



A G E N D A

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, September 1, 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. **PRESENTATIONS**

A. **2016 4TH OF JULY FIREWORKS AFTER-ACTION REPORT**

PURPOSE: The purpose of this item is to provide the City Council with a 2016 Fourth of July Fireworks After-Action Report.

RECOMMENDATION: It is recommended that the City Council receive the 2016 Fourth of July Fireworks After-Action Report presentation.

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

PURPOSE: The purpose of this item is to recognize Gerald and Patricia Smith, owners of 1396 Hilby Avenue for beautifying and maintaining their property.

RECOMMENDATION: It is recommended that the Mayor present Gerald and Patricia Smith the August 2016 House of the Month award.

8. 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 THE MINUTES FROM AUGUST 18, 2016

RECOMMENDATION: 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 August 9, 2016 through August 22, 2016. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of August 18, 2016 is requested. Total Account Payable and Payroll for the above referenced period is \$1,708,562.65.

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

C. ACCEPTANCE OF CALIFORNIA STATE FIREFIGHTERS' ASSOCIATION STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FUNDS IN THE AMOUNT OF \$12,250.00 FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT AND ENTRY LEVEL PHYSICALS FOR THE RESERVE FIREFIGHTERS.

PURPOSE: The purpose of this item is to provide the City Council an opportunity to review, discuss and consider the acceptance of California State Firefighters' Association Staffing for Adequate Fire and Emergency Response (SAFER) grant funds in the amount of \$12,250.00 for the purchase of personal protective equipment and entry level physicals for the reserve firefighters. There is no match required.

RECOMMENDATION: It is recommended that the City Council approve the acceptance of California State Firefighters' Association Staffing for Adequate Fire and Emergency Response (SAFER) grant funds in the amount of \$12,250.00 for the purchase of personal protective equipment and entry level physicals for the reserve firefighters.

9. PUBLIC HEARING

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

PURPOSE: In accordance with Section 17.74.050.A of the Seaside Municipal Code (SMC), a second reading is being held to adopt the 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 adopt the Ordinance provided as Attachment 1 recommending approval of the proposed text amendments.

10. BUSINESS ITEMS

A. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF ONE OUTER TRAFFIC LANE IN EACH DIRECTION ON BROADWAY AVENUE FROM CALAVERAS STREET TO HILLSDALE STREET FOR PARK(ING) DAY 2016 ON SEPTEMBER 16, 2016.

PURPOSE: The purpose of this item is to request that Council approve a resolution permitting the closure of one outer lane in each direction on Broadway Avenue from Calaveras Street to Hillsdale Street for PARK(ing) Day.

RECOMMENDATION: It is recommended that Council approve the closure of one outer lane in each direction on Broadway Avenue from Calaveras Street to Hillsdale Street for PARK(ing) Day between the hours of 8 a.m. to 4 p.m.

11. 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.

12. ADJOURNMENT

Next Regularly Scheduled Meeting:
September 15, 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.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Brian Dempsey, Fire Chief
Vicki Myers, Police chief

DATE: September 1, 2016

SUBJECT: 2016 4TH OF JULY FIREWORKS AFTER-ACTION REPORT

PURPOSE

The purpose of this item is to provide the City Council with a 2016 Fourth of July Fireworks After-Action Report.

RECOMMENDATION

It is recommended that the City Council receive the 2016 Fourth of July Fireworks After-Action Report presentation.

BACKGROUND

At the April 3, 2014 Seaside City Council meeting, the City Council amended and restated the City of Seaside Municipal Code Chapter 8.32 relating to fireworks. Section 8.32.140 *Police and Fire Department Illegal Fireworks Operation Plan and After Action Report* states: "On or about September 1st of that same year, both police and fire departments must report back to the City Council with an After Action Report" including: evaluation of the effectiveness of that departments Operation Plan; relevant incident statistics and how many calls relating to "dangerous firework" were generated and how many seizure and/or administrative fine citations occurred. The following report serves as an After Action Report regarding the 2016 fireworks activity; also included in this report is an accounting of surcharge funds collected and expenditures by each department.

THRESHOLD

To cite someone for **using** illegal fireworks, an officer must either witness the actual "use" of the illegal firework, or have someone who witnessed the actual "use" of an illegal firework be willing to sign a complaint. "Use" is actually seeing a person light or detonate an illegal

firework. “Use” is not just seeing the firework display, or hearing the firework detonate.

To cite someone for **possessing** illegal fireworks, an officer must witness the person actually possessing or having control over the illegal fireworks, and that the person knowingly possessed the illegal fireworks.

Prior to the beginning of fireworks sales, the following actions were taken in attempt to further firework safety within the City of Seaside:

1. Sign boards were placed near both city limits emphasizing the penalties for the use of illegal fireworks within the City of Seaside.
2. Firework safety information was placed on our City website.
3. A firework safety educational DVD ran on our local Community Access channel.
4. Fire safety and safe use of safe and sane fireworks brochures were distributed with each safe and sane sale.

FIRE DEPARTMENT

Safe and Sane fireworks went on sale on July 28th; all fireworks booths were inspected by the Fire Department and periodically checked for compliance throughout the week; all remained in compliance and no violations were issued.

On the Fourth of July the fire department staffed an additional engine company for fourteen hours. Over the four day period, July second through the fifth, the department responded to 29 incidents, two of which were caused by fireworks. Although the department responded to a serious residential structure fire, the cause of the fire was not fireworks related, however having the additional engine company staffed aided in the quick extinguishment of the fire.

