



AGENDA

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Wednesday, July 12, 2017
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
Ian Oglesby	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**

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.

5. **APPROVAL OF MINUTES**

A. **APPROVE THE MINUTES FROM JUNE 28, 2017**

6. **BUSINESS ITEMS**

- A. USE PERMIT APPLICATION NO. UP-17-03. ANTHANG E. HOANG, PROPERTY OWNER, IS REQUESTING USE PERMIT APPROVAL TO ALLOW AN EXISTING DETACHED SINGLE-FAMILY DWELLING TO BE USED AS INTERIM HOUSING FOR DOMESTIC VIOLENCE VICTIMS LOCATED AT 1378 WARING STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN: 012-286-019). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A), FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.**

PURPOSE:

The YWCA of Monterey County is requesting approval of a use permit to allow for an existing 1,712 square-foot, four-bedroom single family dwelling to be used as interim housing for domestic violence victims. Per Section 17.12.030.C, Table 2-1, an interim housing use for women and women with children is defined as a Category 1 Shelter, which is subject to the approval of a Use Permit within a RS-12 Zone.

RECOMMENDATION:

City staff recommends approval of the proposed project in accordance with the Findings and Evidence and conditions of approval in the Draft Resolution (See Attachment 1).

- B. REVIEW OF PARKING LOT ACCESS ON THE APPROVED USE PERMIT 16-04 FOR A DAY CARE AT 1405 LA SALLE.**

PURPOSE: Planning Commission review of the Use Permit conditions relating to parking lot access from La Salle Ave to an approved day care facility.

RECOMMENDATION:

- C. COASTAL DEVELOPMENT APPLICATION NO. CDP-17-01. CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), APPLICANT, AND STATE OF CALIFORNIA, PROPERTY OWNER, ARE REQUESTING APPROVAL OF A COASTAL DEVELOPMENT PERMIT FOR THE INSTALLATION OF A CONTRASTING SURFACE TREATMENT AND EROSION CONTROL MEASURES ON A SEGMENT OF STATE ROUTE HIGHWAY 1. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(C), FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

PURPOSE: The proposed surface treatment and erosion control measures to reduce the ongoing maintenance activities and the maintenance worker exposure of Caltrans employees and other public agencies involved with the maintenance of the State Highway 1 to high speed traffic. The work in the City of Seaside will occur at two locations on the stretch of Highway 1 at the north end of the City adjacent to the south bound Fremont Boulevard off-ramp and the center median of the north bound Fremont Boulevard on-ramp.

RECOMMENDATION: Staff recommends approval of proposed surface treatment subject to the findings evidence, and Conditions of Approval provided as Attachment 1 and Project Plans provided as Exhibit "A" to Attachment 1.

7. REPORTS FROM COMMISSIONERS

8. **REPORTS FROM STAFF**

9. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
Wednesday
Seaside City Hall
July 26, 2017

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cyp.telvue.com/player?id=T01629&video=52314&noplaylists=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, June 28, 2017
7:00 PM

1. **CALL TO ORDER**

Chair Owens called the meeting to order at 7:01pm

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

PRESENT: Owens, Lechman, Ross, La Mica, Spalletta, Oglesby

ABSENT: Dodson

PLANNING COMMISSION

3. **REVIEW OF AGENDA**

No changes were requested.

4. **PUBLIC COMMENT**

Chair Owens invited Public Comments and had no requests to speak.

5. **APPROVAL OF MINUTES**

A. **APPROVE THE MINUTES FROM JUNE 14, 2017**

On motion from Vice Chair Lechman and seconded by Commissioner Ross and passed by a unanimous vote, the Planning Commission approved the minutes with needed minimal revisions from the previous meeting held June 14th 2017.

6. **BUSINESS ITEMS**

A. USE PERMIT APPLICATION NO. UP-17-02. MICHAEL BONA, APPLICANT, AND THE KOREAN AMERICAN COMMUNITY ORGANIZATION OF MONTEREY, PROPERTY OWNER, ARE REQUESTING APPROVAL OF A USE PERMIT APPLICATION TO ALLOW FOR A PORTION OF AN EXISTING OFFICE BUILDING TO BE USED FOR CLASSROOMS AND SPECIAL MEETING EVENTS IN ASSOCIATION WITH THE EXISTING OFFICES FOR THE KOREAN AMERICAN COMMUNITY ORGANIZATION LOCATED AT 1201 ECHO AVENUE IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT (APN: 012-061-015). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A), FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. CONTINUED FROM THE JUNE 14, 2017 PLANNING COMMISSION MEETING.

Associate Planner Robert Larsen presented the continued project with amended language to reflect specialized training and education instead of the original language used, a "school". He then detailed the types of programs included in the definition for specialized training and education: art, language, music and facilities that offer specialized programs and personalized growth and development. Mr. Larsen referred the Board to Attachment 5 which detailed that same information. He went on to mention that the applicant decided to change the ages of the students to include children of all ages, not just K-12. Mr. Larsen reiterated that the use permit allows the applicant to do what they desire with axillary use alongside the primary use. Staff recommended approval and asked the Board if they had any questions?

Chair Owens asked about the presence of a sprinkler system. Mr. Larsen stated the Fire Department required an alarm system, not sprinklers. Owens read fire conditions #9 and then called the applicant to speak.

Applicant, Michael Bona approached, introduced himself and explained the fire alarm system is required to meet the needs of various disabilities. He thanked the Board for their time and asked for approval.

Chair Owens opened the discussion for public and there was no comment. He brought it back for the board.

Commissioner Lechman made the motion, seconded by Commissioner La Mica, all were in favor and none opposed.

7. REPORTS FROM COMMISSIONERS

None.

8. REPORTS FROM STAFF

City Planner Rick Medina addressed the Board to inform them of a scoping session for the General Plan EIR on July 26th. Mr. Medina stated the Board will have the information on the EIR around 2 weeks before the meeting date for review.

Chair Owens had a question for Mr. Medina as to what the rule was for the law passed against construction trailers parked on the street. He asked if the trailers had to be attached to a vehicle. Commission Ross and Mr. Medina confirm that. Chair Owens reported the properties recently sold by the City on La Salle have trailers parked along the curb with a cone about 12 inches from it and that it had been parked there for 3-4 weeks. Mr. Medina stated he would look into it.

Chair Owens then asked about the drop off location for the daycare on La Salle. He remembered having the condition be that they children would be dropped off of Waring and that the cars were not to turn into the parking lot on La Salle. Mr. Medina stated that the property on Waring is not the daycare's and that drop off had to be off La Salle. Chair Owens asked to look at the curb markings on that street as it is a hazard for cars pulling out of the parking lot. Mr. Medina said he would put this topic on the next agenda for July 12th.

9. ADJOURNMENT

On motion the meeting was adjourned at 7:16pm.

Respectfully submitted,

Kristen Rice, Sr. Admin Assistant

John Owens, Chair



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.A.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: July 12, 2017

SUBJECT: USE PERMIT APPLICATION NO. UP-17-03. ANTHANG E. HOANG, PROPERTY OWNER, IS REQUESTING USE PERMIT APPROVAL TO ALLOW AN EXISTING DETACHED SINGLE-FAMILY DWELLING TO BE USED AS INTERIM HOUSING FOR DOMESTIC VIOLENCE VICTIMS LOCATED AT 1378 WARING STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN: 012-286-019). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A), FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

PURPOSE

The YWCA of Monterey County is requesting approval of a use permit to allow for an existing 1,712 square-foot, four-bedroom single family dwelling to be used as interim housing for domestic violence victims. Per Section 17.12.030.C, Table 2-1, an interim housing use for women and women with children is defined as a Category 1 Shelter, which is subject to the approval of a Use Permit within a RS-12 Zone.

RECOMMENDATION

City staff recommends approval of the proposed project in accordance with the Findings and Evidence and conditions of approval in the Draft Resolution (See Attachment 1).

BACKGROUND

The YWCA-MC is a non-profit (501c3) organization which has served women and children and their families since 1973 by helping them to recover from the trauma imposed by domestic violence. This application is being submitted to allow for the use of an existing single family dwelling located at 1378 Waring Street to be used as interim housing for domestic violence victims in a family setting. The YWCA-MC operates the only confidentially located interim housing and 24-hour crisis line for women and youth survivors of Domestic Violence in Monterey County.

