



CITY OF SEASIDE
PLANNING COMMISSION

AGENDA

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Wednesday, September 14, 2016
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

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

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

3. **REVIEW OF AGENDA**

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

4. **PUBLIC COMMENT**

5. **APPROVAL OF MINUTES**

A. **APPROVE MINUTES FROM THE AUGUST 10, 2016 MEETING**

6. **BUSINESS ITEMS**

- A. **Seaside Municipal Code Amendment Application No. SMA-16-03: The City of Seaside (Applicant) is requesting text amendments to Section 17.14.030.B:**

Table 2-4 of the Seaside Municipal Code to allow for a Drive-Through Retail or Service facilities to be located within the Community Commercial (CC) Zoning District. Pursuant to the requirements of the California Environmental Quality Act (CEQA) Section 21000 et seq. and State CEQA Guidelines, it has been determined that the proposed text amendment would not have an environmental effect and the text amendment is covered by the general rule exemption (CEQA Guidelines 15061 (b)(3))

PURPOSE: In accordance with Section 17.67.010 of the SMC, the purpose of this item is for the Planning Commission to provide the City Council with a recommendation on proposed text amendment to Section 17.14.030.B: Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Municipal Code (SMC).

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

7. **REPORTS FROM COMMISSIONERS**

8. **REPORTS FROM STAFF**

9. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
Wednesday September 28, 2016
Seaside City Hall
7:00 p.m.

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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.



MEETING MINUTES
DRAFT

CITY OF SEASIDE

Planning Commission

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

1. **CALL TO ORDER AT 7:01 PM**

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

MEMBERS

John Owens
Michael Lechman
Keith Dodson
Denise Ross
Arlington LaMica

PRESENT:

John Owens
Michael Lechman
Denise Ross
Michael Spalletta

ABSENT:

Keith Dodson
Arlington LaMica

3. **REVIEW OF AGENDA**

No changes were made to the agenda.

4. **PUBLIC COMMENT**

No comments were received from the public.

5. **APPROVAL OF MINUTES**

A. Regular Meeting Minutes of July 13, 2016

On motion by Commissioner Lechman and Seconded by Commissioner Ross and carried by the following vote the Planning Commission approved the regular meeting minutes of July 13, 2016.

AYES	3	COMMISSIONERS	Michael Lechman Denise Ross Michael Spalletta
NOES	0	COMMISSIONERS	
ABSENT	2	COMMISSIONERS	Keith Dodson, Arlington LaMica
RECUSED	1	COMMISSIONERS	John Owens

6. **BUSINESS ITEMS**

A.

- a. Rick Medina, Senior Planner, presented the staff report and presentation. The City of Seaside, is the applicant and requested that

the Planning Commission make a recommendation to the City Council to the Seaside Municipal Code (SMA) section 17.12.030.C: Table 2-1 and section 17.52.050. The amendments would allow for a Day Care Center to be located adjacent to and/or within a Low Density Residential (RS) Zoning District. A child Day Care Center is defined as a commercial or non-profit child day care facility that is licensed by the State Department of Social Services and is designed and approved to accommodate 15 or more children (including infant centers, preschools, sick-child centers, and school age day care facilities). Staff recommended that the Commission adopt the Draft Resolution and adopt the proposed text amendments subject to findings and evidence contained therein.

Public Comment was opened for the item.

Shannon Watkins – Day Care Provider – provided information about the need for zoning to be relaxed in the City in order for the options for day care centers locations can be broaden.

On motion by Commissioner Lechman and Seconded by Commissioner Spalletta and carried by the following vote the Planning Commission moved to recommend approval to the City Council the application for SMA-16-02.

AYES	4	COMMISSIONERS	John Owens Michael Lechman Denise Ross Michael Spalletta
NOES	0	COMMISSIONERS	
ABSENT	2	COMMISSIONERS	Keith Dodson Arlington LaMica
RECUSED	0	COMMISSIONERS	

7. REPORTS FROM BOARD MEMBERS - None

8. REPORTS FROM STAFF

- A. Dominique departing from Seaside – last day August 12, 2016
- B. Introduction of Kurt Overmeyer, Economic Development Project Manager and new ED Project Manager, Gloria Stearns will start on Monday, August 15.

