment shall be delivered to the location designated by the Lessor by a common carrier unless the Lessor agrees in writing that a common carrier is not needed. When the Equipment is delivered into the custody of a common carrier, the Lessee shall arrange for the shipping of the item and its insurance in transit in accordance with the Lessor's instructions and at the Lessee's sole expense. Lessee, at its expense, shall completely sever and disconnect the Equipment or its component parts from the Lessee's property all without liability to the Lessor. Lessee shall pack or crate the Equipment and all of the component parts of the Equipment carefully and in accordance with any recommendations of the manufacturer. The Lessee shall deliver to the Lessor the plans, specifications operation manuals or other warranties and documents furnished by the manufacturer or vendor on the Equipment and such other documents in the Lessee's possession relating to the maintenance and methods of operation of such Equipment. (c) Condition: Except as otherwise agreed by the parties, when the Equipment is surrendered to the Lessor it shall be in the condition and repair required to be maintained under this Agreement. It will also meet all legal regulatory conditions necessary for the Lessor to sell or lease it to a third party and be free of all liens. Except as otherwise agreed by the parties, if Lessor reasonably determines the Equipment or an item of the Equipment, once it is returned, is not in the condition required hereby, Lessor may cause the repair, service, upgrade, modification or overhaul of the Equipment or an item of the Equipment to achieve such condition and upon demand, Lessee shall promptly reimburse Lessor for all amounts reasonably expended in connection with the foregoing. (d) Storage: Upon written request by the Lessor, the Lessee shall provide free storage for the Equipment or any item of the Equipment for a period not to exceed 60 days after the expiration of its lease term before returning it to the Lessor. The Lessee shall arrange for the insurance described to continue in full force and effect with respect to such item during its storage period and the Lessor shall reimburse the Lessee on demand for the incremental premium cost of providing such insurance.

X. Miscellaneous

Section 10.01. Notices. All notices shall be sufficiently given and shall be deemed given when delivered or mailed by registered mail, postage prepaid, to the parties at their respective places of business as first set forth herein or as the parties shall designate hereafter in writing. Section 10.02. Binding Effect. Lessee acknowledges this Agreement is not binding upon the Lessor or its assignees unless all documentation requirements have been met to Lessor's satisfaction, and Lessor has executed the Agreement. Thereafter, this Agreement shall inure to the benefit of and shall be binding upon Lessor and Lessee and their respective successors and assigns. Section 10.03. Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. Section 10.04. Amendments, Addenda, Changes or Modifications. This Agreement may be amended, added to, changed or modified by written agreement duly executed by Lessor and Lessee. Section 10.05. Execution in Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Section 10.06. Captions. The captions or headings in this Agreement do not define, limit or describe the scope or intent of any provisions or sections of this Agreement. Section 10.07. Entire Writing. This Agreement constitutes the entire writing between Lessor and Lessee. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties, and then such waiver, consent, modification or change shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, representations, conditions, or warranties; express or implied, which are not specified herein regarding this Agreement or the Equipment leased hereunder. Any terms and conditions of any purchase order or other documents submitted by Lessee in connection with this Agreement which are in addition to or inconsistent with the terms and conditions of this Agreement will not be binding on Lessor and will not apply to this Agreement. Section 10.08. Designation as Qualified Tax-Exempt Obligation. Pursuant to Section 265(b)(3)(B)(i) of the Internal Revenue Code of 1986 as amended (the "Code"), the Lessee hereby specifically designates the Agreement as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. In compliance with Section 265(b)(3)(D) of the Code, the Lessee hereby represents the Lessee will not designate more than \$10,000,000 of obligations issued by the Lessee in the calendar year during which the Agreement is executed and delivered as such "qualified tax-exempt obligations". In compliance with the requirements of Section 265(b)(3)(C) of the Code, the Lessee hereby represents the Lessee (including all subordinate entities of the Lessee within the meaning of Section 265(b)(3)(E) of the Code) reasonably anticipates not to issue in the calendar year during which the Agreement is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code) in an amount greater than \$10,000,000.

Resolution and Authorization. By signing and attesting directly below, Lessee hereby warrants and certifies the Governing Body of the Lessee at either a special or regular meeting or through some other approved method of authorization has determined this Agreement is in the best interests of the Lessee and the Governing Body did at such meeting or through some other approval method approve the entering into of the Agreement by the Lessee and specifically designated and authorized the individual(s) who have signed directly below to execute this Agreement on Lessee's behalf along with any related documents (including any escrow agreement) necessary to the consummation of the transaction contemplated by the Agreement.

LESSEE:
City of Seaside

LESSOR:
Community First National Bank

Authorized By: Craig Malin, City Manager

Neal Farmer, Senior Vice President

Attested By: Brian Dempsey, Fire Chief

EXHIBIT A EQUIPMENT DESCRIPTION

RE: Equipment Lease Purchase Agreement dated as of 8/1/2016 between Community First National Bank as Lessor and City of Seaside as Lessee.

Below is a detailed description of all Equipment including quantity, model number, serial number, and VIN number where applicable.

Equipment Description: Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants)

Serial #'s- See Attachment 1.1

Physical location where equipment will be stored after delivery:

EXHIBIT B PAYMENT SCHEDULE

Amount Financed: \$45,364.85

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

Payment Number	Payment Date	Payment Amount	Interest Portion	Principal Portion	Purchase Option Price
1	8/1/2016	15,716.95	0.00	15,716.95	Not Available
2	8/1/2017	15,716.95	1,182.95	14,534.00	15,365.09
3	8/1/2018	15,716.95	603.05	15,113.90	0.00
Grand Totals		47,150.85	1,786.00	45,364.85	

LESSEE:

City of Seaside

Craig Malin, City Manager

EXHIBIT C
CERTIFICATE OF INCUMBENCY & RESOLUTION

I, acting as City Clerk on behalf of the Lessee, a political subdivision or agency duly organized and existing under the laws of the State of California and herein obligated, do hereby certify to Community First National Bank the person(s) signing this Lease, and all documents pertaining thereto, is (are) duly elected, appointed, qualified and incumbent officers or representatives of such entity. I further certify (a) the signature(s) is (are) true and authentic and; (b) such officer(s) has (have) the authority on behalf of such entity and by resolution of its governing body to enter into this Equipment Lease Purchase Agreement.

IN WITNESS WHEREOF, I have duly executed this certificate on said date _____.