Calls For Service:

The below table outlines the Calls For Service (CFS) received by the Fire Department for July 2-5, 2016:

CFS* for JULY 2016	2nd	3rd	4th	5th
All	7	7	9	6
Fireworks	-	-	1	-

A comparison of all CFS for 2014, 2015 and 2016 is provided in the following table:

All CFS*	2014	2015	2016
July 2 nd	3	8	7
July 3 rd	13	7	7
July 4 th	8	8	9
July 5 th	4	14	6

A comparison listing only fireworks-caused incidents for 2014, 2015 and 2016 is provided in the following table:

Fireworks CFS*	2014	2015	2016
July 2nd	-	-	-
July 3 rd	-	-	-
July 4 th	1	3	1
July 5th	1	-	-

PUBLIC WORKS

On July 2nd and 4th, the Public Works Department had eight staff work overtime to canvass every street in Seaside looking for firework carcasses left behind in the City's right of ways. The eight were split into groups of two and assigned one-quarter of the streets to assure all streets were covered each day.

Tuesday July 5th, six Public Works staff reported to work at 4:00 am on overtime to clean the Laguna Grande Parking Authority Lot prior to the businesses opening and also cleaned around Robert's Lake and Laguna Grande Park before kids arrived to play at the park. During the eight-hour work day, six staff continued cleaning the City street-by-street of any fireworks not disposed of on the 4th by residents.

POLICE DEPARTMENT

Preceding the Fourth of July, the Seaside Police Department stressed the enforcement of the trafficking, sale and purchase of illegal fireworks.

On July 3, 2016 and July 4, 2016, in addition to regularly scheduled sworn officers, the Seaside Police Department staffed special fireworks enforcement units. The July 3, 2016 Seaside Police Department special fireworks enforcement team consisted of an additional two person team, for a total of nine (9) overtime hours for the team.

The July 4, 2016 Seaside Police Department special fireworks enforcement team consisted of an additional nineteen sworn officers (the Police Chief, the Deputy Chief, three Commanders, two Sergeants, two Corporals, two Detectives, and eight Officers), for a total of 103.75 overtime hours for the team. Four of the special enforcement detail worked in plain clothes.

The special fireworks enforcement units were directed to:

- Respond to all reports of illegal fireworks
- Provide close patrol of areas known for illegal firework detonations
- Aggressively seek criminal prosecution or issue citations to identified individuals who possess and/or use illegal fireworks
- Confiscate all illegal fireworks

- Contact the Reporting Party whenever possible

Calls For Service:

The below table outlines the Calls For Service (CFS) received by the Police Department for July 2-5, 2016:

CFS* for JULY 2016	2nd	3rd	4th	5th
All	145	169	320	147
Fireworks	18	15	134	20
Time of 1 st Fireworks CFS	03:19	00:01	00:36	00:00

A comparison of all CFS for 2014, 2015 and 2016 is provided in the following table:

All CFS*	2014	2015	2016
July 2 nd	99	159	145
July 3 rd	118	189	169
July 4 th	202	248	320
July 5 th	105	151	147

A comparison listing only fireworks-caused incidents for 2014, 2015 and 2016 is provided in the following table:

Fireworks CFS*	2014	2015	2016
July 2 nd	-	17	18
July 3 rd	7	24	15
July 4 th	83	92	134
July 5 th	14	23	20

*as provided by the 9-1-1 Emergency Communications Dispatch Center.

On July 4, 2016 three citations were issued: 1). Discharge of illegal fireworks; and 2). Discharge of illegal fireworks; and 3). Possession of dangerous fireworks. More than 800 pieces of illegal fireworks were seized, with an approximate gross weight of eighty (80) pounds.



FISCAL IMPACT

The below table depicts the following:

- Gross retail sales of Safe and Sane fireworks within the City
- Fireworks Surcharge of 7% (in accordance with the City of Seaside Municipal Code Chapter 8.32)
- Permit application fees
- Revenue received by the City of Seaside from the sale of Safe and Sane fireworks

Gross Retail Sales	7% Surcharge	Permit Fees	Revenue to the City
\$252,837.98	\$17,698.66	\$2,920.00	\$20,618.66

The following expenses were incurred by each department:

Police Department: \$7,713.69 (Overtime only)

Fire Department: \$2,120.68 (Overtime Only)

Resource Management: \$10,536.93 (Overtime + Equipment)

2016 Total Revenue: \$20,618.66

2016 Total Expenses: \$20,371.30

Net cost to the General Fund -0-

Revenue to the City \$247.36

ATTACHMENTS

1. None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dave Fortune, Maintenance and Utilities Superintendent
Dominique Jones, Senior Administrative Assistant

DATE: September 1, 2016

**SUBJECT: PRESENTATION OF THE AUGUST 2016 HOUSE OF THE MONTH
AWARD**

PURPOSE

The purpose of this item is to recognize Gerald and Patricia Smith, owners of 1396 Hilby Avenue for beautifying and maintaining their property.

RECOMMENDATION

It is recommended that the Mayor present Gerald and Patricia Smith the August 2016 House of the Month award.

BACKGROUND

The Neighborhood Improvement Program Commission's goals are to encourage citizens to beautify and upgrade their properties in order to positively influence property values and create a more livable environment in the community. One of the ways that the Commission accomplishes this goal is by recognizing outstanding examples of residential property maintenance and beautification through the House of the Month Award Program.

Each month the Neighborhood Improvement Program Commission selects an award recipient from a list of nominated homes. The home of Chantel Touryan located at 1217 Hilby Avenue has been selected as the June 2016 House of the Month.

FISCAL IMPACT

The fiscal impact is \$44.95 for the plaque and the \$50.00 gift card from the NIPC 2015-2016 FY Budget.

ATTACHMENTS

1. 1217 Hilby Avenue
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager





DRAFT MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, August 18, 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**

Father Michael Volk from Saint Francis Xavier provided the invocation.

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENTS**

Mayor Rubio invited comments from the public.