9. ADJOURNMENT AT 7:36pm

On motion by Commissioner Lechman and Seconded by Commissioner Ross and carried by the following vote the Planning Commission adjourned the meeting at 7:36pm

AYES	4	COMMISSIONERS	John Owens Michael Lechman Denise Ross Michael Spalletta
NOES	0	COMMISSIONERS	

ABSENT	2	COMMISSIONERS	Keith Dodson
RECUSED	0	COMMISSIONERS	Arlington LaMica

DRAFT



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.A.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: September 14, 2016

SUBJECT: Seaside Municipal Code Amendment Application No. SMA-16-03: The City of Seaside (Applicant) is requesting text amendments to Section 17.14.030.B: Table 2-4 of the Seaside Municipal Code to allow for a Drive-Through Retail or Service facilities to be located within the Community Commercial (CC) Zoning District. Pursuant to the requirements of the California Environmental Quality Act (CEQA) Section 21000 et seq. and State CEQA Guidelines, it has been determined that the proposed text amendment would not have an environmental effect and the text amendment is covered by the general rule exemption (CEQA Guidelines 15061 (b)(3))

PURPOSE

In accordance with Section 17.67.010 of the SMC, the purpose of this item is for the Planning Commission to provide the City Council with a recommendation on proposed text amendment to Section 17.14.030.B: Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Municipal Code (SMC).

RECOMMENDATION

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

BACKGROUND

ENVIRONMENTAL REVIEW

The City of Seaside has prepared an Initial Study for the proposed text amendments to the Seaside Municipal Code pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075. The Initial Study is provided as Attachment 1 - Exhibit "A". Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines, it has been determined that the proposed text amendment would not have an environmental effect and the text amendment is 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.

BACKGROUND

The City of Seaside's Zoning Code Section 17.14.030.B – Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) sets forth the permit requirements applicable to each zoning district where a specific land use is either allowed or not allowed within the City.

Drive-Through Retail or Service facilities are listed as being allowed with a Use Permit in the Commercial Mixed Use (CMX), Community Commercial (CC), and Regional Commercial (CRG) zoning districts. However, in accordance with Note #4 listed at the end of Table 2-4, the establishment of a new drive-through retail or service facility which did not exist in the City prior to December 4, 2006 is prohibited from being established. Note #4 was adopted on December 4, 2006 as part of a comprehensive update to the Zoning Code after the adoption of 2004 General Plan on August 5, 2004. The intent of this provision from City staff's standpoint was to discourage already over-represented commercial development in the community, such as fast food restaurants in accordance with General Plan Land Use Policy LU-2.3. A copy of General Plan Land Use Policy LU-2.3 is provided as Attachment 2. Fast food restaurants are currently prohibited from being established in the CC zoning district so the proposed text amendment would not enable any new fast food restaurants to be located in the CC zoning district. A Zoning Map is provided as Attachment 3 to identify the location of the City's CC Zoning District designations.

A drive thru retail or service use is defined as a facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast food restaurants, drive-through coffee, dairy product, photo stores, and pharmacies. Examples of drive-through service facilities include drive-through bank teller windows, and dry cleaners, but do not include automated teller machines (ATMs), gas stations, or other vehicle services, which are separately.

The City's commercial areas are primarily developed with retail, automotive sales/repair and office land uses. The primary physical change associated with the text amendment would be to allow for the development of new drive-through retail or service land uses within the City's Community Commercial Zoning District.

PROJECT DESCRIPTION

The City of Seaside has initiated the proposed text amendment to Section 17.14.030.B, Table 2-

4 of the SMC. Specifically, the City of Seaside is proposing eliminate Note (4) only from the column in the CC Zoning District for a drive-through retail or service facility in order to enable the processing of new drive-through retail or service uses. The City's development standards requiring a use permit and design standards listed under Section 17.52.090 of the Zoning Code (See Attachment 4) for the approval of a new drive-through component for a retail/service related land use would remain unchanged.

STAFF ANALYSIS

The proposed project would amend the zoning code to remove the current restriction precluding the establishment of new drive-through retail or service facilities from being processed under a use permit application in areas zoned CC that did not exist prior to December 4, 2006. As noted in the background section listed above, the Note (4) at the bottom of Table 2-4 under Section 17.14.030.B was made to the Zoning Code in 2006 as part of a comprehensive update to the Zoning Code. Note (4) was inserted primarily to reinforce the City's intent to discourage fast food restaurants in accordance with General Plan Land Use Policy LU-2.3