Lesley Milton-Rerig, City Clerk

Federal Tax ID #

<u>Officer Title</u>	<u>Officer Name</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Print the Office Title and Name of the individuals of the governing body

EXHIBIT D
OPINION OF COUNSEL

As Counsel for City of Seaside, it is my opinion:

- a.) Lessee's true and legal name is City of Seaside.
- b.) Lessee is a political subdivision of the State of California or a constituted authority authorized to issue obligations on behalf of a political subdivision of the State.
- c.) Lessee has the requisite power and authority to purchase the Equipment and to execute and deliver the Agreement and to perform its obligations under the Agreement. The Agreement and the other documents either attached hereto or required herein have been duly authorized, approved and executed by and on behalf of Lessee, and the Agreement is a legal, valid and binding obligation of Lessee enforceable in accordance with its terms.
- d.) The authorization, approval and execution of the Agreement and all other proceedings of Lessee relating to the transactions contemplated thereby have been performed in accordance with all open meeting laws, public bidding laws and all other applicable state and federal laws.
- e.) There is no litigation, action, suit or proceeding pending or before any court, administrative agency, arbitrator or governmental body that challenges the authority of the Lessee or any of the Lessee's officers or employees to enter into the Agreements.

COUNSEL FOR LESSEE:

Signature

Name

Date

Firm Name

City, State

Telephone Number

EXHIBIT E

INSURANCE COVERAGE REQUIREMENTS

RE: Equipment Lease Purchase Agreement dated as of 8/1/2016 between Community First National Bank as Lessor and City of Seaside as Lessee.

Please mark one of the following:

() Pursuant to Section 5.01 of the Agreement, we agreed to provide evidence of insurance covering the property in the Agreement. A Certificate of Insurance naming all insured parties and coverage will be provided to Lessor as soon as possible, but no later than the date on which delivery of the equipment occurs.

() Pursuant to Section 5.01c of the Agreement, we are self-insured for all risk, physical damage, and public liability and will provide proof of such self-insurance in letter form, together with a copy of any additional information regarding the nature of our self-insurance program. Coverage will be provided to Lessor as soon as possible, but no later than the date on which delivery of the equipment occurs.

Equipment to be insured at full replacement value: **Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants)**

Policy should be issued and mailed to: Community First National Bank and/or Its Assigns
215 S. Seth Child Road
Manhattan, KS 66502

INSURANCE REQUIREMENTS:

1. LIABILITY

- ❖ *Minimum of \$1,000,000.00 combined single-limit on bodily injury and property damage.*
- ❖ *Community First National Bank AOIA must be listed as additional insured and loss payee.*

2. PHYSICAL DAMAGE

- ❖ *All risk coverage to guarantee proceeds sufficient to pay the replacement value of the equipment. Community First National Bank AOIA must be listed as additional insured and loss payee.*

3. ENDORSEMENT

- ❖ *Lessor will receive at least thirty (30) days written notice from Insurer prior to alteration, cancellation or reduction of insurance coverage.*
- ❖ *Deductibles should be listed on certificate of coverage.*

**THE CERTIFICATE SHOULD BE
EMAILED TO wanidanondorf@clpusa.net
OR FAXED TO 888.777.7875**

Insurance Company Name:		
Agents Name:		
Address		
City:	State	Zip:
Phone:	Fax:	Email:

LESSEE:

City of Seaside

Craig Malin, City Manager

EXHIBIT F

ACCEPTANCE CERTIFICATE

RE: Equipment Lease Purchase Agreement dated as of 8/1/2016 between Community First National Bank as Lessor and City of Seaside as Lessee.

In accordance with the Lease Purchase Agreement (the "Agreement"), the undersigned Lessee hereby certifies and represents to, and agrees with Lessor as follows:

- (1) All of the Equipment (as such term is defined in the Agreement) has been delivered, installed and accepted on the date hereof.
- (2) Lessee has conducted such inspection and/or testing of the Equipment as it deems necessary and appropriate and hereby acknowledges that it accepts the Equipment for all purposes.
- (3) Lessee is currently maintaining the insurance coverage required by **Section 5** of the Agreement.
- (4) No event or condition that constitutes, or with notice or lapse of time, or both, would constitute, an Event of Default (as defined in the Agreement) exists at the date hereof.
- (5) Lessee has appropriated and/or taken other lawful actions necessary to provide moneys sufficient to pay all Rental Payments required to be paid under the Agreement during the current Budget Year of Lessee, and such moneys will be applied in payment of all Rental Payments due and payable during such current Budget Year.
- (6) The governing body of Lessee has approved the authorization, execution and delivery of this Agreement on its behalf by the authorized representative of Lessee who signed the Agreement.

LESSEE:

City of Seaside

Craig Malin, City Manager

Date

**If delivery is not immediate, keep until final delivery.*

INVOICE INSTRUCTIONS

RE: Equipment Lease Purchase Agreement dated as of 8/1/2016 between Community First National Bank as Lessor and City of Seaside as Lessee.

Lease Number: 61666

Equipment Description: Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants)

Please provide contact information for billing and invoicing purposes.

Person/Department: _____
P.O. Box/Street: _____
City, State, Zip _____
Telephone Number: _____
Email Address: _____

ESCROW AGREEMENT

THIS ESCROW AGREEMENT, made and entered into as of 8/1/2016 by and among Community First National Bank, a national banking association ("Escrow Agent"), Community First National Bank, a corporation duly organized and existing under the Laws of the State of Kansas ("Lessor"), and City of Seaside ("Lessee") a political subdivision under the laws of the State of California ("State"), duly organized and existing under the Constitution and laws of the State.

WITNESSETH

WHEREAS, Lessee and Lessor have entered into a Equipment Lease Purchase Agreement dated as of 8/1/2016 ("Agreement"), a duplicate original of which has been furnished to each of the parties, whereby Lessor has agreed to acquire certain equipment described therein ("Equipment"), and to sell the Equipment to the Lessee, and Lessee has agreed to purchase the Equipment from Lessor, in the manner and on the terms set forth in the Agreement; and

WHEREAS, the Equipment has or will be ordered from the Vendor, and there is expected to be a delay in delivery of the Equipment to Lessee; and

WHEREAS, in order to secure the obligations of Lessor under the Agreement, Lessee has requested Lessor to set aside in escrow with the Escrow Agent, pursuant to the terms hereof, the anticipated purchase price of the Equipment; and

WHEREAS, Lessee, as agent for Lessor, will cause the Equipment to be acquired from Vendor in accordance with the purchase orders or contracts therefore, and neither Lessor nor the Escrow Agent shall be obligated to assume or perform any obligation of the Lessee or Vendor with respect thereto or under the Agreement;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

ARTICLE I. APPOINTMENT OF ESCROW AGENT: DEFINITIONS

Section 1.01. Appointment of Escrow Agent. Lessor and Lessee hereby appoint and employ Escrow Agent, to receive, hold, invest and disburse the moneys to be paid to it pursuant to this Escrow Agreement and the Agreement, and to perform certain other functions, all as hereinafter provided. By executing and delivering this Escrow Agreement, Escrow Agent accepts the duties and obligations of Escrow Agent provided herein, but only upon the terms and conditions set forth.