- Tom Mancini reminded the Council and the public of the Veteran's Stand Down event, August 19th through 21st, sponsored by United Veteran's Council of Monterey County. This time there will be judges from 6 counties.
- Kay Cline said that the Veteran's Stand Down event has developed in a great way. She expressed concern that the cross walk at Fremont and Trinity that used to have safety lights and now is closed has inconvenienced many residents and requested that it be operational again soon.
- Dawn Poston spoke in support of the Monterey Horse Park and said she was thrilled that the EIR is moving forward.
- Marylyn Mancini - Monterey County Community Voice for Aging, spoke to the number of seniors that use MST Rides, and has heard complaints about not showing up at the right time and people missing appointments. She requested that anyone from the public that experiences a problem with RIDES to please call MST so that they can know it need to be corrected.
- Sue Hawthorne spoke with concern about the Monterey Downs project saying it will bring noise, traffic and economic degradation with little to no economic benefit.
- Helen Rucker thanked the Council for the new seats in the Council Chamber and for listening to the citizens.
- Ruthie Watts echoed Ms. Rucker's comments. Please keep those that are losing their homes in your prayers and if there is anything that the city of seaside can do to help, please consider doing it.

Mayor Rubio indicated that City Manager Malin will report on the cross walk during the next meeting.

6. **PUBLIC AGENCY COMMUNICATIONS**

- Bobbie Blakely, commissioner for the Monterey County Community Health Board spoke to

the groundbreaking event for the Seaside Health Clinic on September 22nd. The building is a partnership with Monterey County Department of Health and Montage of Monterey Community Hospital.

- Francis Avery from the Seaside Art and History Commission announced the exhibit starting August 29th through October celebrating the anniversary of City Hall, which turns 50 years old. Ms. Avery requested any member of the public who worked on the construction of this building to contact the City to be honored. The reception will be October 22nd, 1 to 5 pm, but the exhibit will be through October 30.

7. **CONSENT CALENDAR**

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved the Consent Calendar with the exception of item G.

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

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

Action: Approved

B. **APPROVE AND FILE CITY CHECKS**

Action: Approved, Accepted

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.**

Action: Authorized

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

Action: Accepted and Filed

E. **APPROVE THE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS**

Action: Approved

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**

Action: Approved

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.

- Felix Bachofner questioned the amount that is set, as not to exceed costs, believing that all agencies that participate in PRVNT would also be contributing costs and requested to know the fully burdened cost of this action. He indicated that the total cost of the item could be up to 300,000.

Chief Myers responded to Mr. Bachofners questions saying that the staff report explains funds are fully paid through AB 109 funds, assigned to Monterey County jurisdictions, allocated among municipal agencies, and those agencies on the peninsula have dedicated all of their funds to the costs of this contract. She specifically stated the presented cost was the fully burden costs, an hourly rate. She further explained the City Council previously approved a full staff member, but due to the reduced funds from the State, they thought it was more prudent to engage in an agreement for an hourly service. She spoke to the equal portions contributed from the participating agencies and there was unanimous support of this contract. She spoke to the search that was conducted to find local analysts, but none were not willing to relocate to the area for the costs associated.

On motion by and seconded by Council Member Dave 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

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)

Senior Planner Medina explained the purpose to amend the code to allow daycare centers to be allowed within an R1 zone, with a user permit, as well as allow them to be located within 500 feet of an RS zone. It is a city initiated text amendment, agonized after a proposal to purchase a city building for conversion and use as a day care center. He explained the details of the request and that day care is a valuable resource and need in our community. The amendments would eliminate the requirement that they are more than 500 feet, would require vehicular access to day care centers in RS zones from an arterial or collector and also clarify noise mitigation requirements. The primary impacts were vehicular access and sound attenuation and both can be addressed during the use permit process. If approved, this is the first reading and will past to print the proposed text amendments for adoption at the first meeting in September. Mr. Medina answered questions from the Council.

Council Member Pacheco questioned the current and future ability to sell the property at a later date. Mayor Pro Tem said that he will not support this because he has been talking about retaining the Troia building for future use. He thinks the item is not necessary to do, if we are not going to sell this property to the proposed day care center. City Attorney Freeman said that this item is agendized for allowing the use anywhere in the City, and the future disposition of the property on Broadway is not under discussion. Mr. Medina further clarified this would open up many other

opportunities, of vacant buildings, that could possibly be used for day care centers in the City.

Mayor Rubio invited public comment on the item.

- Sue Hawthorne said that the staff report indicated a spot zoning change was needed to accommodate the zoning change to allow the day care use in the redevelopment agency property. That is a lot of children on a very busy street and not much set back for child access. Spot zoning is not a good idea, ordinarily, and is used to prevent inappropriate uses. She spoke in support of Mayor Pro Tem Oglesby, as it is too speculative.
- Alan Groves spoke to his planning and zoning experience and agreed spot zoning is a terrible idea, as it leads you into trouble in the future, as does zoning at the request of a property owner for the same reason. He urged to look more carefully that this is not spot zoning and is not for a particular landowner.
- Felix Bachofner provided a historical record of the site, that the owner is a very respected business in Seaside. However, in their first location, it was allowed, and there were complaints and the code was changed and now we are going backward. Good Luck figuring it out.
- Reverend HH Lusk expressed concern that the intent was to allow the sale of the building, and that there is a liquor store on the right and a barber shop on the left, and it will be a terrible place to have a child care center. He was hoping that these buildings would be made available for the youth in the community. He recommends that the amendment not be approved, as it would create many problems.

Mayor Rubio clarified that this is not a project specific amendment and each application will be subject to the use permit process. If the proposed project were to apply for a use permit on Broadway and was turned down, then they wouldn't have any choice to go anywhere else, then they and the 150 kids who are cared for would be forced to find care outside the city.

On motion by Council Member Alexander and seconded by Council Member Dave Pacheco and passed by the following roll call vote the City Council passed to print the first reading ordinance adopting text amendments to section 17.12.030 of the Seaside Municipal Code.

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

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.