Recently, City staff has received development inquiries for the establishment of coffee shop businesses within the portions of the City's CC zoning district on Fremont Boulevard, both of which would include a drive-through window. In review of Note (4), City staff finds that the use permit process should be reinstated to allow for the establishment of new drive-through retail or service facilities which can be constructed in compliance with the City's adopted development standards for such facilities (See Attachment 4 for adopted Drive-Through Facility Standards). During the Use Permit application process the City will be required to consider and adopt findings on the following land use issues:

- 1, Design Objectives: Drive-Through facilities shall only be permitted if the design and operation avoids congestion, excessive pavement, litter, and noise
2. Limitation on Location: A drive-through facility shall only be located on a building wall away from a street.
3. On-Site Circulation: The entrance/exit of any drive aisle shall be a minimum of 50 feet from any street intersection and at least 25 feet from the any driveway on an adjoining parcel.
4. Stacking Area: A clearly identified area shall be provided for vehicles waiting for drive-up or drive-through service that is physically separated from other on-site traffic circulation and shall accommodate six cars for the drive-through window in addition to the vehicle receiving service.
5. Separation Separation of the stacking area from other traffic shall be by concrete curbing or paint striping.

6. Screening The stacking area for a drive-through aisle shall be screened from an adjacent street to blend with the characteristics of the site and surrounding properties.

Community Commercial Zoning District

City staff finds that the CC Zoning District is located along the Fremont Boulevard street frontage with direct access from Fremont Boulevard. Auto dominated characteristics of Fremont Boulevard would be compatible with the existing development patterns and would not detract from the predominant retail/office commercial development that is currently in place on the Fremont Boulevard corridor.

CONCLUSION

City staff recommends the Planning Commission open the public hearing, accept public testimony/comments, and act to recommend that the City Council adopt the revised language for the proposed text amendments.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Attachment 1 - Exhibit A Initial Study for General Rule Exemption
 3. Attachment 2 - General Plan Land Use Policy LU-2.3
 4. Attachment 3 - Zoning Map
 5. Attachment 4 - Section 17.52.090 SMC
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RESOLUTION 16-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE FOR PROPOSED TEXT AMENDMENTS TO SECTION 17.14.030.B – Table 2-4 OF THE SEASIDE MUNICIPAL CODE.

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

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

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed text amendments at a duly noticed public hearing held on September 14, 2016, and made a recommendation to the City Council to adopt the proposed text amendments; and

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

1. The proposed text amendments to Section 17.14.030.B-Table 2-4 is consistent with the goals and policies of all elements of the General Plan; and
2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed amendments are internally consistent with other applicable provisions of the Seaside Municipal Code.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission recommends to the City Council approval of the proposed text amendments to Section 17.14.030.B – Table 2-4 of the Seaside Municipal Code to remove Note (4) from the Community Commercial: Zoning District column for a Drive-Through Retail or Service land use.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 14th day of September, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

Drive-Through Zoning Text Amendment

SMA-16-03

A. BACKGROUND

Project Title	City of Seaside Zoning Ordinance Amendment for Drive Thru Retail or Service
Lead Agency Contact Person and Phone Number	Rick Medina, Senior Planner City of Seaside Resource Management Services, Planning Division, (831) 899-6825
Date Prepared	September 9, 2016
Study Prepared by	Rick Medina, Senior 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	Community Commercial
Zoning	Community Commercial (refer to Figure 2)

Setting

The City of Seaside is a coastal community of approximately 35,000 residents on the south side of Monterey Bay. The City is within the County of Monterey and is located approximately 18 miles southwest of the City of Salinas and 3 miles east-northeast of City of Monterey. The proposed text amendment will affect the City's Community Commercial Zoning District (Refer to Figure 1 for Zoning Map).

The City of Seaside's Zoning Code Section 17.14.030.B – Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) sets forth the permit requirements applicable to each zoning district where a specific land use is either allowed or not allowed within the City. In accordance with Note #4 listed at the end of Table 2-4, the establishment of a new drive-through retail or service facility which did not exist in the City prior to December 4, 2006 is prohibited from being located on an existing developed or undeveloped parcel. Note #4 was adopted on December 4, 2006 as part of a comprehensive update to the Zoning Code.

A drive thru retail or service use is defined as a facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast food restaurants, drive-through coffee, dairy product, photo stores, and pharmacies. Examples of drive-through service facilities

include drive-through bank teller windows, and dry cleaners, but do not include automated teller machines (ATMs), gas stations, or other vehicle services, which are separately.