Section 1.02. Definitions. The terms defined in this Section shall, for all purposes of this Escrow Agreement have the meanings specified below. Any capitalized term not defined below shall have the meaning ascribed in the Agreement.

"Agreement" means the Equipment Lease Purchase Agreement dated 8/1/2016, by and between Lessee and Lessor and any duly authorized and executed amendment thereto, the terms of which are incorporated herein by reference.

"Acquisition Costs" means, with respect to the Equipment, the contract price paid or to be paid to Vendor therefore upon acquisition or delivery of any portion of the Equipment in accordance with the purchase order or contract therefore. Acquisition Costs include the administrative, engineering, legal, financial and other costs incurred by the Lessee in connection with the acquisition, delivery and financing by Lessor of the Equipment.

"Acceptance Certificate" means an acceptance certificate in the form attached to the Agreement.

"Acquisition Fund" means the fund by that name established and held by the Escrow Agent pursuant to Article II of this Escrow Agreement.

"Closing Date" means the day when Lessor deposits with the Escrow Agent the moneys required to be deposited pursuant to Article II.

"Equipment" means the personal property described in the Agreement, together with any and all modifications, additions and alterations thereto, to be acquired from the moneys held in the Acquisition Fund.

"Escrow Agent" means Community First National Bank or any successor thereto acting as Escrow Agent pursuant to this Escrow Agreement.

"Escrow Agreement" means this Escrow Agreement and any duly authorized and executed amendment thereto.

"Independent Counsel" means an attorney duly admitted to the practice of law before the highest court of the State in which he maintains an office and who is not an employee of Lessor, the Escrow Agent or the Lessee.

"Lessee Representative" means the representative of Lessee or a person authorized by the Lessee to act on its behalf under or with respect to this Agreement.

"Lessor Representative" means the President, any Vice President or Assistant Vice President of Lessor, or any person authorized to act on behalf of Lessor under or with respect to this Agreement, as evidenced by a certificate conferring such authorization executed by the President, any Vice President or Assistant Vice President of Lessor, given to the Lessee or the Lessee Representative.

"Payment Date" means the date upon which any Rental Payment under the Agreement is due and payable, as set forth in the Payment Schedule.

"Payment Request Form" means the document substantially in the form attached hereto as Exhibit A to be executed by Lessee and Lessor and submitted to Escrow Agent to authorize payment of Acquisition Costs.

"Qualified Investments" means (i) direct general obligations of the United States of America; (ii) obligations guaranteed by the United States; (iii) general obligations of the agencies and instrumentalities of the United States; (iv) certificates of deposit, time deposits or demand deposits with a bank or savings institution qualified as a depository of public funds in the State of Kansas, provided that such certificates of deposit, time deposits or demand deposits, if not insured by the Federal Deposit Insurance Corporation of the Federal Savings and Loan Insurance Corporation, are fully secured by obligations described in Clauses (i), (ii) or (iii); (v) money market funds, the assets of which are obligations of or guaranteed by the United States of America and which funds are rated "Aaa" by Moody's Investors Service or "Am" or "Am-G" by Standard & Poor's Corporation.

"Rental Payments" means the basic payments payable by Lessee to Lessor pursuant to the provisions of the Agreement during the term thereof which are payable in conjunction of the right of Lessee to use the Equipment during the then current portion of the term of the Agreement.

"Term of the Agreement" means the time during which the Agreement is in effect, as provided in Article III of the Agreement.

"Vendor" means the manufacturer of the Equipment as well as the agents or dealers of the manufacturer from whom Lessor purchased will purchase or has ordered the Equipment or with whom Lessor has contracted for the acquisition of the Equipment.

Section 1.03. Authorization. Each of the parties hereby represents and warrants that it has full legal authority and is duly empowered to enter into this Agreement, and has taken all actions necessary to authorize the execution of this Agreement by the officers and person signing it.

ARTICLE II. ACQUISITION FUND

Section 2.01. Acquisition Fund. Escrow Agent shall establish a special fund designated as the "Acquisition Fund"; shall keep such Acquisition Fund separate and apart from all other funds and moneys held by it; and shall administer such funds as expressly provided hereunder.

Section 2.02. Deposit of Moneys by Lessor. At the Closing Date, Lessor shall deposit with the Escrow Agent the amount of \$45,364.85. Escrow Agent shall credit said amount to the Acquisition Fund established and to be held, applied and disbursed as herein provided.

Section 2.03. Purpose: Payment of Acquisition Costs. The Acquisition Fund shall be expended for the Acquisition Costs of the Equipment. Escrow Agent shall pay from the Acquisition Fund the Acquisition Costs of the Equipment, upon receipt from Lessee and Lessor the following items:

- (a) in the case of payment of any Acquisition Costs to Vendor pursuant to a contract or purchase order, (1) a duly executed Payment Request Form, with a true copy of the Vendor's statement attached, (2) where applicable, a duplicate original of any change order approved by Lessee and Lessor increasing Acquisition Costs in an amount in excess of the original purchase order or contract price, (3)

receipts from the Vendor showing proper application of prior requisitions, (4) bills of sale for any component of the Equipment for which a bill of sale may be delivered, and (5) an Acceptance Certificate with respect to the Equipment for which disbursement is requested;

- (b) in the case of any Acquisition Costs previously paid by Lessee for which it is seeking reimbursement, (1) a duly executed Payment Request Form, (2) a true copy of Vendor's statement for such Acquisition Costs, (3) evidence of payment, and (4) evidence of Lessee's declaration of official intent for reimbursement, which declaration shall have been made no later than 60 days after the Lessee paid the Acquisition Costs; or
- (c) in the case of payment of any other Acquisition Costs, a duly executed Payment Request Form.