Senior Planner Medina presented on the entitlements for the 144-bed residential care facility and adoption of the negative declaration. He presented on the background, project description including site detail, adjoining uses and the environmental review. He spoke to the proposed uses, the description of the land use, including assisted living, memory care and co-housing, he detailed the elevation of the facility and architectural design and treatments, from the different perspectives. The mitigated negative declaration had key environmental issues of noise, sound walls, traffic, building

code compliance and construction management and mitigation measures have been incorporated into the use permit. In detailing the landscape mitigation, he identified the landscape plans approved by the BAR and the total planting of 177 trees on the project site. Mr. Medina detailed the public comments made during previous public hearings at Planning Commission and BAR meetings. Staff recommends that the City Council adopt the resolution for the approval of a mitigated negative declaration provided and a resolution approving the use permit application for the proposed project. Mr. Medina answered questions from the Council.

Council Member Alexander questioned the project parcel size, expressing concern regarding the total size of the project to ensure that there is adequate out door space, and the trees won't inhibit any of the park area planned. He questioned the traffic, two that Mr. Medina responded that there are no direct impacts, but traffic mitigation has been established He spoke to the possibility of an additional on-ramp and reconfiguring to alleviate the traffic. Mr. Medina spoke to staggering staff to come to work during non-peak hours as well as providing a van to provide services to residents for medical appointments.

Mr. Dela Cruz, project applicant answered questions from the Council. Speaking to traffic impacts, he has agreed to control the time of all deliveries, and manage in advance in the medical needs of the residents and staff will be working to coordinate. Traffic engineer was present, but by moving the shift start times of all but 3 administrative staff all will be outside of the transit structure during peak hours. He also addressed Mr. Alexander's question about the FAR, and detailed the landscape plan. Mayor Pro tem Oglesby spoke to meeting the consistency to the general plan and FORA's plan for providing affordable housing at the 20% level asked how that was going to be allocated. Mr. Dela Cruz said that this will not have affordable housing, and the co-housing will contribute to veteran housing. This does not fall under the categories referred to and back in 2010, it was settled that this was approved as market rate all the way through. If there is an option to participate in an alternate affordable housing situation, he will participate. Mayor Pro Tem also spoke to the local hiring preference to which Mr. Dela Cruz spoke to the recruitment, which will begin closer to the opening of the building. They will first look locally. Mayor Rubio spoke to the general plan consistency and the lower to moderate housing requirements. He requested clarification that the co-housing facility will provide affordable housing and was confirmed by Mr. Dela Cruz.

Mayor Rubio invited comments from the public.

- Tom Mancini spoke to his own experience with visitors and parking at these facilities and the best way to understand is to take a tour of a similar facility. Independent vs. assisted have different usages, and different impacts.
- Kay Cline requested clarification of Co vs. Coe Housing. Also requested clarification regarding affordable housing component, as the developer was not clear.
- Camille Groves spoke to her frustration for lack of development at the location and expressed satisfaction with the project. This site will serve a need for a population and jobs. It is the highest and best use principal, and fits the current zoning of community and commercial. She requested adopting the resolutions as outlined.
- Helen Rucker spoke in support of this type of residential care for seniors in Seaside. She spoke to her personal desire to find an affordable, local solution so she can stay in the community.

Mr. Dela Cruz said that on behalf of his partner and himself, they thank the Council for the opportunity toward continued relationships to develop a seaside-like building. He thanked staff in getting the project to getting this to the finish line. He thanked those others that helped this project since 2010. The list of activities in the DDA will be initiated very quickly, and the request for construction drawings. The total project costs will be 20 million dollars and is anxious to move forward in the project. He clarified that co-housing is shared housing to bring down costs. Mayor

Pro Tem Oglesby requested clarification on the eating facility that is open to the public but is the intent for the guests or residents but there will also be a use for the community groups to bring the community into the facility. It will not be denied for any member of the public.

Council Member Campbell said he is still concerned about the traffic issues coming up Monterey Road which has been an issues since Seaside Highlands was built and is a FORA issue and that we try to make an effort to help FORA address the traffic problems there. It's an ongoing and current issue that should be taking priority for the City of Seaside. Council Member Pacheco spoke in support of the community room and the connectivity that will be facilitated and is hoping this project moves forward quickly. Mayor Pro Tem Oglesby spoke in support of the project and that the hope the developer maintains the upper class standards at the facility both through maintenance and community and residential care. Mayor Rubio said that there was no conversation with the connection with the youth in seaside, and requested that there be some sort of connection between the youth and the seniors in the community. He spoke to the transportation issues and said that it is not an issue from FORA but from TAMC regarding traffic, one of the key proposals in the tax measure was that diamond exchange but it was not supported for the ballot measure. It has been pushed too far back on the burner due to lack of funding and will take a dedicated effort for support to make it a priority.

On motion by Council Member Alexander and seconded by Mayor Pro Tem Ian Oglesby and passed by the following vote the City Council approved Use Permit UP 14-15 for the construction of a 144-Bed Senior assisted living residential care facility located at 550 Monterey Road and passed the resolution adopting a mitigated negative declaration for the project.

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:	None

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.**

Battalion Chief Nava provided the presentation spoke to the need of the Fire Department to have an additional set of the turn out gear. Previous gear was no longer compliant with existing standards, NFPA 1851. He further explained he process to clean the gear after an incident takes 36 hours and currently, staff does not have a back up set. Additionally, compliance requirements to repair the sets require being shipped, again leaving staff without proper gear in the event of an emergency. He reported that the units would be purchased through a lease purchase financing option, financed over three years, with no interest incurring and if approved, will be incorporated into the current budget and earmarked for the next two budget years. On question, he responded that old gear is sourced out to the local fire academy so that the cadets can use for training without having to purchase them. Mayor Rubio invited comments from the public.

- Sue Hawthorne requested an understanding of why it would take more than 36 hours or

buying more turn outs or buying another washing unit.

Battalion Chief Nava spoke to past practices to take it to the local facility, where they would be washed then dried but it would overheat and degrade the material, which would cause them to tear. The current method is using a washing unit, a three piece set that must be separated, and dried with fans or air-dried, taking 36 hours.

Mayor Rubio clarified that the purpose of the second set is that if a set of gear is being cleaned, there is another set available if there is another incident to respond to.