SITE LOCATION AND DESCRIPTION

The project site consists of a 3,750 square-foot parcel (50 feet wide by 75 feet deep) that is developed with a two-story, 1,712 square-foot, four-bedroom single family dwelling. The surrounding neighborhood is comprised mainly of one-story, older, single-family dwellings that were constructed in the late 1950's and early 1960's. The dwelling on the project site was constructed in 2007 after the demolition of the former one-story single family dwelling. The following provides an overview of the existing dwellings adjacent to the project site:

North: One-story single-family dwelling

South: One-story single family dwelling

East: One-story single family dwelling

West: One-story single family dwelling

Location Map is provided as Attachment 2. Site Photographs are provided as Attachment 3.

PROJECT DESCRIPTION

Proposed Use

Clients of the interim house would be enrolled in a 60-day program. The following services would be provided:

- Three healthy meals per day;
- Case management,
- Transportation to and from service appointments, individual and group counseling and assistance in securing employment, housing and social services.

The existing bedrooms, bathrooms, and common areas (Kitchen, Dining Room, Family Room) as shown on the floor plan provided as Exhibit "A" to Attachment 1 would be used in their current configuration without any improvements or modifications. The operating characteristics are as follows:

Business Operations	
1. Number of Employees	1. Six (One-Shelter Manager, One Lead DV Advocate, Four-DV Advocates); Typical shift will include two employees between 7 AM and 9 PM with one employee between 9 PM and 11 PM
2. Hours of Operation	2. Shelter operates 24-hours; staff coverage of 16-hours in two 8-hour shifts (7 AM- 3 PM and 3 PM – 11PM)

3. Occupancy	3. Four Bedrooms (1 Family per room and/or four persons per room). Maximum occupancy of 10 persons within the entire dwelling.
	Two bathrooms, with each bathroom serving two bedrooms.
	Common areas would consist of kitchen, dining room, and family room.
4. Fleet Vehicles	4. YWCA owns one seven passenger mini-van to be stored on-site for resident transportation.

The project will operate in compliance with the following development operating standards listed under Section 17.52.100.D of the Seaside Municipal Code:

Development Standard	Code Compliance
1. A family shelter or shelter for single women with children should be located near public facilities and transportation facilities	1. The project site is located within an Urban area with access to public facilities (e.g. grocery stores, public transit, medical facilities). The YWCA will provide transportation for clients to minimize need for dependence on public transportation.
2. Shelters for single persons should be located near transportation facilities.	2. The YWCA will provide transportation for clients to minimize need for dependence on public transportation. If public transportation is used, bus stops are located at the corner of Flores Street and Broadway Avenue and Sonoma Avenue and Noche Buena Street.
3. Each Shelter shall have an on-site manager.	3. The shelter will provide staffing on two eight hour shifts between 7 AM and 11 PM. Either a Shelter Manager or Lead DV Advocate will on site during these shifts.
4. Residents shall not be required to participate in any religious or philosophical ritual, service, meetings, or rites as a condition of eligibility.	4. The proposed shelter would not include or require any affiliation with any religious organization or service organization.

5. The exteriors of the shelter shall be upgraded, fenced and landscaped, and maintained as required by the Commission.	5. The subject property is currently being maintained, fenced and landscaped in an excellent condition to ensure that the shelter use will blend with the adjacent single family neighborhood.
6. No more than 16 persons shall be allowed at any shelter location, including the on-site manager.	6. The YWCA shelter will accommodate a maximum of 10 persons in compliance with the R-3 Occupancy standards of the 2013 California Building Code.
7. Single women may be housed in a shelter for single women with children.	7. The project site contains four bedrooms which would be adequate to allow for families to be separated from single persons.
8. Each shelter shall comply with Title 24 of the State Code, all state building regulations, and the California Building Code and California Fire Code.	8. The proposed shelter would operate with a maximum occupancy of 10 persons.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(a): Existing Facilities.

STAFF ANALYSIS AND FINDINGS

Findings

In order to approve a use permit, the following findings (in bold type) must be established (**Evidence is presented after each Finding**):

1) The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Evidence: This project is located within the RS-12 (Single Family Residential) Zoning District in which a Category 1 Shelter (**Shelter for families and/or single women with children**) may be established with use permit approval (S.M.C.S. 17.22.030, Table 2-1). An emergency shelter type land use shall comply with the following development operating standards listed under Section 17.52.100 of the Zoning Code:

- **Adequate parking is available:** City staff has determined that there is adequate parking to accommodate the interim housing use. The project site has a two-car driveway to accommodate client needs and on-street parking on Waring Street further to the North. The applicant has also made contact with the Emmanuel Church of God in Christ to allow for use of the church parking lot for staff parking. The location of the on-street parking and church parking lot is shown on Aerial Photo provided Attachment 4. The distance of each parking area from the site is noted on the attachment. The availability of the on-street parking has been verified through field inspections conducted by City staff the past two weeks. The Pastor of Emmanuel Church of God in Christ has informed the applicant of the availability of the overflow parking during the week. On the weekends, staffing is reduced to minimize the need for staff parking during this time period

- **The Project will have no adverse impact on the neighborhood:** The applicant will provide adequate staffing levels to ensure at least two lead personnel are at the dwelling between the hours of the 7 AM and 9 PM to ensure that the rules of the house are met and the clients are provided with appropriate food and hygiene products for a high quality of life. Additional staffing will be provided until 11 PM to ensure curfew times and the safety of the clients is met. Security cameras will be placed in the common areas that can be reviewed remotely for added security and monitoring of the facility.

- **There is not an overconcentration of shelters in the surrounding areas and in the City:** There are no existing shelters operating as a safe interim house for victims of domestic violence in the City of Seaside.

- **The proposed interim housing is consistent with the Housing Element of the General Plan:** The site is designated as Medium Density Residential (RMS) in the Seaside 2004 General Plan. Per the General Plan Housing Element, a key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing. The proposed interim housing provides for a Class 1 Shelter facility consistent with a supportive housing facility to meet the needs of the community consistent with providing interim housing opportunities that would help maintain a compact urban form with minimal exterior façade changes.

As shown on the official Zoning Map, the site is located in the RS-12 Zone. The RS-12 Zone is applied to areas of the City that are appropriate for neighborhoods of detached single-family dwellings surrounding the more densely developed core of the City. Per Section 17.52.100.D of the SMC, the project will operate in compliance with eight development standards listed. Per Section 17.52.100.E of the SMC, the four required findings of approval have been met; and per Section 17.52.100.F, the project will operate in compliance with the six required conditions of approval.

2) The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance

Evidence: Per the General Plan Housing Element, a key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing. The proposed

interim housing provides for a Class 1 Shelter facility consistent with a supportive housing facility to meet the needs of the community consistent with providing interim housing opportunities that would help maintain a compact urban form with minimal exterior façade changes.

3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: The proposed interim housing use provides for a Class 1 Shelter to meet the needs of the community consistent with the Seaside General Plan Housing Element. The proposed interim housing will provide housing that is safe and attractive for a special needs group consistent Housing Element Goal H-2 and Housing Policy H-2.5. The implementation of Interim Housing will help promote a peaceful, non-violent problem solving approach for domestic conflict within a single-family environment.

4) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. The proposed conversion of a detached single-family dwelling to interim housing with minimal interior changes and exterior façade changes conforms to Land Use Element of the Seaside General Plan.

5) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

The granting of a Use Permit for an interim housing land use will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

CONCLUSION

The proposed interim housing use complies with the intent of the Seaside General Plan and the requirements of Title 17 of the Seaside Municipal Code.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1- Draft Resolution No. 17-XX
 2. Attachment 1, Exhibit A- Project Plans
 3. Attachment 2- Location Map
 4. Attachment 3- Site Photographs
 5. Attachment 4- Aerial Photo
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RESOLUTION NO. 17-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW CONVERT AN EXISTING SINGLE FAMILY DWELLING INTO INTERIM HOUSING WITH FOUR BEDROOMS AT 1378 WARING STREET IN THE RS-12 ZONING DISTRICT.

WHEREAS, Anthang E. Hoang, property owner, has applied for a Use Permit for:

- A. The establishment of an interim housing project with four bedrooms for the housing of victims of domestic violence.