Section 2.04. Escrow Agent's Compensation. As compensation for the services to be rendered hereunder, Lessee agrees to pay the Escrow Agent \$200.00 ("Escrow Agent's Compensation"). The Escrow Agent's Compensation shall be payable from interest earnings on the escrow account and will be paid upon disbursement of proceeds to the vendor and closing of the escrow account. If the interest earnings on the escrow account are not sufficient to pay the Escrow Agent's Compensation, Escrow Agent shall provide Lessee with an invoice for the shortfall and Lessee shall pay such amount to Escrow Agent upon demand. If funds remain in the Acquisition Fund, excluding Acquisition Costs and Escrow Agent's Compensation, after the full delivery and acceptance of the Equipment, then Lessee and Lessor agree such excess funds shall be retained by Escrow Agent as partial compensation for the performance of its obligations hereunder.

Section 2.05. Transfers Upon Completion. Upon the first to occur of (a) payment of all Acquisition Costs with respect to the Equipment; or (b) the one year anniversary of the Closing Date, Escrow Agent shall apply all remaining moneys in the Acquisition Fund to the next Rental Payment(s) due under the Agreement by paying such moneys directly to the Lessor or its assignees.

Section 2.06. Termination. If this Escrow Agreement is terminated by Lessor as authorized under Article VII and the Agreement, all moneys in the Acquisition Fund shall be paid to Lessor or assignees for application against moneys due to Lessor under the Agreement. In the event that Lessor provides to the Escrow Agent written notice of the occurrence of an Event of Default under the Agreement or the termination of the Agreement for any reason other than Lessee's payment of the applicable Purchase Option Price, Escrow Agent shall immediately remit any and all funds in the Acquisition Fund to Lessor.

ARTICLE III. MONEYS IN FUNDS: INVESTMENTS; TERMINATION

Section 3.01. Held in Trust. The moneys and investments held by the Escrow Agent under this Escrow Agreement are irrevocably held in trust for the benefit of the Lessee and for the purposes herein specified. Such moneys, and any income or interest earned thereon, shall be expended only as provided in this Escrow Agreement, and shall not, to the extent permitted by applicable law, as otherwise expressly provided herein, be subject to levy or attachment or lien by or for the benefit of any creditor of either Lessor or Lessee.

Section 3.02. Investments Authorized. Moneys held by the Escrow Agent hereunder may be invested, and upon written order of the Lessee Representative shall, be invested by the Escrow Agent in Qualified Investments. Such investments shall be registered in the name of the Escrow Agent and held by Escrow Agent which may act as a purchaser or agent in making or disposing thereof. Such investments and reinvestments shall be made giving full consideration for the time when funds will be required to be available for acquisition.

Section 3.03. Accounting. The Escrow Agent shall not be responsible or liable for any loss suffered in connection with any investment of funds made by it in accordance with this Escrow Agreement.

Section 3.04. Valuation and Disposition of Investments. For the purpose of determining the amount in the Acquisition Fund, all Qualified Investments credited to such fund shall be valued at cost (exclusive of accrued interest after the first interest payments following purchase). Escrow Agent may sell at the best price obtainable, or present for redemption, any Qualified Investment so purchased by Escrow Agent, whenever it shall be necessary in order to provide moneys to meet any required payment, transfer, withdrawal or disbursement from the Acquisition Fund to which such Qualified Investment is credited and Escrow Agent shall not be liable or responsible for any loss resulting from such investment.

Section 3.05. Deposit of Moneys in Acquisition Fund. All moneys held by the Escrow Agent in the Acquisition Fund established pursuant to this Agreement, except such moneys which are at the time invested as herein provided, shall be deposited in demand or time deposits (which may be represented by time certificates of deposit) in any bank or trust company authorized to accept deposits of public funds (including the banking department of the Escrow Agent), and, as and to the extent required by law, shall be secured at all times by obligations which are eligible by law to secure deposits of public moneys. Such obligations shall be deposited with such bank or banks as may be selected by Escrow Agent, and held by or for the account of the Escrow Agent as security for such deposits.

Section 3.06. Termination. Unless earlier terminated pursuant to Article VII, this Escrow Agreement shall terminate upon the final distribution of all moneys in the Acquisition Fund.

ARTICLE IV. THE ESCROW AGENT

Section 4.01. Removal of Escrow Agent. The Lessee and Lessor, by written agreement between themselves, may by written request, at any time and for any reason, remove the Escrow Agent and any successor thereto, and shall thereupon appoint a successor or successors thereto, but any such successor shall have capital (exclusive of borrowed capital) and surplus of at least Ten Million Dollars (\$10,000,000), and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, pursuant to statute or to the requirements of any federal or state supervising or examining authority, to, then for the purposes of this Section the combined capital and surplus of such bank or trust company may be conclusively established for the purposes hereby in its most recent report of condition so published.

Section 4.02. Resignation of Escrow Agent. The Escrow Agent or any successor may at any time resign by giving written notice to the Lessee and Lessor of its intention to resign and of the proposed date of resignation, which shall be a date not less than 60 days after such notice, unless an earlier resignation date and the appointment of a successor Escrow Agent shall have been or are approved by Lessee and Lessor. Upon receiving such notice of resignation, the Lessee and Lessor shall promptly appoint a successor Escrow Agent by an instrument in writing; provided however, that in the event the Lessee and Lessor fail to appoint a successor Escrow Agent within 30 days following receipt of such written notice of resignation, Lessor may appoint a successor Escrow Agent, and in the event that Lessor fail to appoint a successor Escrow Agent within 30 days following the expiration of such initial 30-day period, the resigning Escrow Agent may petition the appropriate court having jurisdiction to appoint a successor Escrow Agent. Any resignation or removal of the Escrow Agent shall become effective only upon acceptance of appointment by the successor Escrow Agent.

Section 4.03. Appointment of Agent. The Escrow Agent may appoint an agent acceptable to the Lessee and Lessor to exercise any of the powers, rights or remedies granted to the Escrow Agent under this Escrow Agreement, and to hold title to property or to take any other action which may be desirable or necessary.

Section 4.04. Merger or Consolidation. Any company into which the Escrow Agent may be merged or converted, or with which it may be consolidated, or any company resulting from any merger, conversion or consolidation to which it shall be a party, or any company to which the Escrow Agent may sell or transfer all or substantially all of its corporate trust business (provided that such company shall be eligible under Section 4.02) shall be the successor to the Escrow Agent without the execution or filing of any paper or further act, anything herein to the contrary notwithstanding.