On motion Council Member Alexander by and seconded by Mayor Pro Tem Ian Oglesby and passed by the following vote the City Council approved the item 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:	None

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

Council Member Campbell reported having a community meeting on the third Tuesday of the month. If you are interested, email him at his city email. Council Member Alexander reported on discussions at AMBAG regarding the legalization of Marijuana and his efforts to establish the public safety academy to create a Public Safety career pathway through ROP at Seaside high. Council Member Pacheco spoke to the events he attended and indicated that over the last 5 days he has received comments about code enforcement issues, all of which saying the new Code Enforcement Officer responded to their complaints on the same day. He thanked Code Enforcement Officer Alfred Soto for his quick responsiveness to citizens concerns. Mayor Pro Tem Oglesby spoke to the Stand Down event that will help the homeless veterans. He then requested to clarify the conversation about the Troia Building and requested to agendaize the discussion for obtaining the Troia building for the City use and not for sale. Mayor Rubio reported on attended the MPRWAJPA meeting where they heard updates from the other two competing desalination projects and the options that we have don't bring water any sooner and still cannot pinpoint the cost to produce water. Both of those projects are contingent upon the ruling on open ocean intake, which has not happened yet. Each project has vulnerabilities and they will keep us posted on the progress. The GWR Pure Water Monterey Project got a favorable decision from the Administrative law judge for it's moving forward so that project will be providing water for the peninsula in late 2017 early 2018.

11. ADJOURNMENT

On motion, the meeting was adjourned at 9:25 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ralph Rubio, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

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

DATE: September 1, 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 August 9, 2016 through August 22, 2016. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of August 18, 2016 is requested. Total Account Payable and Payroll for the above referenced period is \$1,708,562.65.

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:

- \$1,117,933.73 from the Council Report (Payroll/Benefits)
- \$35,708.78 to U.S. Treasury FRB New York for the final installment of the CDBG

repayment;

- \$26,272.09 to California-American Water for monthly utility services;
- \$12,230.00 to Community Partnership For Youth for Cal Grip Reimbursement for the month of July 2016;
- \$22,284.90 to Monterey County Convention & Visitors Bureau for the June 2016 TID remittance and the jurisdiction improvement investment for FY 16/17;
- \$35,542.27 to PNC Equipment Finance, LLC for PD vehicles lease;
- \$10,153.86 to Richards, Watson & Gershon for Seaside Resort and Monterey Downs professional services;
- \$13,621.58 to Statewide Traffic Safety & Signs for the purchase of new stop signs;
- \$11,963.83 to The Village Project for July 2016 salaries, fees, and reimbursements;
- \$11,844.01 to Wallace Group for a storm drain replacement design;
- \$15,698.25 to Michael Baker for CDBG and Monterey Downs consultant services;
- \$19,710.00 to David Taussig & Associates, Inc. for June and July 2016 sewer plan & rate study services;
- \$17,150.00 to Liebert Cassidy Whitmore for consultant services;
- \$11,326.25 to Michael Baker for CDBG and Monterey Downs consultant services;
- \$45,660.28 to National Meter & Automation, Inc. for water meter supplies in June of 2016;
- \$38,269.11 to Polytron Corporation for a storage processor for the STEMA project;
- \$12,742.40 to Siemens Industry, Inc. for traffic signal maintenance;
- \$39,621.12 to Transportation Agency for Monterey County for TAMC fees for the new CHOMP clinic;
- \$23,069.27 to U.S. Bank for monthly city credit card purchases.

The remaining checks, totaling \$187,760.92 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:

Meeting Date: September 1, 2016



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Brian Dempsey, Fire Chief

DATE: September 1, 2016

SUBJECT: ACCEPTANCE OF CALIFORNIA STATE FIREFIGHTERS' ASSOCIATION STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FUNDS IN THE AMOUNT OF \$12,250.00 FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT AND ENTRY LEVEL PHYSICALS FOR THE RESERVE FIREFIGHTERS.

PURPOSE

The purpose of this item is to provide the City Council an opportunity to review, discuss and consider the acceptance of California State Firefighters' Association Staffing for Adequate Fire and Emergency Response (SAFER) grant funds in the amount of \$12,250.00 for the purchase of personal protective equipment and entry level physicals for the reserve firefighters. There is no match required.

RECOMMENDATION

It is recommended that the City Council approve the acceptance of California State Firefighters' Association Staffing for Adequate Fire and Emergency Response (SAFER) grant funds in the amount of \$12,250.00 for the purchase of personal protective equipment and entry level physicals for the reserve firefighters.

BACKGROUND

In the spring of 2013, the California State Firefighters Association was awarded a 3rd statewide SAFER grant for \$2,347,000. The period of performance for this important project is July 31, 2013 – July 30, 2017. One goal of the grant is to provide volunteer and/or reserve firefighters training, entry-level physicals and personal protective equipment. Each of our reserve firefighters is eligible for a maximum of \$2,000.00 in personal protective equipment and \$450.00 for an entry level physical. The City was reimbursed the maximum for all five reserve firefighters for a total of \$12,250.00.