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing at public meeting held on July 12, 2017; and

WHEREAS, the project is a Categorically Exempt, Class 1, Section 15301 meeting the following conditions:

- a) The proposed development will consist of converting an existing single family dwelling into interim house for the purpose of servicing persons who are victims of domestic violence in a single family residential household setting.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-17-01:

- 1) The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Evidence: This project is located within the RS-12 (Single Family Residential) Zoning District in which a Category 1 Shelter (Shelter for families and/or single women with children) may be established with use permit approval (S.M.C.S. 17.22.030, Table 2-1). An emergency shelter type land use shall comply with the following development operating standards listed under Section 17.52.100 of the Zoning Code:

- Adequate parking is available: City staff has determined that there is adequate parking to accommodate the interim housing use. The project site has a two-car driveway to accommodate client needs and on-street parking on Waring Street further to the North. The applicant has also made contact with the Emmanuel Church of God in Christ to allow for use of the church parking lot for staff parking. The location of the on-street parking and church parking lot is shown on Aerial

Photo provided Attachment 4. The distance of each parking area from the site is noted on the attachment. The availability of the on-street parking has been verified through field inspections conducted by City staff the past two weeks. The Pastor of Emmanuel Church of God in Christ has informed the applicant of the availability of the overflow parking during the week. On the weekends, staffing is reduced to minimize the need for staff parking during this time period

- The Project will have no adverse impact on the neighborhood: The applicant will provide adequate staffing levels to ensure at least two lead personnel are at the dwelling between the hours of the 7 AM and 9 PM to ensure that the rules of the house are met and the clients are provided with appropriate food and hygiene products for a high quality of life. Additional staffing will be provided until 11 PM to ensure curfew times and the safety of the clients is met. Security cameras will be placed in the common areas that can be reviewed remotely for added security and monitoring of the facility.
- There is not an overconcentration of shelters in the surrounding areas and in the City: There are no existing shelters operating as a safe interim house for victims of domestic violence in the City of Seaside.
- The proposed interim housing is consistent with the Housing Element of the General Plan: The site is designated as Medium Density Residential (RMS) in the Seaside 2004 General Plan. Per the General Plan Housing Element, a key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing. The proposed interim housing provides for a Class 1 Shelter facility consistent with a supportive housing facility to meet the needs of the community consistent with providing interim housing opportunities that would help maintain a compact urban form with minimal exterior façade changes.
- As shown on the official Zoning Map, the site is located in the RS-12 Zone. The RS-12 Zone is applied to areas of the City that are appropriate for neighborhoods of detached single-family dwellings surrounding the more densely developed core of the City. Per Section 17.52.100.D of the SMC, the project will operate in compliance with eight development standards listed. Per Section 17.52.100.E of the SMC, the four required findings of approval have been met; and per Section 17.52.100.F, the project will operate in compliance with the six required conditions of approval.

2) The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance

Evidence: Per the General Plan Housing Element, a key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing. The proposed interim housing provides for a Class 1 Shelter facility consistent with a supportive housing facility to meet the needs of the community consistent with providing interim housing opportunities that would help maintain a compact urban form with minimal exterior façade changes.

- 3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: The proposed interim housing use provides for a Class 1 Shelter to meet the needs of the community consistent with the Seaside General Plan Housing Element. The proposed interim housing will provide housing that is safe and attractive for a special needs group consistent Housing Element Goal H-2 and Housing Policy H-2.5. The implementation of Interim Housing will help promote a peaceful, non-violent problem solving approach for domestic conflict within a single-family environment.

- 4) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. The proposed conversion of a detached single-family dwelling to interim housing with minimal interior changes and exterior façade changes conforms to Land Use Element of the Seaside General Plan.

- 5) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: The granting of a Use Permit for an interim housing land use will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-17-03 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by required conditions of approval, the permittee shall have the right to operate to convert an existing 1,712 square foot detached single family dwelling into interim housing with four bedrooms at 1378 Waring Street in accordance with the project plans stamped “Received by the City of Seaside June 1, 2017” and approved on July 12, 2017. Project plans are provided as Exhibit “A”.
2. If the subject interim housing ceases operation for a continuous period of six months or more, the Use Permit shall be come null and void.
3. The driveway shall be made available for off-street parking at all times.
4. No signs shall be placed on the premise.
5. All parking areas, driveways, and other paved surfaces, accessways and grounds shall be regularly maintained and kept free of weds, litter, and debris. All landscaped areas shall be maintained free of weeds, trash and debris, and all plant material shall be continuously

maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired in conformance with the terms of this permit.

6. All existing damaged and hazardous sidewalks shall be reconstructed to City standards prior to a Certificate of Occupancy.
7. The issuance of this Permit shall not relieve the Permittee of any requirement to obtain permits or licensing from any county, regional, state, or federal agencies. If applicable, a City Business License shall be obtained prior to commencement of use.
8. Any modification to the terms and conditions if this permit is subject to the issuance of a new permit. The Zoning Administrator may approve minor modifications to this permit if the Zoning Administrator finds the modification to be in substantial compliance with the original approval.

Building Department/Fire Department:

1. On the submittal of the Certificate of Occupancy, occupancy of the structure will be clarified. If the home will house up to 10 people at one time, it may remain Classified as an R-3 Occupancy; if the home will house more than 10 people, it will need to be classified as an R-1 Occupancy.
2. The following codes are enforced by the Building Department and Fire Department:
 - 2013 California Building, Residential, Green, Plumbing, Mechanical, Electrical, and Fire Codes.
 - 2013 California Title 24 Energy Requirements.
 - City of Seaside Municipal Code.

Standard:

1. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.69.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.
2. This Use Permit is subject to procedures and requirements of Chapter 17.54 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole

discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.

4. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
5. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
6. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.
7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.54.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 12th of July, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

USE PERMIT APPLICATION NO. UP-17-03

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

Date

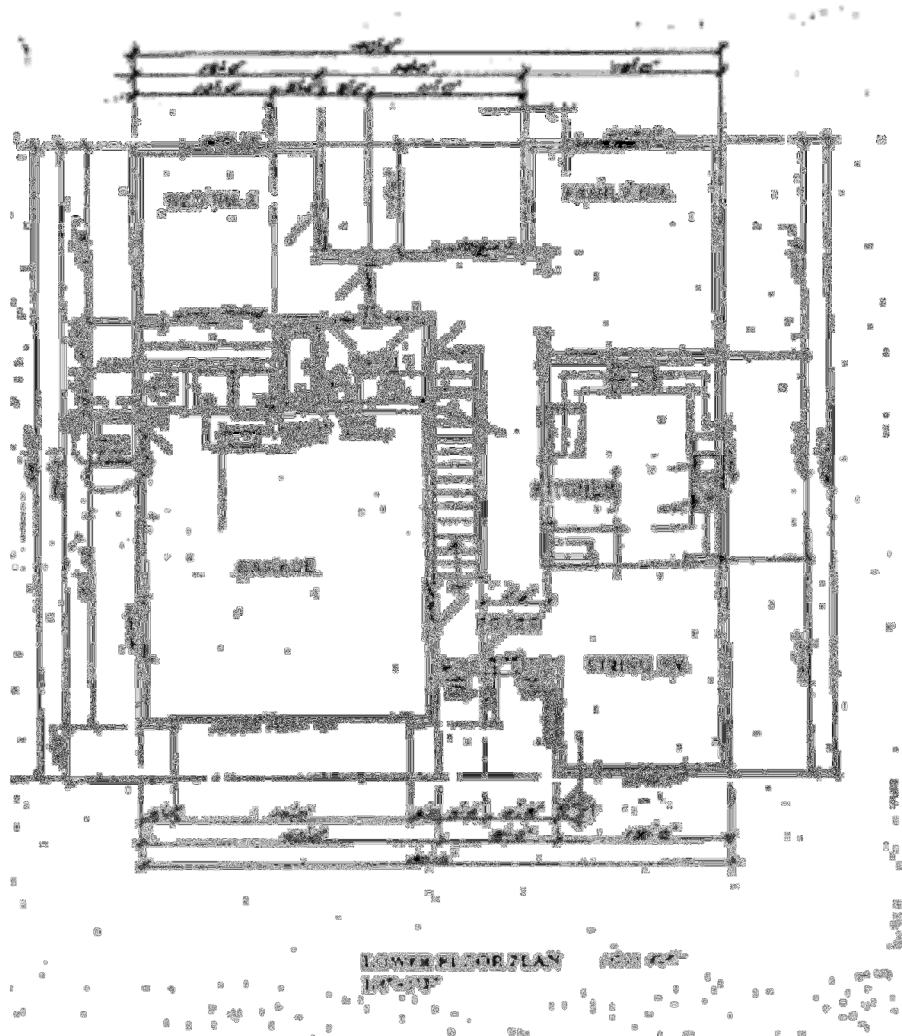
Property Owner's Signature (*if different from above*)