Section 4.05. Protection and Rights of the Escrow Agent. The Escrow Agent shall be protected and shall incur no liability in acting or proceeding in good faith upon any resolution, notice, telegram, request, consent, waiver, certificate, statement, affidavit, voucher, bond, requisition or other paper or document which it shall in good faith believe to be genuine and to have been passed or signed by the proper board or person or to have been prepared and furnished pursuant to any of the provisions of this Escrow Agreement, and the Escrow Agent shall be under no duty to make any investigation or inquiry as to any statements contained or matters referred to in any such instrument, but may accept and rely upon the same as conclusive evidence of the truth and accuracy of such statements. The Escrow Agent may consult with Independent Counsel who may be counsel to Lessor or Lessee, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith in accordance therewith.

Whenever in the administration of its duties under this Escrow Agreement, the Escrow Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matters (unless other evidence in respect thereof be herein specifically prescribed), shall

be deemed to be conclusively proved and established by the certificate of the Lessee Representative or the Lessor Representative and such certificate shall be full warranty to the Escrow Agent for any action taken or suffered under the provisions of this Escrow Agreement upon the faith thereof, but in its discretion the Escrow Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

The recitals, statements and representations by Lessee and Lessor contained in this Agreement shall be taken and construed as made by and on the part of the Lessee and Lessor, as the case may be, and not by the Escrow Agent, and the Escrow Agent does not assume, and shall not have, any responsibility or obligation for the correctness of any thereof.

The Escrow Agent may execute any of the trusts or powers hereof and perform the duties required of it hereunder by or through attorneys, agents, or receivers, and shall be entitled to advice of counsel concerning all matters of trust and its duty hereunder, and the Escrow Agent shall not be answerable for the default or misconduct of any such attorney, agent, or receiver selected by it with reasonable care. The Escrow Agent shall not be answerable for the exercise of any discretion or power under this Escrow Agreement or for anything whatsoever in connection with the funds and accounts established hereunder, except only for its own willful misconduct or gross negligence.

ARTICLE V. ASSIGNMENTS; AMENDMENTS

Section 5.01. Assignment. Except as expressly herein provided to the contrary; the rights and duties of each of the parties under this Escrow Agreement shall not be assignable to any person or entity without the written consent of all of the other parties. Notwithstanding the above, Lessor may freely assign all or any part of its interest in this Agreement and the Acquisition Fund established hereunder in connection with an assignment by Lessor of the Agreement, subject to the provisions contained therein.

Section 5.02. Amendments. This Escrow Agreement may be amended in writing by agreement among all of the parties.

ARTICLE VI. FURTHER ASSURANCES

Section 6.01. Further Assurances. Lessor and Lessee will make, execute and deliver any and all such further resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention or to facilitate the performance of this Escrow Agreement, and for better assuring and confirming the rights and benefits provided herein.

ARTICLE VII. DEFAULT OR NON-APPROPRIATION

Section 7.01. Default.

- (a) Lessor shall have the right to terminate this Escrow Agreement upon an Event of Default under the Agreement, or termination of the Agreement pursuant to Section 4.01 thereof, which right shall not be exercised less than 15 days after Lessor shall have given Lessee written notice of such default or termination for non-appropriation. Upon receipt of notice of termination from Lessor, Escrow Agent shall pay to Lessor, or its assignee, all moneys in the Acquisition Fund in accordance with Section 2.06.
- (b) In the event of the failure by any party hereto to observe and perform any covenant, condition or agreement on its part to be observed or performed under this Escrow Agreement, any non-defaulting party hereto shall have all of the rights and remedies now or hereafter existing at law or in equity against the defaulting party.
- (c) No delay or omission to exercise any such right or power accruing upon any default shall be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient.

ARTICLE VIII. LIMITATION OF LIABILITY

Section 8.01. Limited Liability of Escrow Agent. Escrow Agent shall have no obligation or liability to any of the other parties under this Escrow Agreement for the failure or refusal of any other party to perform any covenant or agreement made by any of it hereunder or under the Agreement, but shall be responsible solely for the business-like performance of the duties expressly imposed upon Escrow Agent hereunder. The recitals of facts, covenants and agreements herein contained pertaining to Lessee and Lessor shall be taken as statement, covenants and agreements of the Lessee or Lessor (as the case may be), and Escrow Agent assumes no responsibility for the correctness of the same, or makes any representation as to the validity or sufficiency of this Escrow Agreement, or shall incur any responsibility in respect thereof, other than in connection with the duties or obligations herein imposed upon it. Escrow Agent shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or willful default.

Section 8.02. Indemnification. To the extent permitted by applicable law, Lessee agrees to indemnify and save Escrow Agent harmless from and against all claims, suits and actions brought against it, or to which it is made a party, and from all losses and damages, including without limitation reasonable, attorney fees and court costs suffered by it as a result thereof, where such claim, suit or action arises in connection with this Escrow Agreement, the transactions described herein and in the Agreement or the Escrow Agent's employment as an Escrow Agent by Lessee and Lessor. Notwithstanding the foregoing, such indemnification shall not extend to claims, suits and actions brought against the Escrow Agent for failure to perform and carry out the duties specifically imposed upon and to be performed by it pursuant to this Escrow Agreement and claims, suits or actions arising from events solely and directly attributable to acts of Lessor. In the event the Lessee is required to indemnify Escrow Agent as herein provided, Lessee shall be subrogated to the rights of the Escrow Agent to recover such losses or damages from any other person or entity.

Section 8.03. Discretion of Escrow Agent to File Civil Action in the Event of Dispute. If Lessor or Lessee are in disagreement about the interpretation of this Escrow Agreement, or about the rights and obligations, or the propriety of any action contemplated by Escrow Agent hereunder, Escrow Agent may, but shall not be required to, file an appropriate civil action to resolve the disagreement. Escrow Agent shall be indemnified by Lessee in accordance with Section 8.02 for all costs in connection with such civil action, and shall be fully protected in suspending all or part of its activities under this Escrow Agreement until a final judgment in such action is received.

Section 8.04. Opinion of Counsel. Before being required to take any action, the Escrow Agent may require (i) an opinion of Independent Counsel acceptable to the Escrow Agent, which counsel may be counsel to any of the parties hereto, and which opinion shall be made available to the other parties hereto, or (ii) a verified certificate of any party hereto, or (iii) both (i) and (ii), concerning the proposed action. Escrow Agent shall be absolutely protected in relying thereon if it does so in good faith.

Section 8.05. Limitation of Rights to Parties. Nothing in this Escrow Agreement, expressed or implied, is intended or shall be construed to give any person other than the Lessee, Lessor or the Escrow Agent any legal or equitable right, remedy or claim under or in respect of this Agreement or any covenant, condition or provision hereof; and all such covenants, conditions and provisions are and shall be for the sole and exclusive benefit of the Lessee, Lessor and Escrow Agent.

ARTICLE IX. MISCELLANEOUS

Section 9.01. Records. The Escrow Agent shall keep complete and accurate records of all moneys received and disbursed under this Escrow Agreement, which shall be available for inspection by the Lessee, Lessor, or the agent of either of them, at any time during regular business hours.

Section 9.02. Notices. All written notice to be given under this Escrow Agreement shall be given by mail to the party entitled thereto at its address set forth below, or at such address as the party may provide to the other parties in writing from time to time. Any such notice shall be deemed to have been received 72 hours after deposit in the United States mail in registered or certified form, with postage fully prepaid.

Section 9.03. Governing Laws. This Escrow Agreement shall be construed and governed in accordance with the laws of the State of Kansas.

Section 9.04. Partial Invalidity. Any provision of this Escrow Agreement found to be prohibited by laws shall be ineffective only to the extent of such prohibition, and shall not invalidate the remainder of this Escrow Agreement.

Section 9.05. Binding Effect; Successors. This Escrow Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. Whenever in this Escrow Agreement any party hereto is named or referred to, such references shall be deemed to include permitted successors or assigns thereof, and all covenants and agreements contained in this Escrow Agreement by or on behalf of any party hereto shall bind and inure to the benefit of permitted successors and assigns thereof whether or not so expressed.

Section 9.06. Execution in Counterparts. This Escrow Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

Section 9.07. Headings. The headings or titles of the several Articles and Sections hereof, and any tables of contents appended to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this Escrow Agreement. All references herein to "Articles", "Sections", and other subdivisions are to the corresponding Articles, Sections, or subdivisions of this Escrow Agreement; and the words "herein", "hereof", "hereunder" and other words of similar import refer to this Agreement as a whole and not to any particular Article, Section or subdivision hereof.

IN WITNESS WHEREOF, the parties have executed this Escrow Agreement as of the date and year first above written.

ESCROW AGENT:

Community First National Bank
215 S. Seth Child Road
Manhattan, KS 66502

Neal Farmer, Senior Vice President

LESSOR:

Community First National Bank
215 S. Seth Child Road
Manhattan, KS 66502

Neal Farmer, Senior Vice President

LESSEE:

City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Craig Malin, City Manager

EXHIBIT A
PAYMENT REQUEST FORM

Community First National Bank, Escrow Agent under an Escrow Agreement dated as of 8/1/2016, by and among the said Escrow Agent, Community First National Bank (Lessor), and the City of Seaside, (Lessee) is hereby requested to pay, from the Equipment Acquisition Fund held under said Escrow Agreement, to the persons, firms or corporation designated below as payee, the amount set forth opposite each such person's firm's or corporation's name, in payment of the Acquisition Costs (as defined in said Escrow Agreement) of the Equipment described on the attached page(s) designated opposite such Payee's name and account.

<u>Payee</u>	<u>Equipment</u>	<u>Amount</u>

VOID

TO BE UTILIZED AS A SIGNATURE CARD ONLY

By executing this Payment Request Form the Lessee hereby represents that the Payee or Payees listed above who are requesting payment have delivered the Equipment or a portion of the Equipment or performed the services to the satisfaction of the Lessee and that the amounts requested above by the Payee or Payees are proportionate with the value of the Equipment delivered or services rendered by the Payee or Payees.

Partial Disbursement. The undersigned certifies that the following documents are attached to this Payment Request Form when there is a request for a partial release of funds from the Escrow Account to pay for a portion of the Equipment: (1) Invoice from the Vendor, (2) copy of the agreement between Lessee and Vendor (if requested by the Lessor or Escrow Agent), (3) front and back copy of the original MSO/Title (if payment from Escrow Account is for a chassis) listing Community First National Bank and/or its assigns as the first lien holder. By executing this Payment Request Form and attaching the documents as required above, the Lessee shall be deemed to have accepted this portion of the Equipment for all purposes under the Lease, including, without limitation, the obligation of Lessee to make the Rental Payments with respect thereto in a proportionate amount of the total Rental Payment. By executing this Payment Request Form Lessee agrees that Lessee is the title owner to this portion of the Equipment and that in the event that any third party makes a claim to such title that Lessee will take all measures necessary to secure title including, without limitation, the appropriation of additional funds to secure title to this portion of the Equipment and keep the Lease in full force and effect.

Final Disbursement. The undersigned certifies that the following documents are attached to this Payment Request Form when there is a final release of funds from the Escrow Account: (1) Final Vendor Invoice, (2) Signed Acceptance Certificate, (3) Insurance Certificate, (4) front and back copy of the original MSO/Title listing Community First National Bank and/or its assigns as first lien holder (if not already received). By executing this Payment Request Form and attaching the documents as required above, the Lessee shall be deemed to have accepted the Equipment for all purposes under the Lease, including, without limitation, the obligation of Lessee to make the Rental Payments with respect thereto. By executing this Payment Request Form Lessee certifies that Lessee is the title owner to the Equipment and that in the event that any third party makes a claim to such title that Lessee will take all measures necessary to secure title including, without limitation, the appropriation of additional funds to secure title to the Equipment and keep the Lease in full force and effect.

LESSEE:

City of Seaside

Craig Malin, City Manager

Signature

Signature of additional authorized individual (optional)

Name and Title

TAX COMPLIANCE AGREEMENT AND NO ARBITRAGE CERTIFICATE

This Tax Compliance Agreement and No Arbitrage Certificate is issued in connection with that certain Equipment Lease Purchase Agreement dated as 8/1/2016 by and between Community First National Bank, ("Lessor") and City of Seaside ("Lessee").

1. In General.

1.1. This Certificate is executed for the purpose of establishing the reasonable expectations of Lessee as to future events regarding the financing of certain equipment by Lessee as described in the Equipment Lease Purchase Agreement dated as of 8/1/2016 (the "Lease") between Lessor and Lessee and all related documents executed pursuant thereto and contemporaneously herewith with respect to the financing of the acquisition of Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants) of equipment (the "Equipment") by Lessor for Lessee (the Lease and such other documents are hereinafter collectively referred to as the "Financing Documents").

1.2. The individual executing this Certificate on behalf of Lessee is an officer of Lessee delegated with the responsibility of reviewing and executing the Financing Documents.

1.3. To the best of the undersigned's knowledge, information and belief, the expectations contained in this Certificate are reasonable.

1.4. Lessee has not been notified of any listing or proposed listing of it by the Internal Revenue Service as an issuer whose certifications as to arbitrage may not be relied upon.

1.5. The rental payments due under the Financing Documents will be made with monies retained in Lessee's general operating fund (or an account or sub account therein). No sinking, debt service, reserve or similar fund or account will be maintained for the payment of the rental payments due under the Financing Documents or pledged as security therefor.

1.6. If any other governmental obligations were or are being issued by or on behalf of Lessee within fifteen (15) days of the date of issuance of the Financing Documents, such obligations either (i) were not or are not being issued or sold pursuant to a common plan of financing with, or (ii) will not be paid out of substantially the same source of funds as, the financing pursuant to the Financing Documents.

2. Purpose of the Financing Documents.

2.1. The Financing Documents are being entered into for the purpose of providing funds for financing the cost of acquiring, equipping and installing the Equipment which is essential to the governmental functions of Lessee, which Equipment is described in the Equipment Description executed and delivered by Lessee pursuant to the Financing Documents. The principal amount represented by the Financing Documents, or \$45,364.85 will be deposited in escrow by Lessor at closing and held by Community First National Bank, as Escrow Agent (the "Escrow Agent") pending acquisition of the Equipment under the terms of that certain Escrow Agreement dated as of 8/1/2016 (the "Escrow Agreement"), by and among Lessor, Lessee and Escrow Agent.

2.2. No portion of the principal amount represented by the Financing Documents will be used as a substitute for other funds which were otherwise to be used as a source of financing for the Equipment, or will be used, directly or indirectly, to replace funds used by Lessee to acquire investments which produce a yield materially higher than the yield to Lessor under the Financing Documents.

2.3. Lessee does not expect to sell or otherwise dispose of the Equipment, in whole or in part, at a date which is earlier than the final rental payment due under the Financing Documents.

3. Source and Disbursement of Funds.

3.1. The principal amount represented by the Financing Documents does not exceed the amount necessary for the governmental purpose for which the Financing Documents were entered into. Such funds are expected to be needed and fully expended for payment of the costs of acquiring, equipping and installing the items of Equipment.

3.2. It is contemplated that the entire amount deposited in escrow will be used to pay the acquisition cost of Equipment to the vendors or manufacturers thereof, provided that a portion of the principal amount may be paid to Lessee within such period as reimbursement for Acquisition Costs already made by it so long as the conditions set forth in Section 3.3 below are satisfied.

3.3. Lessee shall not request that it be reimbursed for Equipment acquisition cost payments already made by it unless the following conditions have been satisfied:

- (a) Lessee made a declaration of its reasonable intention to reimburse the acquisition cost payment sought to be reimbursed with the proceeds of a borrowing not later than sixty (60) days after the date on which it made the payment, which declaration satisfies the "Official Intent Requirement" set forth in Treas. Reg. Sec.1.150-2;
- (b) The reimbursement being requested will be made by written allocation before the later of eighteen (18) months after the acquisition cost payment was made or eighteen (18) months after the items of Equipment to which such payment relates were placed in service;
- (c) The entire payment with respect to which reimbursement is being sought is a capital expenditure, being a cost of type properly chargeable to a capital account under general federal income tax principles; and
- (d) Lessee will use any reimbursement payment for general operating expenses and not in a manner which could be construed as an artifice or device under Treas. Reg. Sec. 1. 148-10 by, virtue of, among other things, use to refund, or to create or increase a sinking, reserve or replacement fund with respect to, any other obligations issued by it.

4. Temporary Period.

4.1. Lessee expects, within six months from the date of issuance of the Financing Documents, (a) to have had disbursed from escrow an amount in excess of the lesser 2 1/2% of the amount deposited by Lessor in escrow or \$100,000, or (b) to enter into binding obligations with third parties obligating Lessee to spend such amount.

4.2. The ordering and acceptance of the items of Equipment will proceed with due diligence to the date of final acceptance of the Equipment.

4.3. The items of Equipment being acquired by Lessee will be delivered at various times. At least 15% of the sum of the amount deposited in escrow and the reasonably anticipated interest earnings thereon will be used to pay the acquisition price of items of Equipment within six months from the date of issuance of the Financing Documents; at least 60% of the sum of the amount deposited in escrow and the reasonably anticipated interest earnings thereon will be used to pay the acquisition cost of items of Equipment within 12 months from the date of issuance of the Financing Documents; and 100% of the amount deposited in escrow and interest earnings thereon will be used to pay the acquisition cost of items of Equipment prior to 18 months from the date of issuance of the Financing Documents.

4.4. The total acquisition cost of the Equipment is not required to be paid to the vendors or manufacturers thereof until the Equipment has been accepted by Lessee.

5. Escrow Account.

5.1. The Financing Documents provide that the monies deposited in escrow shall be invested until payments to the vendor(s) or manufacturer(s) of the Equipment are due. Lessee will ensure that such investment will not result in Lessee's obligations under the Financing Documents being treated as an "arbitrage bond" or a "federally guaranteed bond" within the meaning of Section 148(a) or Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code"), respectively. Any monies which are earned from the investment of these funds shall be labeled as interest earned. All such monies will be disbursed on or promptly after the date that Lessee accepts the equipment.

6. Exempt Use.

6.1. No part of the proceeds of the Financing Documents or the Equipment will be used in any "private business use" within the meaning of Section 141(b)(6) of the Internal Revenue Code of 1986, as amended.

6.2. No part of the proceeds of the Financing Documents will be used, directly or indirectly, to make or finance any loans to non-governmental entities or to any governmental agencies other than Lessee.

7. No Federal Guarantee.

7.1. Payment of the principal or interest due under the Financing Documents is not directly or indirectly guaranteed, in whole or in part, by the United States or an agency or instrumentality thereof.

7.2. No portion of the proceeds under the Financing Documents shall be (i) used in making loans, the payment of principal or interest of which are to be guaranteed, in whole or in part, by the United States or any agency or instrumentality thereof, or (ii) invested, directly or indirectly, in federally insured deposits or accounts if such investment would cause the financing under the Financing Documents to be federally guaranteed within the meaning of Section 149(b) of the Code.