FISCAL IMPACT

Reimbursement to the General Fund \$12,250.00

ATTACHMENTS

1. Resolution Accepting CSFA SAFER Grant
 2. Award Letters for Each Reserve Firefighter
-

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
AUTHORIZING THE ACCEPTANCE OF CALIFORNIA STATE
FIREFIGHTERS' ASSOCIATION STAFFING FOR ADEQUATE FIRE AND
EMERGENCY RESPONSE (SAFER) GRANT FUNDS IN THE AMOUNT OF
\$12,250.00 FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT
AND ENTRY-LEVEL PHYSICALS FOR THE RESERVE FIREFIGHTERS.**

WHEREAS, in the spring of 2013, the California State Firefighters' Association was awarded a 3rd state-wide SAFER grant for \$2,347,000.00; and,

WHEREAS, the period of performance for this important project is July 31, 2013 through July 30, 2017; and,

WHEREAS, one goal of the grant is to provide volunteer and/or reserve firefighters training, entry-level physicals and personal protective equipment; and,

WHEREAS, each of our reserve firefighters are eligible for a maximum of \$2,000.00 in personal protective equipment and \$450.00 for an entry-level physical; and,

WHEREAS, the City was reimbursed the maximum for all five reserve firefighters for a total of \$12,250.00; and,

WHEREAS, the only fiscal impact to the City will be a reimbursement of \$12,250 which will be deposited into the General Fund.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside authorizes the acceptance of California State Firefighters' Association SAFER Grant funds in the amount of \$12,250.00 for the purchase of equipment and entry-level physicals for the reserve firefighters.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 1st day of September, 2016, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton, City Clerk

CSFA AWARD – Training/Physical/PPE

1775 W. State St. #225

Boise ID, 83702

March 15, 2016



Benjamin Flores
752 Henson Ct
Marina, CA 93933

Dear Benjamin,

We are pleased to announce that you have been chosen as a participant in the Scholarship Program, provided to you by the California State Firefighters' Association through their Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Acceptance into the program provides you the opportunity to be reimbursed for your expenses directly related to new recruit fire training, a physical, and the purchase of new sets of PPE once standards of training and certification have been met. Documentation will need to be provided to support the achievement and purchase of these three areas of volunteer training and outfitting

Award amounts will be determined through a reimbursement process which will follow the SOP's outlined in the Administrative Guide. It is your responsibility to adhere to the guidelines.

This acceptance letter is valid until one year from the date of your award letter issuance. All reimbursements must be processed prior to this date or prior to July 30, 2017.

Congratulations.

Sincerely,

Mike Shrout

CSFA President

CSFA AWARD – Training/Physical/PPE

1775 W. State St. #225
Boise ID, 83702

March 15, 2016



Nicholas Hall
445 Ramona Ave Apt C
Monterey, CA 93940

Dear Nicholas,

We are pleased to announce that you have been chosen as a participant in the Scholarship Program, provided to you by the California State Firefighters' Association through their Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Acceptance into the program provides you the opportunity to be reimbursed for your expenses directly related to new recruit fire training, a physical, and the purchase of new sets of PPE once standards of training and certification have been met. Documentation will need to be provided to support the achievement and purchase of these three areas of volunteer training and outfitting

Award amounts will be determined through a reimbursement process which will follow the SOP's outlined in the Administrative Guide. It is your responsibility to adhere to the guidelines.

This acceptance letter is valid until one year from the date of your award letter issuance. All reimbursements must be processed prior to this date or prior to July 30, 2017.

Congratulations.

Sincerely,

Mike Shrout

CSFA President

CSFA AWARD – Training/Physical/PPE

1775 W. State St. #225

Boise ID, 83702

March 15, 2016



Nathyn Purganan
304 Mulheim Rd
Seaside, CA 93955

Dear Nathyn,

We are pleased to announce that you have been chosen as a participant in the Scholarship Program, provided to you by the California State Firefighters' Association through their Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Acceptance into the program provides you the opportunity to be reimbursed for your expenses directly related to new recruit fire training, a physical, and the purchase of new sets of PPE once standards of training and certification have been met. Documentation will need to be provided to support the achievement and purchase of these three areas of volunteer training and outfitting

Award amounts will be determined through a reimbursement process which will follow the SOP's outlined in the Administrative Guide. It is your responsibility to adhere to the guidelines.

This acceptance letter is valid until one year from the date of your award letter issuance. All reimbursements must be processed prior to this date or prior to July 30, 2017.

Congratulations.

Sincerely,

Mike Shrout

CSFA President

CSFA AWARD – Training/Physical/PPE

1775 W. State St. #225
Boise ID, 83702

March 15, 2016



Travis Simpson
235 Alamo
Santa Cruz, CA 95060

Dear Travis,

We are pleased to announce that you have been chosen as a participant in the Scholarship Program, provided to you by the California State Firefighters' Association through their Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Acceptance into the program provides you the opportunity to be reimbursed for your expenses directly related to new recruit fire training, a physical, and the purchase of new sets of PPE once standards of training and certification have been met. Documentation will need to be provided to support the achievement and purchase of these three areas of volunteer training and outfitting

Award amounts will be determined through a reimbursement process which will follow the SOP's outlined in the Administrative Guide. It is your responsibility to adhere to the guidelines.

This acceptance letter is valid until one year from the date of your award letter issuance. All reimbursements must be processed prior to this date or prior to July 30, 2017.

Congratulations.

Sincerely,

Mike Shrout

CSFA President

CSFA AWARD – Training/Physical/PPE

1775 W. State St. #225

Boise ID, 83702

March 15, 2016



Joshua Sisneros
714 Lily St
Monterey, CA 93940

Dear Joshua,

We are pleased to announce that you have been chosen as a participant in the Scholarship Program, provided to you by the California State Firefighters' Association through their Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Acceptance into the program provides you the opportunity to be reimbursed for your expenses directly related to new recruit fire training, a physical, and the purchase of new sets of PPE once standards of training and certification have been met. Documentation will need to be provided to support the achievement and purchase of these three areas of volunteer training and outfitting

Award amounts will be determined through a reimbursement process which will follow the SOP's outlined in the Administrative Guide. It is your responsibility to adhere to the guidelines.

This acceptance letter is valid until one year from the date of your award letter issuance. All reimbursements must be processed prior to this date or prior to July 30, 2017.

Congratulations.

Sincerely,

Mike Shrout

CSFA President



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: September 1, 2016

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

PURPOSE

In accordance with Section 17.74.050.A of the Seaside Municipal Code (SMC), a second reading is being held to adopt the 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 adopt the Ordinance provided as Attachment 1 recommending approval of the proposed text amendments.