Date

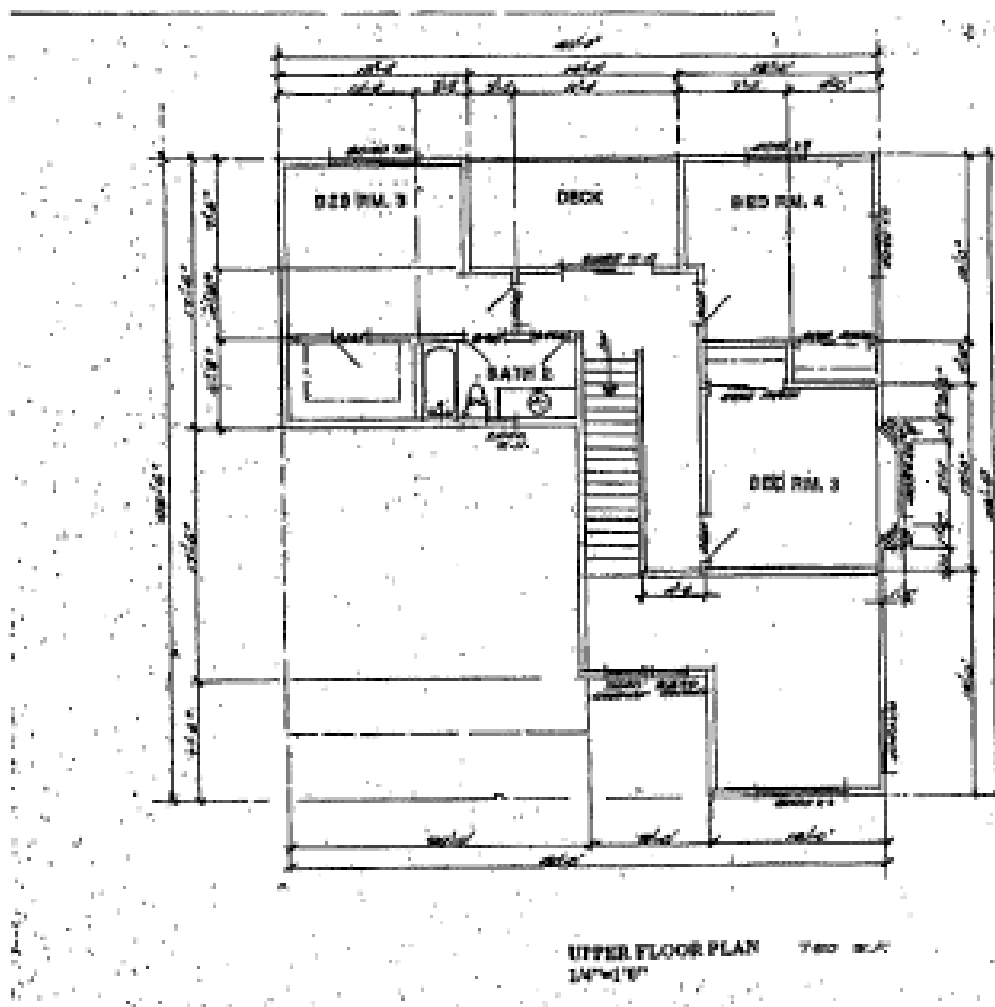
Site Plan



FIRST FLOOR



SECOND FLOOR



Attachment 2

Location Map: 1378 Waring Street



Attachment 3

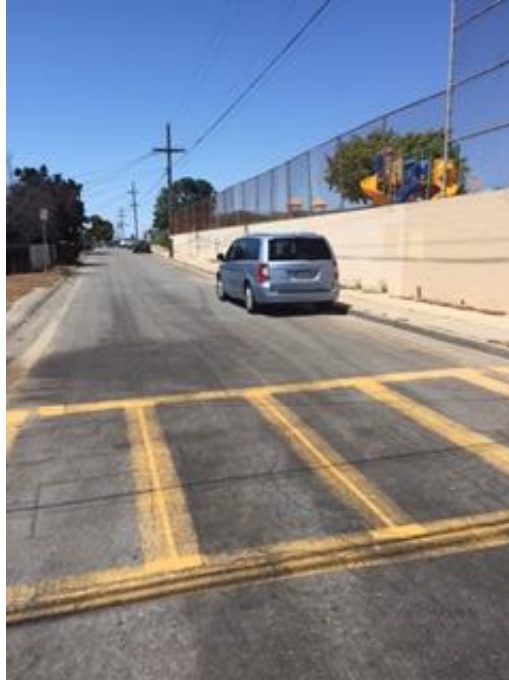
Site Photos



Front Elevation looking North



Front Elevation Looking South



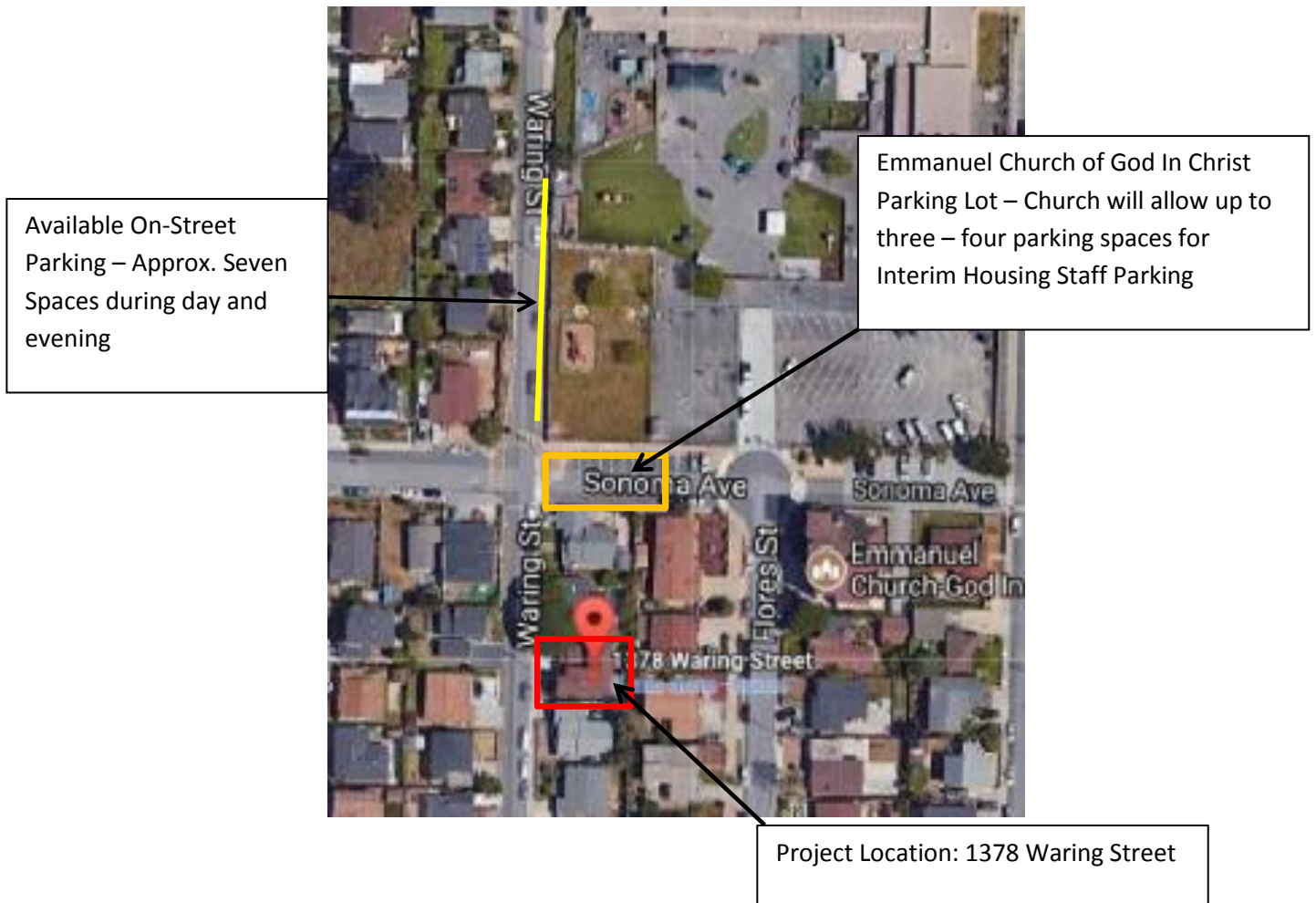
On-Street Parking on east side of Waring Street north of intersection
at Waring Street and Sonoma Avenue



View of church parking lot at intersection of Waring Street and Sonoma Avenue

Attachment 4

Aerial Photo



- Remote parking areas shown above are within 400 feet of the project site with accessible sidewalk to the project site. On-site driveway would allow for two off-street parking spaces.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.B.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: July 12, 2017

**SUBJECT: REVIEW OF PARKING LOT ACCESS ON THE APPROVED USE
PERMIT 16-04 FOR A DAY CARE AT 1405 LA SALLE.**

PURPOSE

Planning Commission review of the Use Permit conditions relating to parking lot access from La Salle Ave to an approved day care facility.

RECOMMENDATION

BACKGROUND

The Use Permit for the day care facility was approved on September 28, 2016. The resolution granting the permit is provided as Attachment 1. Per the evidence listed under finding #3, access to the parking lot was approved to be from La Salle. Staff finds that applicant is in full compliance with terms and conditions for parking lot access.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1- Resolution 16-15
-

RESOLUTION NO. 16-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE

APPROVING A USE PERMIT TO ALLOW FOR ESTABLISHMENT OF 160 STUDENT DAYCARE CENTER AT 1405 LA SALLE AVENUE IN THE RS-8 ZONING DISTRICT.

WHEREAS, First Baptist Church, property owner, and Early Development Services, applicant have applied for a use permit to allow:

- A. The establishment of a child day care center for up to a maximum of 160 students within an existing 5,846 square-foot classroom building on the southern half of the First Baptist Church site located at 1405 La Salle Avenue.

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed use permit at a duly noticed public hearing at public meeting held on September 28, 2016, and

WHEREAS, This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 (Existing Facilities). Class 1 consists of minor interior alterations involving such things as interior partitions, plumbing and electrical conveyances meeting the following conditions:

Evidence: The proposed project would involve remodeling the interior of an existing commercial tenant space to operate a. Interior improvements will include minor wall, plumbing and electrical improvements to set-up the reception area, office, classrooms and kitchen. Exterior improvements will be limited to installation of landscaping, small play structures, and installation of disable ramp. The proposed improvements would be exempt from further CEQA review.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-16-04:

1) The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Low Density Residential. The land use classification is intended for detached single family dwellings at a density of eight units per acre. Accessory uses may include meeting facilities, churches,

schools (Public and Private) and daycare facilities. The proposed project would consist of a daycare center serving more than 15 children which would be consistent with the Low Density Residential Land Use designation with the issuance of a use permit. The project would be consistent with the following General Plan Goals and Policies:

Land Use Element

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site, and available infrastructure

Evidence: *The project site consists of a parcel over 1 acre in size which includes an enclosed building and outdoor open space to adequately accommodate a licensed daycare center for 160 children.*

Evidence: *The proposed project will include façade and the open space area improvements consisting of new doors, windows, and paint on the building and new fencing, play equipment and landscaping within the open space area to improve the physical appearance of the site.*

Evidence: *The new fence on the west side of the site that would be adjacent to the single family dwellings bordering the site on this side will be constructed with a T1-11 panel on the interior side of the fence facing the daycare center to provide added sound attenuation for these residences.*

Evidence: *The project will allow for the efficient use of an existing infrastructure system with minor improvements to accommodate a new daycare center for pre-school and school age children.*

Economic Element

Goal ED-1: Establish a diverse and balanced mix of businesses that will generate a stable, long-term stream of revenue to fund city services.

Policy ED-1.2: Encourage the full and efficient use of vacant and underutilized parcels in appropriately designated areas to support the development and expansion of targeted commercial facilities.

Evidence: *The conversion of the existing classroom building and open space recreation area into a daycare center would allow for the full and efficient use of the entire site on an abandoned portion of an existing*

church site and would diversify the city's childcare services and childcare job opportunities for both pre-school and school age children.

2) The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Zoning Ordinance Conformance

This project is located within the RS-8 (Single Family Residential) Zoning District. In accordance with Seaside Municipal Code Section 17.52.050.D, the following standards are used to assess the establishment of daycare centers that include more than 15 children.

Parking

In accordance with Section 17.52.080.C.1 of the SMC, a minimum of one space per employee on largest shift plus one space for each 10 children authorized by the state license is required. The applicant has indicated that she would have four staff members from 7 AM to 2:30 PM and seven staff members from 2:30 PM to 5:30 PM. Per the Zoning Code 23 parking spaces are required. A total of 22 parking spaces will be provided. Per the Zoning Code, an exception for the single parking space can be provided 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 area floor area or new construction

Evidence: The proposed daycare center will not include any increase in floor area.

2. Off-street parking shall be provided on the site in the maximum amount feasible.

Evidence: The parking lot has been designed to provide the maximum amount of 22 perpendicular parking stalls.

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.

Evidence: The parking lot will be accessed from La Salle Avenue which is classified as a collector street. The City Engineer has determined that the set-up of the parking lot will provide the necessary drop-off and pick-up locations for students and that the depth of the driveway aisle from the drive approach to the front entrance of the building will provide the necessary stacking for vehicles queuing on-site during the peak AM and peak PM loading/unloading periods to avoid any back-ups onto La Salle Avenue. Furthermore, the on-site circulation and parking is sufficient to allow for the loading/unloading of children completely on-site in order to avoid any impacts with traffic circulation and on-street parking on the adjoining local streets.

3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

The proposed improvements for the use will consist of minor interior improvements and exterior improvements consisting of new fencing, new outdoor play equipment, parking lot striping, and pedestrian access requirements. The size of the project site will be in compliance with the maximum limits set by the State of California of one student per 35 square feet of net building area (Net building area excludes bathrooms, hallways, storage rooms and offices) and 75 square feet per student for net exterior play area. The net building area for classroom instruction is 5,669 square feet which would allow for a maximum of students of 161 students. The net play area is 25,240 square feet which would allow for a maximum of 336 students. The project site would be designed to meet maximum occupancy requirements as required for the establishment of a licensed 160 student daycare center.

4) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. As a condition of approval, a water allocation of

5) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

The granting of a use permit will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-16-04 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by required conditions of approval, plans submitted for a Certificate of Occupancy shall substantially conform to the plans identified as "Early Development Services" stamped as received on September 23, 2016, and approved on September 28, 2016. The project plans are provided as Exhibit "A".
2. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit a traffic control plan to the City Engineer for review and approval. The traffic control plan shall

describe how the unloading and loading activity of students will be monitored at the peak AM (7:00 AM to 9:00 AM) and Peak PM (3:00 PM to 5:30 PM) periods.

3. The exception granted for one parking stall 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 re-open the use permit to examine if any modifications to the project enrollment or traffic control plan would be warranted to address the on-street parking issues.
4. The height of the cyclone fence on the west side adjacent to the parking lot shall be reduced to eight feet.
5. Minor modifications to the use permit consistent with Seaside Municipal Code Section 17.54.090.C may be made subject to the review and approval by the Zoning Administrator and the Planning Commission if such modifications are in keeping with the intent of the original approval,
6. Signage is not a part of this review. The applicant shall apply for a separate sign permit for the installation of any permanent exterior or window signs. All signage shall conform to the regulations contained in Section 17.40 of the Seaside Municipal Code.
7. The operation of the daycare center must be operated in compliance with the child daycare licensing requirements regulated by the Department of Community Care Licensing with the State of California.
8. The hours of operation for the daycare center shall generally be limited to the hours of 7:00 AM to 5:30 PM, Monday through Friday. The use of the outdoor play area would be used from 8:30 am to 5:30 pm. Special events may be allowed infrequently on weekends. The use of amplified sound or music shall be prohibited unless a Limited Term Permit has been issued by the Zoning Administrator for the amplified sound or music.
9. Prior to the issuance of a Building Permit, the applicant shall submit an application to the Board of Architectural Review to receive design approval for all exterior modifications to the classroom building (e.g. windows, doors, gutters, exterior paint), perimeter fencing, and landscape improvements around the building and open space play area.
10. The existing curb return located at the northwest corner of La Salle Avenue and Waring Street shall be re-constructed to comply with the current disabled access requirements of Title 24 of the California Code of Regulations.
11. Prior to the issuance of a Certificate of Occupancy for the daycare center, the parking area for the church facility shall be striped to provide the maximum amount parking available. The site plan showing the striping plan shall be submitted to the Zoning Administrator for the issuance of a Zoning Clearance for the verification that the parking

lot has been striped to provide the maximum amount of parking that would be available to the church.

Fire Department:

1. Prior to the issuance of a building permit and/or Certificate of Occupancy, the applicant shall comply with the requirements of the Seaside Fire Marshall for the daycare facility in accordance with the 2013 California Building Code and 2013 California Fire Code of the California Code of Regulations.

Building Department:

1. Prior to the issuance of a building permit and/or Certificate Occupancy, the applicant shall comply with the requirements of the Seaside Fire Marshall for the daycare facility in accordance with the 2013 California Building Code and 2013 California Fire Code of the California Code if Regulations.
2. The pedestrian ramp and pedestrian pathway from the sidewalk to the main entrance must be in compliance with the current disable access requirements of Title 24 of the California Code of Regulations.

Public Works:

1. Prior to the issuance of a Certificate of Occupancy for the daycare center, the property owner shall be responsible for the replacement and repair of all cracked and broken sidewalk as deemed necessary by the City Engineer. The assessment of broken and cracked sidewalk will be completed by the Public Works Department within 30-days of submission for the Building Permit for the occupancy of the proposed daycare center.
2. An encroachment permit must be issued by the Public Works Department for any work conducted within the public right-of-way.
3. Prior to the issuance of a Certificate of Occupancy, a grease trap shall be installed for the existing kitchen. The size of the of the grease trap shall be determined by the City Engineer.
- 4.

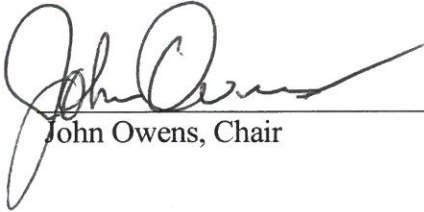
Standard:

1. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.69.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.

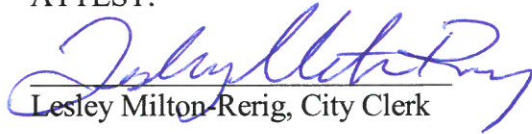
2. This Use Permit is subject to procedures and requirements of Chapter 17.54 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
4. These conditions shall be binding on the applicant and all successors in interest, subject to the business operations not lapsing for a period 180 consecutive days. In the case of a transfer of ownership, the new owner of the establishment shall sign the adopted Resolution acknowledging these conditions of approval. Failure to comply with this requirement may result in revocation of this use permit.
5. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
6. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
7. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.
8. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
9. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.54.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
10. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

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

AYES:	6	COMMISSIONERS: Dodson, La Mica, Lechman, Ross Spalletta, Owens
NOES:	0	COMMISSIONERS:
ABSENT:	0	COMMISSIONERS:
ABSTAIN:	0	COMMISSIONERS:

 9-28-16
John Owens, Chair

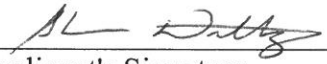
ATTEST:


Lesley Milton-Rerig, City Clerk

USE PERMIT APPLICATION NO. UP-16-04

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.



Applicant's Signature

10/12/2016

Date

Property Owner's Signature (if different from above)

Date



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.C.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: July 12, 2017

**SUBJECT: COASTAL DEVELOPMENT APPLICATION NO. CDP-17-01.
CALIFORNIA DEPARTMENT OF TRANSPORTATION
(CALTRANS), APPLICANT, AND STATE OF CALIFORNIA,
PROPERTY OWNER, ARE REQUESTING APPROVAL OF A
COASTAL DEVELOPMENT PERMIT FOR THE INSTALLATION OF
A CONTRASTING SURFACE TREATMENT AND EROSION
CONTROL MEASURES ON A SEGMENT OF STATE ROUTE
HIGHWAY 1. THE PROJECT IS CATEGORICALLY EXEMPT
CLASS 1, SECTION 15301(C), FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT.**

PURPOSE

The proposed surface treatment and erosion control measures to reduce the ongoing maintenance activities and the maintenance worker exposure of Caltrans employees and other public agencies involved with the maintenance of the State Highway 1 to high speed traffic. The work in the City of Seaside will occur at two locations on the stretch of Highway 1 at the north end of the City adjacent to the south bound Fremont Boulevard off-ramp and the center median of the north bound Fremont Boulevard on-ramp.

RECOMMENDATION

Staff recommends approval of proposed surface treatment subject to the findings evidence, and Conditions of Approval provided as Attachment 1 and Project Plans provided as Exhibit "A" to Attachment 1.

BACKGROUND

The proposed improvements are being carried out in accordance with a highway worker safety improvement project that will be happening throughout California to provide a safer work environment for maintenance personnel and the public and reduce injuries and fatalities. The risk of injury or fatality increases with the length of time an employee is exposed to traffic without protection. 77% of employee fatalities since 1974 were Maintenance employees, and of

those, 64% were workers on foot. Due to this startling statistic the Roadside Safety Improvement Program was created. Since its inception projects have been initiated statewide at locations recurring needs requiring Caltrans Maintenance Staff to be exposed on foot on the roadside as now occurs at the locations at the North end of the City of Seaside.

The locations within the City of Seaside are located within the City's Coastal Zone boundaries. Due to the improvements removing existing sand dunes, the improvements would be subject to the issuance of a Coastal Development Permit to determine that the removal of the existing dunes is minimized and that it would not create an aesthetic impact on the natural environment.

SITE LOCATION AND DESCRIPTION

The two locations for the proposed improvements are noted as Site 58 (Median divide between northbound Highway 1 and the Fremont Boulevard northbound on-ramp) and Site 60 (Median divide between southbound Highway 1 and the southbound Fremont Boulevard off-ramp) on Attachment 2.

PROJECT DESCRIPTION

Project elements will include:

- Contrasting surface treatment in areas beyond the gore;
- three beam barrier openings in the median;
- roadside signs reinstalled.

The surface treatment will consist of a tan exposed aggregate to blend with the existing dune background as shown on Attachment 3. A street view of Location #60 is shown on Attachment 4. The natural sand or vegetation areas on Location #58 and #60 would be replaced with a hard decorative surface that requires less maintenance, reducing maintenance worker exposure to high speed traffic.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(c):

Evidence: The proposed project would not create any significant impact to the existing roadway design nor remove any natural habitat within the sand dune system located within the Coastal Zone that would any environmentally sensitive habitat area.

STAFF ANALYSIS AND FINDINGS

Findings

For development within the Coastal Zone Boundaries, an application for a Coastal Development Permit shall be evaluated in accordance with the findings listed under Section 18.10.3.5.(C) of

the Coastal Implementation Plan to determine whether the following findings can be made concerning the proposed project:

1. The proposed use is allowed within the applicable Coastal Zoning District and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Evidence: The proposed development would be subject to the regulations set forth in the Seaside General Plan and the Local Coastal Program and would result in an improved site that would enhance the character of the community.

2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: The location, size, and operating characteristics of the project will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the Seaside General Plan and Local Coastal Program.

3. The proposed use is consistent with the General Plan and any applicable specific plan.

Evidence: The proposed use is consistent with the City's General Plan Policy LU-1.3: The proposed project will enhance the identity of the City with the construction of a new contrasting surface treatment at the City's northern gateway entrance.

Evidence: The proposed use is consistent with the City's General Plan Policy LU-2.4: The proposed project will include the use of quality paving materials consistent with the development standards outlined in the Coastal Implementation Plan and Section 17.62.030. E of Title 17 of the Seaside Municipal Code.

Evidence: The proposed use is consistent with the City's General Plan Policy LU-4.1: The location of the contrasting surface treatment will not result in any detrimental impact to the health, safety, and general welfare of the community.

4. The proposed use is consistent with the Certified Local Coastal Program.

Evidence: The surface treatment and erosion control measures are necessary to reduce ongoing maintenance activities and maintenance worker exposure to high speed traffic at two locations at the north end of the City along the stretch of Highway 1. Site #58 is located within a median that is between the northbound Highway 1 and the northbound on-ramp from Fremont Boulevard. Site #60 is located within a median that is between the southbound Highway 1 and the southbound off-ramp for Fremont Boulevard. The surface treatment will be colored to enhance the visibility of the area for motorists and to improve the esthetics of the paving surface. The amount of paving has been minimized at both locations as much as possible while still providing adequate safety for Caltrans' maintenance workers. Existing vegetation located behind the proposed paving will be retained to further soften the visual impact of the additional hard surface treatment. In sum, the proposed project will enhance highway maintenance worker

safety and will not otherwise adversely impact coastal resources. Accordingly, the project is consistent with the Coastal Act.

5. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The proposed project site improvements will be sited and constructed in accordance with the adopted development standards of the Coastal Implementation Plan for the City's certified Local Coastal Plan.

6. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: The granting of a Coastal Development Permit will not create significant noise, limitations on public access to the coastal zone, traffic, visual interference, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

CONCLUSION

In sum, the proposed project will enhance highway maintenance worker safety and will not otherwise adversely impact coastal resources. Accordingly, the project is consistent with the Coastal Act.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1- Resolution CDP- 17-XX
 2. Attachment 1, Exhibit A Project Plans
 3. Attachment 2- Location Map
 4. Attachment 3- Contrasting Surface Treatment
 5. Attachment 4- Street View of Constrasting Pavement
-

RESOLUTION NO. 17-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW FOR THE INSTALLATION OF CONTRASTING SURFACE PAVEMENT ON A STRETCH OF HIGHWAY 1 AT THE NORTH END OF THE CITY LIMITS WITHIN THE CITY'S COASTAL ZONE BOUNDARIES.

WHEREAS, the California Department of Transportation, applicant, and the State of California, property owner, have applied for a Coastal Development Permit to allow:

1. The installation of a contrasting surface treatment to reduce the ongoing maintenance activities and the maintenance worker exposure of Caltrans employees and other public agencies involved with the maintenance of the State Highway 1 to high speed traffic. Erosion control measures will also be added to prevent flooding and sediment across a stretch of State Highway 1. The work in the City of Seaside will occur at the following two locations: 1) at the north end of the City within a median strip that is located between southbound Highway 1 and the south bound Fremont Boulevard off-ramp; 2) and at the median located between northbound Highway 1 and the north bound Fremont Boulevard on-ramp.

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and the Seaside Local Coastal Program, and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing at a public meeting held on July 12, 2017, and

WHEREAS, in accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(c).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Coastal Development Application No. CDP-17-01:

1. **The proposed use is allowed within the applicable Coastal Zoning District and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.**

Evidence: The proposed development would be subject to the regulations set forth in the Seaside General Plan and the Local Coastal Program and would result in an improved site that would enhance the character of the community.

- 2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.**

Evidence: The location, size, and operating characteristics of the project will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the Seaside General Plan and Local Coastal Program.

- 3. The proposed use is consistent with the General Plan and any applicable specific plan.**

Evidence: The proposed use is consistent with the City's General Plan Policy LU-1.3: The proposed project will enhance the identity of the City with the construction of a new contrasting surface treatment at the City's northern gateway entrance.

Evidence: The proposed use is consistent with the City's General Plan Policy LU-2.4: The proposed project will include the use of quality paving materials consistent with the development standards outlined in the Coastal Implementation Plan and Section 17.62.030. E of Title 17 of the Seaside Municipal Code.

Evidence: The proposed use is consistent with the City's General Plan Policy LU-4.1: The location of the contrasting surface treatment will not result in any detrimental impact to the health, safety, and general welfare of the community.

- 4. The proposed use is consistent with the Certified Local Coastal Program.**

Evidence: The surface treatment and erosion control measures are necessary to reduce ongoing maintenance activities and maintenance worker exposure to high speed traffic at two locations at the north end of the City along the stretch of Highway 1. Site #58 is located within a median that is between the northbound Highway 1 and the northbound on-ramp from Fremont Boulevard. Site #60 is located within a median that is between the southbound Highway 1 and the southbound off-ramp for Fremont Boulevard. The surface treatment will be colored to enhance the visibility of the area for motorists and to improve the esthetics of the paving surface. The amount of paving has been minimized at both locations as much as possible while still providing adequate safety for Caltrans' maintenance workers. Existing vegetation located behind the proposed paving will be retained to further soften the visual impact of the additional hard surface treatment. In sum, the proposed project will enhance highway maintenance worker safety and will not otherwise adversely impact coastal resources. Accordingly, the project is consistent with the Coastal Act.

- 5. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.**

Evidence: The proposed project site improvements will be sited and constructed in accordance with the adopted development standards of the Coastal Implementation Plan for the City's certified Local Coastal Plan.

6. **Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.**

Evidence: The granting of a Coastal Development Permit will not create significant noise, limitations on public access to the coastal zone, traffic, visual interference, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

BE IT FURTHER RESOLVED, that the Planning Commission approves Coastal Development Permit Application No. CDP-14-01 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by required conditions of approval, plans submitted for Architectural Review approval shall substantially conform to the plans identified as “Caltrans Surface Treatment Project” stamped as received on June 19, 2017 and as approved by the Planning Commission on July 12, 2017. The project plans are provided as Exhibit “A”.

Public Works:

2. Submit a grading and drainage plan that shows the following:
 - a. Retention of all stormwater on-site.
 - b. Maintenance and control of exiting stormwater flows from offsite sources to minimize negative impacts to adjacent properties and right of way.

Standard:

3. This Coastal Development Permit is subject to procedures and requirements of Section 3.8 for the implementation of the project improvements, and those related to appeals and revocation in Section 3.12 of Title 18.10 of the Seaside Municipal.
4. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney’s fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.

5. Any proposed future development shall comply with the requirements of the Fire, Planning, Code Enforcement, Building and Public Works Departments.
6. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD for any new irrigation within the medians.
7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. This shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Planning Commission has granted an extension of time. In accordance with Section 3.8 of the CIP, the applicant must file request for time extension prior to expiration date of the Coastal Development Permit in order to receive consideration of a one-year time extension by the Commission.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the special meeting of the Planning Commission of the City of Seaside, State of California, on the 12th of July, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

COASTAL DEVELOPMENT PERMIT APPLICATION NO. CDP-17-01

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

Date

Property Owner's Signature (*if different from above*)

Date

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	1,68	R72.2/R81.1 4.0/R4.1	XX	??

REGISTERED CIVIL ENGINEER

DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS
OR AGENTS SHALL NOT BE RESPONSIBLE FOR
THE ACCURACY OR COMPLETENESS OF SCANNED
COPIES OF THIS PLAN SHEET.

AECOM
2020 L STREET
SUITE 400
SACRAMENTO, CA 95811

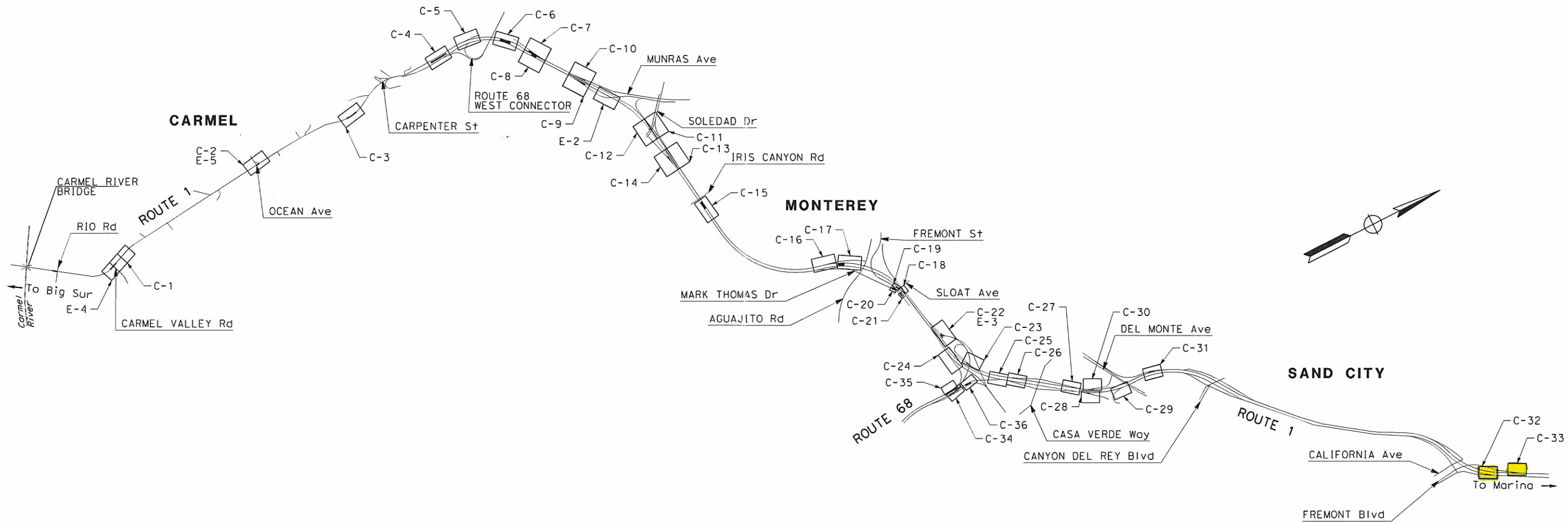
REGISTERED PROFESSIONAL ENGINEER

No.

Exp.

CIVIL

STATE OF CALIFORNIA



KEY MAP

NO SCALE

K-1

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

CLARA PONCE

WAI KEI WONG

MATTHEW J. KORVE

REVISOR

DATE

REVISOR

DATE

Dist

COUNTY

ROUTE

POST MILES
TOTAL PROJECT

SHEET
No.

TOTAL
SHEETS

05

Mon

1,68

R72.2/R81.1
4.0/R4.1

??

REGISTERED CIVIL ENGINEER DATE

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REGISTERED PROFESSIONAL ENGINEER

No.

Exp.

CIVIL

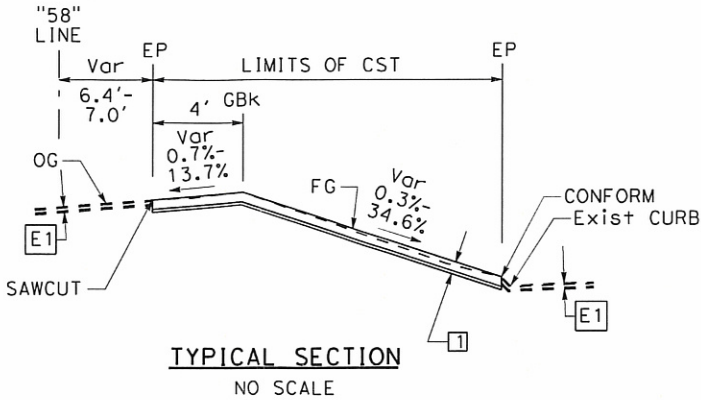
STATE OF CALIFORNIA

AECOM

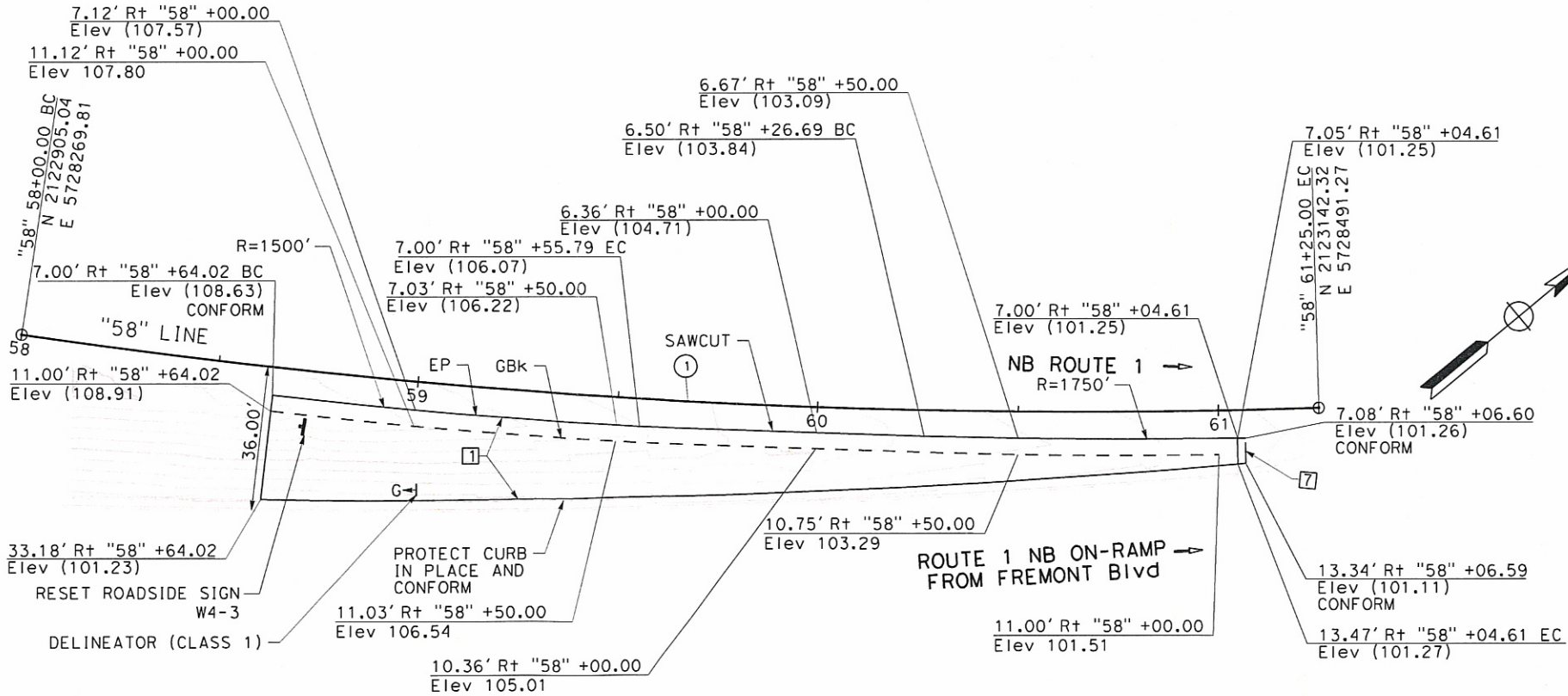
2020 L STREET

SUITE 400

SACRAMENTO, CA 95811



CURVE DATA				
No.	R	Δ	T	L
(1)	1827.00'	10°11'32"	162.93'	325.00'



PLAN
LOCATION 58
PM R80.9

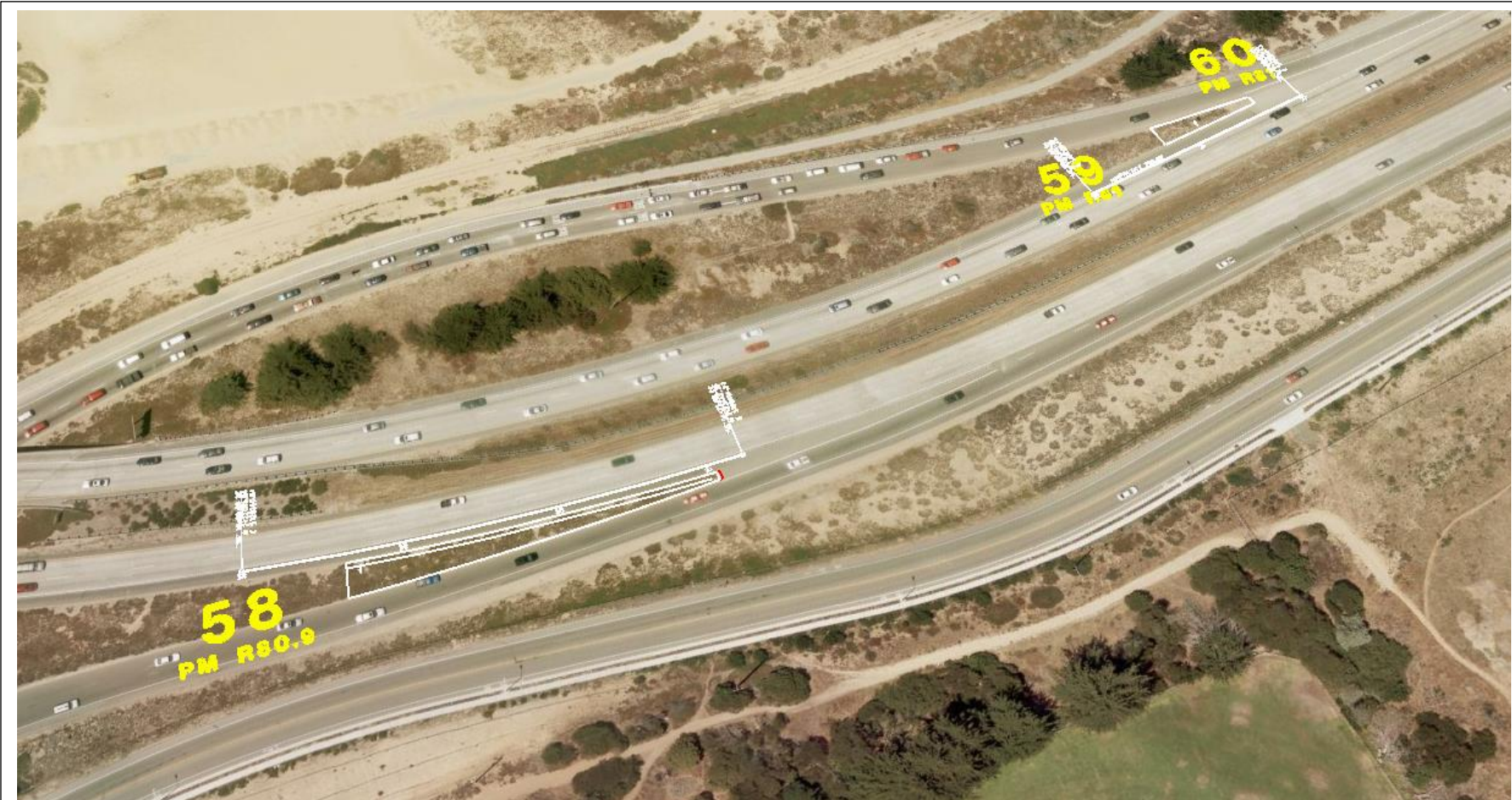
CONSTRUCTION DETAILS

SCALE: 1" = 20'

C-32

DATE PLOTTED => 4/21/2017
TIME PLOTTED => 5:14:02 PM







Contrasting Surface Treatment

Recommendation:
Exposed Aggregate with Integral Color



Attachment 4

Contrasting Pavement location for Site #60



Street View of Location of Contrasting
Pavement for Site #60