8. Miscellaneous.

8.1. Lessee agrees to comply with the rebate requirement set forth in Section 148(f) of the Code in the event that for any reason it is applicable to the financing pursuant to Financing Documents.

8.2. Lessee shall keep a complete and accurate record of all owners or assignees of the Financing Documents in form and substance satisfactory to comply with Section 149(a) of the Code unless Lessor or its assignee agrees to act as Lessee's agent for such purpose.

8.3. Lessee shall maintain complete and accurate records establishing the expenditure of the proceeds of the Financing Documents and interest earnings thereon for a period of five years after payment in full under the Financing Documents.

IN WITNESS WHEREOF, this Tax Compliance Agreement and No Arbitrage Certificate has been executed on behalf of Lessee as of the date set forth below.

LESSEE:

City of Seaside

Craig Malin, City Manager

Date



215 S. Seth Child Road
Manhattan, KS 66502
Phone: 888.777.7850
Fax: 888.777.7875
www.clpusa.net

Invoice

To:
City of Seaside
Attn: Daphne Hodgson
440 Harcourt Avenue
Seaside, CA 93955

Re: Lease for Twenty-One (21) Sets of Turnout Gear (21 Coats & Pants)

DESCRIPTION	AMOUNT
First Payment Due at Closing:	\$15,716.95
Other / Additional Fees:	\$0.00
TOTAL DUE	\$15,716.95

Make checks payable to:

Community First National Bank
215 S. Seth Child Road
Manhattan, KS 66502

If you have any questions, please feel free to contact Wanida Nondorf at 888.777.7850.

Form **8038-GC**

(Rev. January 2012)

Department of the Treasury
Internal Revenue Service**Information Return for Small Tax-Exempt
Governmental Bond Issues, Leases, and Installment Sales**▶ **Under Internal Revenue Code section 149(e)**

OMB No. 1545-0720

Caution: If the issue price of the issue is \$100,000 or more, use Form 8038-G.

Part I Reporting Authority		Check box if Amended Return ☐	
1 Issuer's name City of Seaside		2 Issuer's employer identification number (EIN) 94 6022439	
3 Number and street (or P.O. box if mail is not delivered to street address) 440 Harcourt Avenue		Room/suite	
4 City, town, or post office, state, and ZIP code Seaside, CA 93955		5 Report number (For IRS Use Only) 	
6 Name and title of officer or other employee of issuer or designated contact person whom the IRS may call for more information		7 Telephone number of officer or legal representative	

Part II Description of Obligations Check one: a single issue ☒ or a consolidated return ☐		
8a Issue price of obligation(s) (see instructions)	8a	45,364 85
b Issue date (single issue) or calendar date (consolidated). Enter date in mm/dd/yyyy format (for example, 01/01/2009) (see instructions) ▶ 08/01/2016		
9 Amount of the reported obligation(s) on line 8a that is:		
a For leases for vehicles	9a	
b For leases for office equipment	9b	
c For leases for real property	9c	
d For leases for other (see instructions) SCBAs or Turnout Gear	9d	45,364 85
e For bank loans for vehicles	9e	
f For bank loans for office equipment	9f	
g For bank loans for real property	9g	
h For bank loans for other (see instructions)	9h	
i Used to refund prior issue(s)	9i	
j Representing a loan from the proceeds of another tax-exempt obligation (for example, bond bank)	9j	
k Other	9k	
10 If the issuer has designated any issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check this box ▶ ☒		
11 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check this box (see instructions) ▶ ☐		
12 Vendor's or bank's name: Community First National Bank		
13 Vendor's or bank's employer identification number: 48-1238548		

Signature and Consent	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person(s) that I have authorized above.				
	Signature of issuer's authorized representative	Date	Craig Malin, City Manager Type or print name and title		
Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
	Firm's name ▶	Firm's EIN ▶			
	Firm's address ▶	Phone no.			

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

What's New

The IRS has created a page on IRS.gov for information about the Form 8038 series and its instructions, at www.irs.gov/form8038. Information about any future developments affecting the Form 8038 series (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

Form 8038-GC is used by the issuers of tax-exempt governmental obligations to provide the IRS with the information required by section 149(e) and to monitor the requirements of sections 141 through 150.

Who Must File

Issuers of tax-exempt governmental obligations with issue prices of less than \$100,000 must file Form 8038-GC.

Issuers of a tax-exempt governmental obligation with an issue price of \$100,000 or more must file Form 8038-G, Information Return for Tax-Exempt Governmental Obligations.

Filing a separate return for a single issue. Issuers have the option to file a separate Form 8038-GC for any tax-exempt governmental obligation with an issue price of less than \$100,000.

An issuer of a tax-exempt bond used to finance construction expenditures must file a separate Form 8038-GC for each issue to give notice to the IRS that an election was made to

pay a penalty in lieu of arbitrage rebate (see the line 11 instructions).

Filing a consolidated return for multiple issues. For all tax-exempt governmental obligations with issue prices of less than \$100,000 that are not reported on a separate Form 8038-GC, an issuer must file a consolidated information return including all such issues issued within the calendar year.

Thus, an issuer may file a separate Form 8038-GC for each of a number of small issues and report the remainder of small issues issued during the calendar year on one consolidated Form 8038-GC. However, if the issue is a construction issue, a separate Form 8038-GC must be filed to give the IRS notice of the election to pay a penalty in lieu of arbitrage rebate.



MUNICIPAL EMERGENCY SERVICES

4343 Viewridge Ave.
Suite A
San Diego, CA 92123

Quote

Date	4/24/2016
Quote #	QT1018899
Expires	8/26/2016
Sales Rep	Brown, Richard A
PO #	Chief Dempsey
Shipping Method	FedEx Ground

Bill To

JASON HICKS
SEASIDE FIRE DEPARTMENT
1635 BROADWAY AVE
SEASIDE CA 93955
United States

Ship To

JASON HICKS
SEASIDE FIRE DEPARTMENT
1635 BROADWAY AVE
SEASIDE CA 93955
United States

Item	Alt. Item #	Units	Description	QTY	Unit Sales Pri...	Amount
HFRP Tail Coat	CASEAS00036		CASEAS00036 HFRP Tail Coat	21	1,198.00	25,158.00
HFRP Tail Pant	CASEAS00037		CASEAS00037 HFRP Tail Pant	21	869.00	18,249.00
pCARD			Custom pCARD Financing Community Partners	1	0.00	0.00

	Subtotal	43,407.00
	Ground	0.00
	Tax Total	3,743.85
	Total	\$47,150.85

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1018899