BACKGROUND

On August 18, 2016, the City Council conducted a public hearing to consider the first reading of the proposed Ordinance provided as Attachment 1. After receiving public testimony and considering all evidence entered into the public record on the proposed Ordinance, the City Council declared their intent to accept the draft Ordinance as introduced at the first reading and directed City staff to return with the final Ordinance for adoption under 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 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 - Final Ordinance
 2. Exhibit A - Initial Study for Day Care Center Amendment
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. 16-XX

AN ORDINANCE 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 ORDIAN 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 in making its recommendation to the City Council; 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 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 on the environment and that the text amendments are covered by the general rule exemption CEQA Guidelines 15061 (b)(3) in 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)**

17.12..030.A – Table 2-1

* Amend Table to allow Child day care - Day care center within RS Zone with a Use Permit.

SERVICES

Adult day care - 6 or fewer clients	P	P	P	
Adult day care - 7 or more clients	UP	UP	UP	17.42.040
Cemetery	UP	—	—	
Child day care - Small and large family day care homes	P	P	P	17.42.040
Child day care - Day care center	<u>UP</u>	UP	UP	17.42.040
Lodging - Bed and breakfast inn (B&B)	—	UP	UP	17.42.030
Mortuary or Funeral Home	<u>UP</u>	<u>UP</u>	<u>UP</u>	

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, City Clerk

Initial Study

Seaside Municipal Code Amendment

File No. SMA-16-02

Day Care Center Text Amendments

TABLE OF CONTENTS

A.	BACKGROUND.....	1
B.	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	10
C.	DETERMINATION.....	11
D.	EVALUATION OF ENVIRONMENTAL IMPACTS	12
2.	Agriculture and Forest Resources.....	15
3.	Air Quality	17
4.	Biological Resources.....	19
5.	Cultural Resources	21
6.	Geology and Soils.....	22
7.	Greenhouse Gas Emissions.....	24
8.	Hazards and Hazardous Materials.....	25
9.	Hydrology and Water Quality.....	27
10.	Land Use and Planning	29
11.	Mineral Resources	30
12.	Noise	31
13.	Population and Housing.....	33
14.	Public Services	34
15.	Recreation	35
16.	Transportation/Traffic.....	36
17.	Utilities and Service Systems	39
18.	Mandatory Findings of Significance	41
E.	SOURCES	43

Figures

Figure 1	Location Map	6
Figure 2	Seaside Zoning Map	8

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.

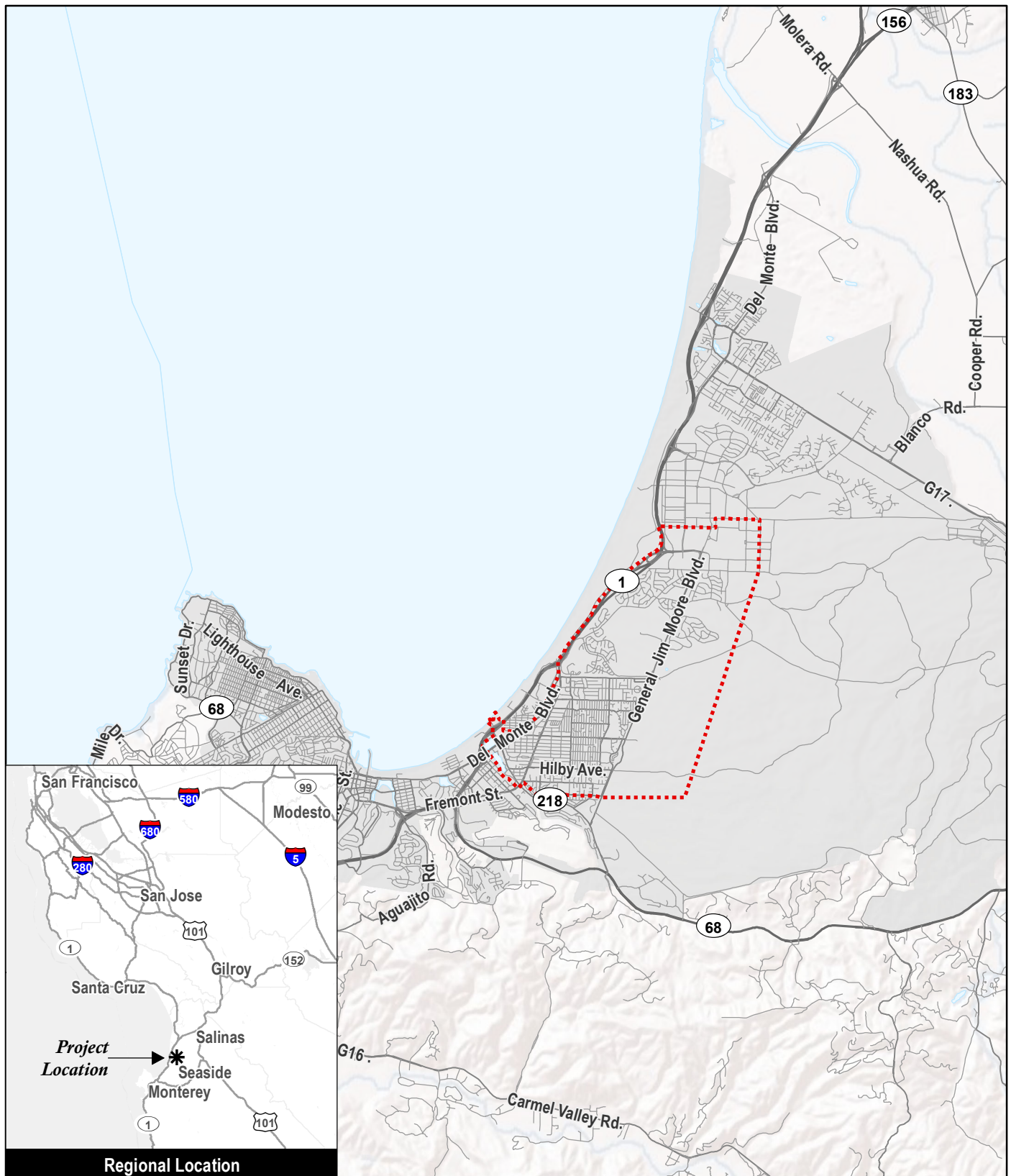
Potential noise sources shall be identified during the Use Permit process, and noise attenuation and sound dampening (e.g. Solid Walls or Landscape Hedge/Buffer) as determined by the review authority shall be addressed-provided.