The City's commercial areas are primarily developed with retail, automotive sales/repair and office land uses. The primary physical change associated with the text amendment would be to allow for the development of new drive-through retail or service land uses within the City's Community Commercial Zoning District.

Description of Project

The City of Seaside is proposing the following text amendment to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC) to allow for the establishment of a drive thru retail or service facility in the City's Community Commercial (CC) Zoning District: 1) Amending Chapter 17.14.030.B, Table 2-4, to eliminate Note (4) from the Community Commercial (CC) Zoning District column. With the text amendment, the City would be able to process new drive through retail or service land uses with a use permit in compliance with the Drive-Through Facilities development standards listed under Section 17.52.090 of the Zoning Code.

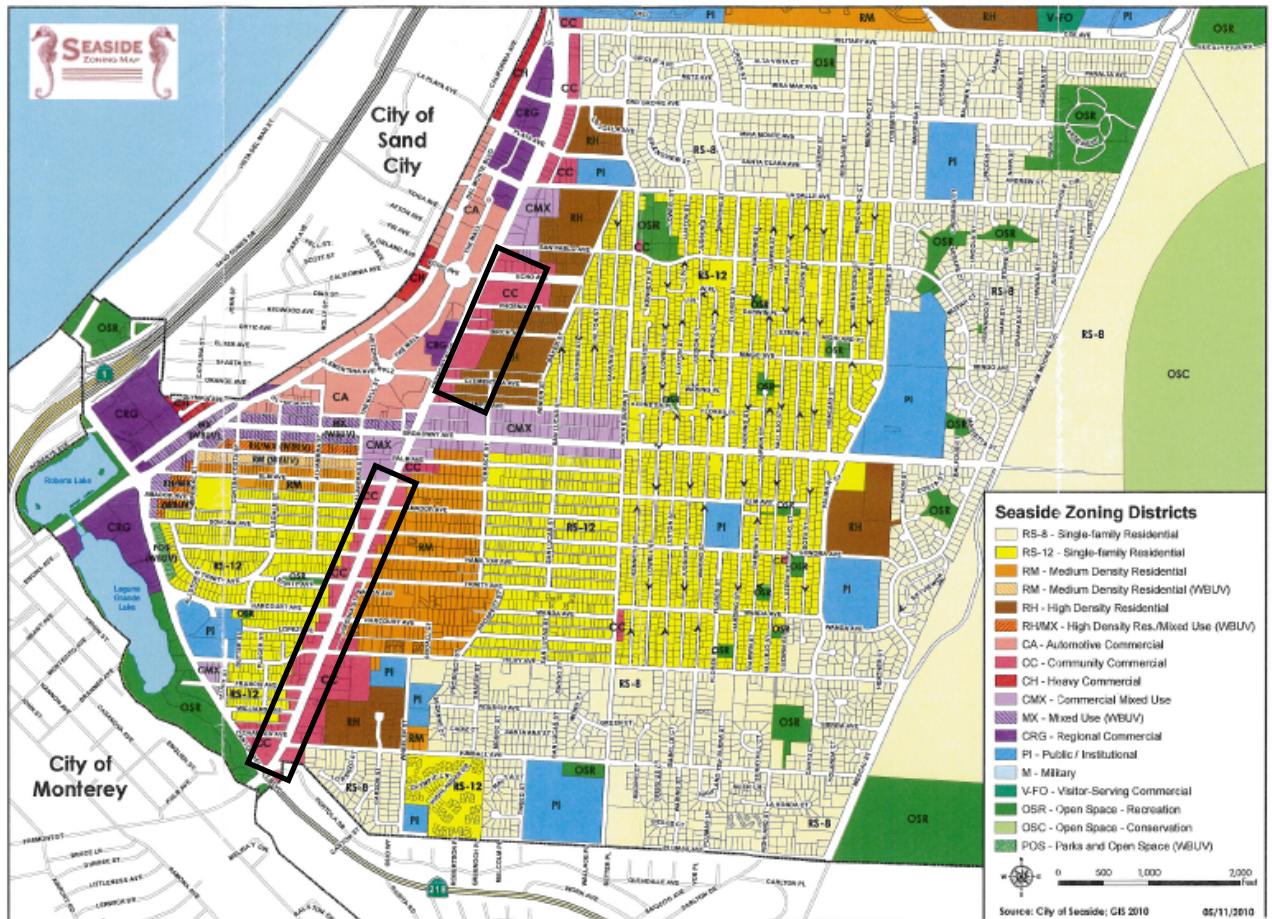
Analysis Methodology

This initial study evaluates only the environmental impacts resulting from the proposed changes to zoning code Section 17.14.030.B – Table 2-4, not the impacts associated with actual construction of a new drive-through retail or service facility. Thus, the analysis hinges on environmental impacts resulting from allowing future construction and operation of a Drive-Through Retail or Service within CC zoned areas that are distinct from the environmental impacts resulting from the construction and operation of drive-through retail or service facility on a designated project site which would then assess land use compatibility, noise, vehicle circulation, biotics, and air quality.

Other Public Agencies Whose Approval is Required

None

Figure 1 Seaside Zoning Map



- General Location of Community Commercial Zoning Districts

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 text amendments would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within a CC zoning district which did not exist prior to December 4, 2006. Any future development of a Drive-Through Retail or Service facility within the CC zoning district would be subject to compliance with the same CC zone district standards (e.g. setbacks, parking, landscaping), City’s design review application process, and Drive-Through Facilities standards currently in place. 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 17.14.030.B- Table 2-4, 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 text amendments would amend zoning code Section 17.14.030.B- Table 2-4, to allow Drive-Through Retail or Service within the CC 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 Drive-Through Facility that would exceed air quality standards is trips generated from a facility of 15,600 square feet. While a new Drive-Through facility may result in an increase in traffic, the zoning amendment would not result in traffic trips that would exceed the 15,600 square-foot threshold. Further, each new Drive-Through Retail or Service facility 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 Drive-Through retail or service facility is not a use that would produce objectionable odors, future development of a Drive-Through retail or service facility within the CC zoning district could result in exposure of residents to objectionable odors in the CC 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 text amendments would amend zoning code Section 17.14.030.B- Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. 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 zoning text amendment 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 would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006 and would not result in unique impacts to any important habitat or wetland areas than currently permissible uses. Therefore, the zoning text 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 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Any future development of a drive-through retail or service facility within the CC zoning district 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 text 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 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Any future development of a Drive-Through Retail or Service facility within the CC zoning district would be subject to compliance with the same CC zone district standards, City's Drive-Through Facilities guidelines and design review application process as currently allowed uses. The zoning text 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 zoning text amendment 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 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. 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 a fast food drive-through facility that would exceed emissions standards is trips generated from a 15,600 square-foot building. While a new drive-through retail or service facility may result in an increase in traffic, the zoning text amendment would not result in traffic trips that would exceed the threshold of a 15,600 square-foot fast food building. Any future development and operation of Drive-Through Retail or Service facilities within the CC zoning district would be subject to compliance with the same Air District standards as currently allowed uses and 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 17.14.030.B – Table 2-4 to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. The zoning text 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 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Any future development of Drive-Through Retail or Service facility within the CC zoning district would be subject to compliance with the same CC zone district standards, City’s design review application process, and design guidelines as currently allowed uses. The zoning text 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 17.14.030.B – Tale 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. The development of Drive-Through Retail or Service facilities within a CC zoning district would be a compatible use to incorporate into the community and would not divide established communities.
- b. The proposed project would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. This zoning text amendment would be consistent with all other portions of the zoning code and general plan. Any new development of Drive-Through Retail or Service facilities in CC zoned areas would comply with CC zoning district standards and any applicable general plan policies and programs.
- c. As previously discussed, the zoning text 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 text amendments would amend zoning code Section 17.14.030.B, Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. The proposed zoning text amendment 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 17.14.030.B, Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. The future operation of Drive-Through Retail or Service facilities within CC zoning districts 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 Drive-Through Retail or Service

facilities within the CC zoning district would be subject to compliance with the same CC zone district standards, zoning standards for Drive-Through Facilities, City's design review application process, and design guidelines as currently allowed uses. Future Drive-Through Facilities would be required to comply with Seaside's Noise Ordinance (Seaside Municipal Code Chapter 19.12), which requires that ambient noise levels remain below established standards.

- b. The proposed zoning text 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 CC 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 Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. However, the zoning text 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. 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 text amendments would amend zoning code Section 17.14.030.B- Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Although allowing Drive-Through Retail or Service facilities in CC zoning district areas may nominally increase the population of these districts from new employees, the zoning text 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 text amendments would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Although allowing Drive-Through Retail or Service facilities in the CC zoning district areas may nominally increase the population of these districts from new employees this zoning text 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 text amendments would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Although allowing Drive-Through Retail or Service facilities in CC zoning district areas may slightly increase the population of these districts due to new employees this zoning text 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 text amendments would amend the zoning code to allow for Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Although the establishment of new Drive-Through Retail or Service facilities of in CC zoned areas would result in the addition of new daily trips to the local road network, the number of trips generated would not be an exceedance of the expected trip volumes on main roadway segments within CC zoned areas to adversely affect the overall level of service on the City's arterial roadways. Furthermore, each new Drive-Through Retail or Service facility 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 text amendment would result in less than significant impacts to circulation.
- c. The proposed zoning text amendment would not result in a change in air traffic patterns or create a safety risk associated with air traffic.
- d. Any future development of Drive-Through Retail or Service facilities within the CC zoning district would be subject to compliance with the Drive-Through Facility zone district standards (Section 17.52.090 of the SMC), City's design review application process, and design guidelines to prevent design related circulation hazards. Impacts associated with design related circulation hazards would be less than significant.
- e. Any future development of Drive-Through Retail or Service facilities within the CC zoning district would be subject to compliance with the Drive-Through Facility zone district standards (Section 17.52.090 of the SMC), 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 Drive-Through Retail or Service facilities within the CC zoning district would be subject to compliance with the same Drive-Through Facility zone district standards (Section 17.52.090 of the SMC), City's design review application process, and design guidelines as currently permissible for a drive-through facility. The zoning text 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 text amendment would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. 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 text amendment would amend zoning code Section 17.14.030.B – Table 2-4, to allow Drive-Through Retail or Service facilities within the CC zoning district which had not been established prior to December 4, 2006. Any future development of Drive-Through Retail or Service facilities within the CC zoning district would be subject to compliance with the same Drive-Through Facility zone district standards (Section 17.52.090 of the SMC), City’s design review application process, and design guidelines as currently permissible uses. with the same zone district standards, City’s design review application process, and design guidelines as currently. 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.

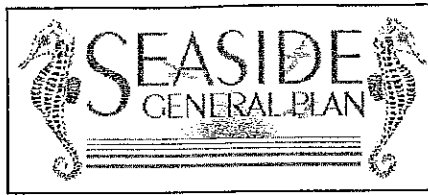
Therefore, the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce 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. 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
7. Cotton/Bridges/Associates, a Division of P&D Consultants. *City of Seaside General Plan Environmental Impact Report*. January 2004.
8. 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.



Responsible Agency/Department: Community Development

Funding: General fund, Developer fees

Time Frame: Adopt a streamlined process with the adoption of the updated Zoning Ordinance by the end of 2005

stores, beauty and nail salons, fast food restaurants, gas stations, used car sales, car washes, mattress stores, mini-markets, and automotive repair shops.

IMPLEMENTATION PLANS

Policy LU-2.2: Use expanded code enforcement and property maintenance programs to improve the appearance of commercial areas.

IMPLEMENTATION PLANS

Implementation Plan LU-2.2.1 Code Enforcement Action Plan. Adopt and implement an Action Plan for comprehensive code enforcement of commercial areas. As part of the expanded program, revoke conditionally approved uses that experience repeated disturbances, crime related calls for service, and other services as identified by Police. (See also UD-2.5.1)

Responsible Agency/Department: Community Development, Code Enforcement

Funding: General fund, fees

Time Frame: Adopt and implement an expanded code enforcement program by the end of 2005

Implementation Plan LU-2.2.2 Alcohol Beverage Control. Work with Alcohol Beverage Control (ABC) to regulate the on-sale and off-sale of packaged alcoholic beverages.

Responsible Agency/Department: Police, Community Development, Code Enforcement, ABC

Funding: General fund, fees/fines

Time Frame: Ongoing

Policy LU-2.3: Discourage commercial development that is already over-represented in the community, such as liquor stores, convenience stores, bars, thrift/discount merchandise

Implementation Plan LU-2.3.1 Overrepresented Uses. Survey and map locations of over-represented uses.

Responsible Agency/Department: Community Development

Funding: General fund

Time Frame: Complete survey by the end of 2004; update bi-annually

Implementation Plan LU-2.3.2 Designation of Inappropriate Land Uses. Amend the Zoning Ordinance to ensure inappropriate land uses are not represented in the City's zoning districts.

Responsible Agency/Department: Community Development

Funding: General fund, State funds

Time Frame: Adopt and implement an updated Zoning Ordinance by the end of 2005

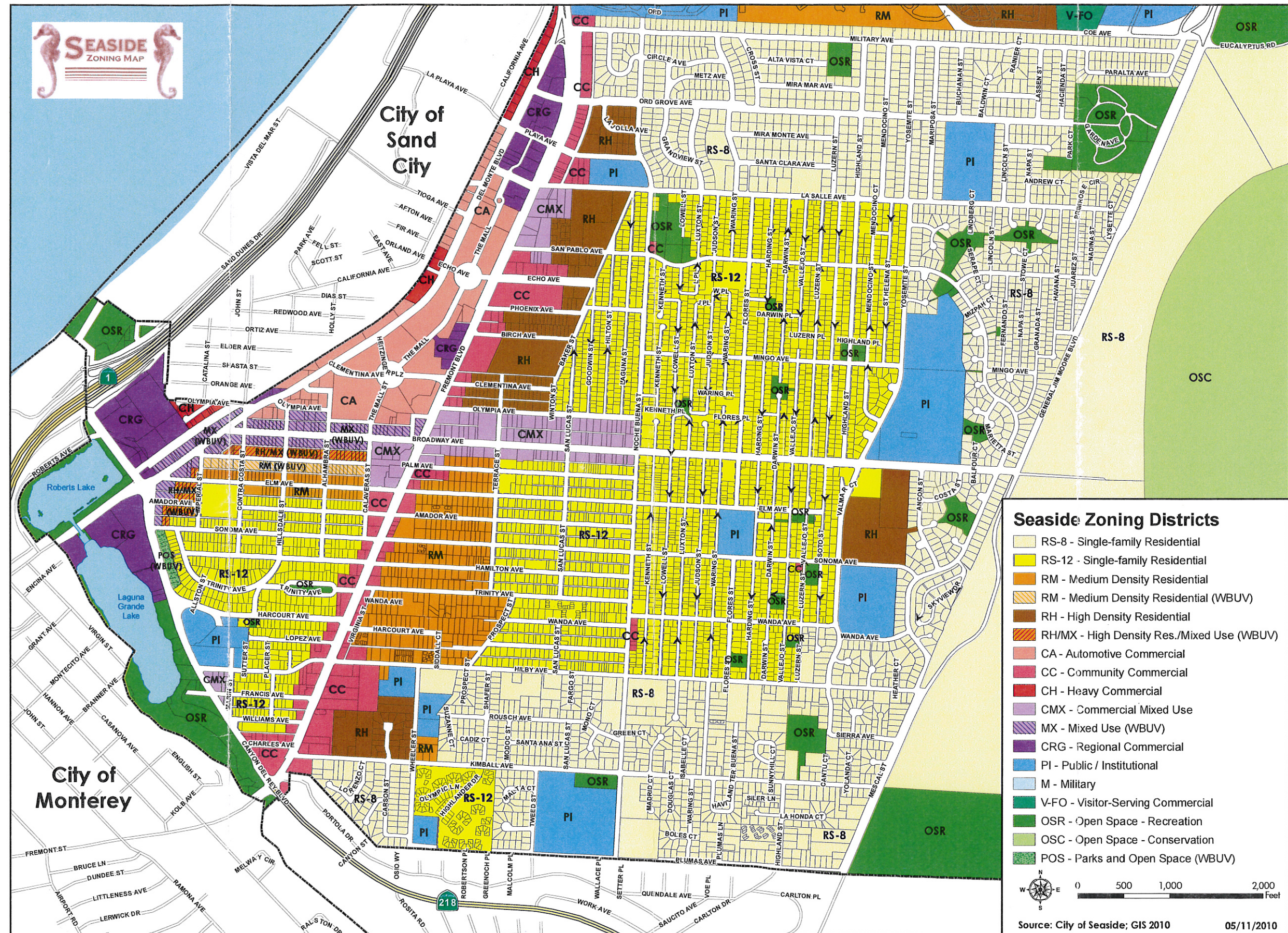
Policy LU-2.4: During redevelopment and revitalization activities, ensure quality architectural and design themes.

IMPLEMENTATION PLANS

Implementation Plan LU-2.4.1 Design Guidelines. Develop design guidelines that address signage, building facades, lighting, landscaping, and building color. (See also Urban Design Implementation Plan UD-1.1.2)

Responsible Agency/Department: Community Development

Funding: State funds, General fund



5. **Alcohol sales.** The sale of beer and wine products on premises is prohibited.
- E. **Hours of operation.** The store shall be open to the public for business only between the hours of 6:00 a.m. and midnight, unless otherwise authorized by an existing permit, or by Commission approval, based on a report of the Crime Prevention Officer.
- F. **Property maintenance.**
1. The applicant shall at all times maintain the site and abutting public sidewalk areas in a litter-free, weed-free condition at all times;
 2. The property shall comply with all applicable provisions of Municipal Code Chapter 8.30 (Property Maintenance Ordinance), including the requirement in Municipal Code Section 8.30.145 that all graffiti shall be removed immediately.
- G. **Security.**
1. The lease area for the store shall comply with the applicable provisions of the minimum building security standards ordinance.
 2. Each store shall comply with security-related conditions of the Commission based on a report of the Crime Prevention Officer.
 3. Notwithstanding the requirements of Chapter 17.40 (Sign Regulations), the portions of windows providing a view of the cash registers shall be maintained free of all signs, banners, product displays, etc., at all times, to provide a clear and unobstructed view of the sales counter from outside the store. Signs in the remaining windows shall not exceed 25 percent of the remaining window area.

17.52.090 - DRIVE-THROUGH FACILITIES

- A. **Applicability.** The development and operation of a drive-through facility shall comply with the requirements of this Section, where allowed by Article 2 (Zones, Permitted Land Uses, and Zoning Standards).
- B. **General standards.**
1. **Design objectives.** Drive-through facilities shall only be permitted if the design and operation avoids congestion, excessive pavement, litter, and noise.
 2. **Limitation on location.** A drive-through facility shall only be located on a building wall away from a street. A drive-through facility shall be located within the CC zone only if the review authority determines that the facility is accessory to a use that is primarily pedestrian oriented.
- C. **On-site circulation.** A drive-through facility shall be provided internal circulation and traffic control as follows.
1. **Aisle design.**
 - a. The entrance/exit of any drive aisle shall be a minimum of 50 feet from a street intersection (measured at the closest intersecting curbs) and at least 25 feet from the edge of any driveway on an adjoining parcel.
 - b. Each drive aisle shall be at least 10 feet wide and provide curves with minimum interior radii of 10 feet.
 2. **Stacking area.** A clearly identified area shall be provided for vehicles waiting for drive-up or drive-through service that is physically separated from other on-site traffic circulation.

- a. The stacking area shall accommodate a minimum of six cars for each drive-through window in addition to the vehicle receiving service.
 - b. The stacking area shall be located at and before the service window (e.g., pharmacy, teller).
 - c. Separation of the stacking area from other traffic shall be by concrete curbing or paint striping on at least one side of the lane.
 - d. No stacking area shall be located adjacent to and/or parallel to a street or other public right-of-way.
3. **Walkways.** No on-site pedestrian walkway may intersect a drive-through aisle.
 4. **Exceptions.** The review authority may approve alternatives to the requirements of Subsections C.1 through C.3 where it first finds that the alternate design will, given the characteristics of the site, be equally effective in ensuring on- and off-site pedestrian and vehicular traffic safety and minimizing traffic congestion.
- D. **Signs.** Each entrance to, and exit from, a drive-through aisle shall be clearly marked to show the direction of traffic flow by signs and pavement markings or raised curbs. Signage shall also be provided to indicate whether the drive-through facility is open or closed.

17.52.100 - EMERGENCY SHELTERS

- A. **Applicability.** Emergency shelters shall comply with the requirements of this Section, where allowed by Article 2 (Zones, Permitted Land Uses, and Zoning Standards).
- B. **Limitations on location.**
1. **Category 1 shelter.** A shelter for families and/or single women with children may be established in the RS-8 and RS-12 zones.
 2. **Category 2 shelter.** A shelter for single men and single women may be approved in the RM zone.
 3. **Flexibility.** The Commission may allow temporary emergency shelters for the homeless in zones other than those listed in Subsections B.1 and B.2 if the site meets all applicable criteria, and the proposal is deemed an "exceptional project" as determined by the Commission.
- C. **Application processing and monitoring.** A Use Permit application for a temporary emergency shelter for the homeless shall be processed in compliance with Section 17.62.070 (Use Permits and Minor Use Permits). A pre-application conference shall be held to:
1. Determine the nature of the proposal;
 2. Ensure that it complies with the intent of this Chapter; and
 3. Offer specific comments and direction.
- D. **Development and operating standards.**
1. A family shelter or shelter for single women with children should be located near public facilities and transportation facilities.
 2. Shelters for single persons should be located near transportation facilities.
 3. Each shelter shall have an on-site resident manager.