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

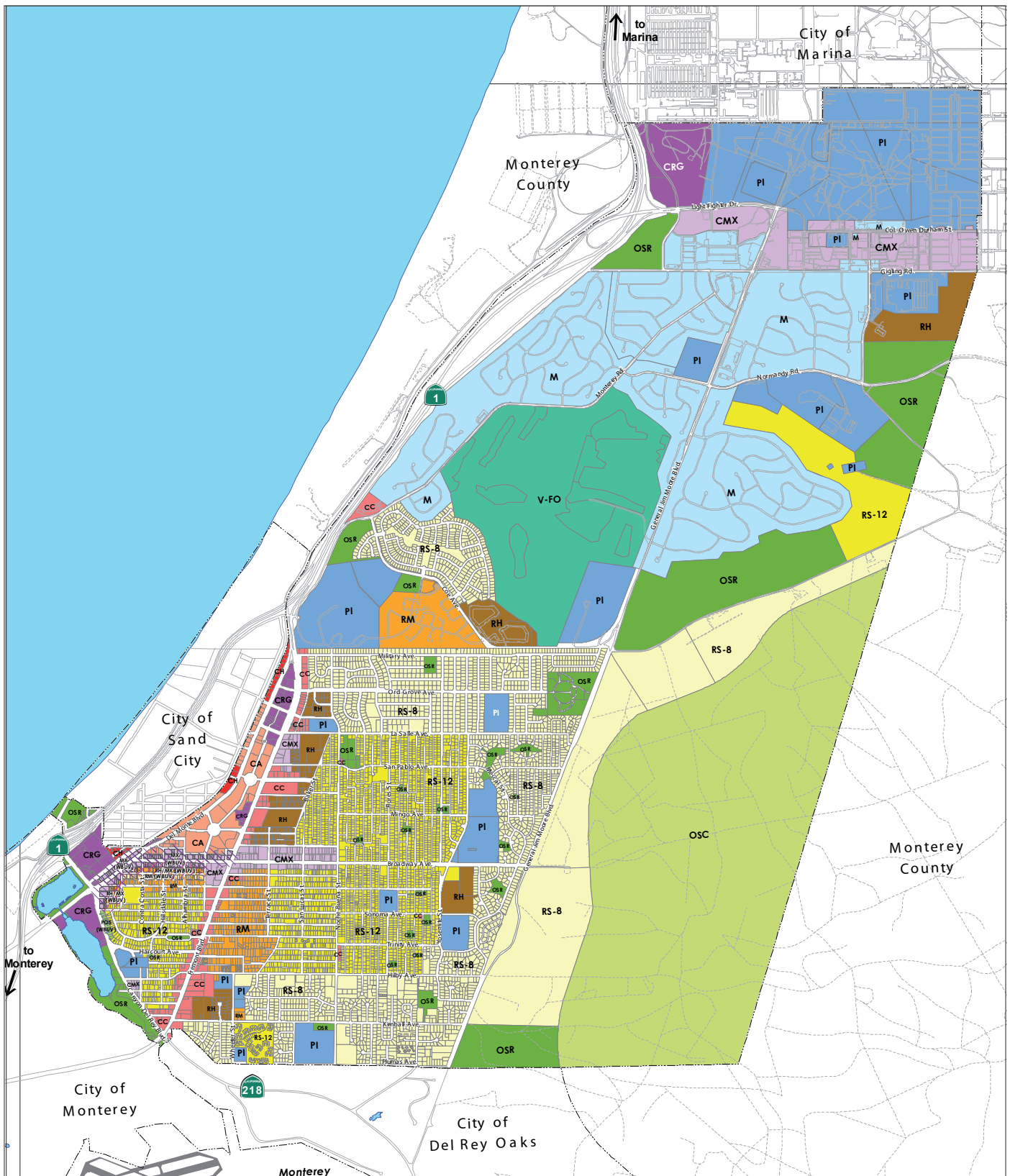
Source: Esri 2014



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.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Sterns, Economic Development Manager
Gloria BAD Stearns, Economic Development Manager

DATE: September 1, 2016

**SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF
ONE OUTER TRAFFIC LANE IN EACH DIRECTION ON
BROADWAY AVENUE FROM CALAVERAS STREET TO
HILLSDALE STREET FOR PARK(ING) DAY 2016 ON SEPTEMBER
16, 2016.**

PURPOSE

The purpose of this item is to request that Council approve a resolution permitting the closure of one outer lane in each direction on Broadway Avenue from Calaveras Street to Hillsdale Street for PARK(ing) Day.

RECOMMENDATION

It is recommended that Council approve the closure of one outer lane in each direction on Broadway Avenue from Calaveras Street to Hillsdale Street for PARK(ing) Day between the hours of 8 a.m. to 4 p.m.

BACKGROUND

PARK(ing) Day is an international event where artists, designers and citizens transform metered parking spots into temporary public parks. The judged event will run from 10 a.m. to 2:30 p.m. allowing time for setup and removal of parklets. There are 90 designated parking spaces on Broadway Avenue and it is anticipated that only a small percentage will be used for parklets, leaving space available for business to continue as usual. Closing the outer lanes of Broadway Avenue will allow for greater safety of parklet users, as well as to let people get accustomed to traffic calming impacts specified by the West Broadway Urban Village Specific Plan. Businesses along Broadway will be contacted in advance of PARK(ing) Day.

FISCAL IMPACT

There is no fiscal impact associated with the proposed action.

ATTACHMENTS

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager