



AGENDA

CITY OF SEASIDE
PLANNING COMMISSION

SPECIAL MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Wednesday, December 13, 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 THE OCTOBER 25, 2017 REGULAR MEETING.**

B. **APPROVE THE MINUTES FROM THE NOVEMBER 8, 2017 REGULAR MEETING**

6. **BUSINESS ITEMS**

A. USE PERMIT APPLICATION NO. UP-17-07. GREATER VICTORY TEMPLE CHURCH, APPLICANT AND PROPERTY OWNER, IS REQUESTING USE PERMIT APPROVAL FOR THE INSTALLATION OF A FREESTANDING LED ELECTRONIC MESSAGE BOARD SIGN ON THE PREMISE OF GREATER VICTORY TEMPLE CHURCH LOCATED AT 1620 BROADWAY AVENUE IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. PROJECT IS CATEGORICALLY EXEMPT CLASS 11, SECTION 15311(A), FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

PURPOSE: The Greater Victory Temple Church of God In Christ are requesting the approval of a Use Permit to allow for the placement of a freestanding electronic message board sign with LED message screen.

RECOMMENDATION:

Staff recommends approval of the proposed freestanding LED electronic message board in accordance with the findings, evidence and conditions of approval listed in the Draft Resolution provided as Attachment 1 to the staff report.

B. ZONING CODE TEXT AMENDMENT: THE CITY OF SEASIDE PLANNING COMMISSION WILL HOLD A PUBLIC HEARING TO PROVIDE THE SEASIDE CITY COUNCIL WITH A RECOMMENDATION ON A PROPOSED EMERGENCY SHELTER ZONING TEXT AMENDMENT TO AMEND CHAPTER 17, ARTICLE 2, SECTION 17.14.030.B, TABLE 2-4 AND ARTICLE 4, SECTION 17.52.100 OF THE ZONING CODE TO ADD EMERGENCY SHELTERS AS A PERMITTED LAND USE IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT AND ON THE LANDS LOCATED WITHIN CENSUS TRACT 137.

PURPOSE:

Planning Commission will consider a recommendation to the City Council regarding a text amendment to Chapter 17 of the Seaside Municipal Code to make modifications to Section 17.14.030.B – Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) to make Emergency Shelters permitted in the Community Commercial (CC) Zoning District, add Section 17.22.050 to establish Census Tract 137 as an Overlay Zone to allow for Emergency Shelters as a permitted use and amend Section 17.52.100 to add standards concerning Emergency Shelters which would be permitted as an allowed use in the Community Commercial Zoning District and Census Tract 137 Overlay District.

RECOMMENDATION:

Adopt the Draft Resolution provided as Attachment 1 to the staff report recommending that the City Council adopt text amendments amending Section 17.14.030.B – Table 2-4 and Section 17.52.100 of the Seaside Municipal Code to allow for Emergency Shelters as a permitted use in the Community Commercial (CC) Zoning District and the lands within Census Tract 137 and to establish development standards for the operation of an Emergency Shelter that would not be subject to a discretionary permit.

7. REPORTS FROM COMMISSIONERS

8. **REPORTS FROM STAFF**

9. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
December 20, 2017
Seaside City Hall
7:00 PM

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&noplaylistskin=1&width=400&height=300>

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

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



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, October 25, 2017
7:00 PM

1. **CALL TO ORDER**

Chair Owens called the meeting to order at 7:00pm.

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

PLANNING COMMISSION

PRESENT: Owens, Ross, Spalletta, Oglesby

ABSENT: Lechman, Dodson, La Mica

3. **REVIEW OF AGENDA**

None.

4. **PUBLIC COMMENT**

None.

5. **APPROVAL OF MINUTES**

A. **APPROVAL OF THE MINUTES FROM SEPTEMBER 27, 2017 AND OCTOBER 11, 2017.**

On motion by Commissioner Ross, seconded by Commissioner Spalletta, and all in favor, the minutes from the September 27, 2017 meeting were approved.

On motion by Commissioner Oglesby, seconded by Chair Owens, and all in favor, the minutes from the October 11, 2017 meeting were approved.

6. **BUSINESS ITEMS**

A. **FENCE EXCEPTION APPLICATION No. FE-17-01: BRETT NIELSEN, PROPERTY OWNER AND APPLICANT, IS REQUESTING A FENCE EXCEPTION TO ALL FOR THE CONSTRUCTION OF A FIVE-FOOT FOUR-INCH FENCE WITHIN THE REQUIRED 15-FOOT FRONT YARD SETBACK AND 15-FOOT BY 15-FOOT DRIVEWAY LINE OF SITE WHICH EXCEEDS THE MAXIMUM HEIGHT OF FOUR FEET. THE PROJECT SITE IS LOCATED AT 1808 FLORES STREET IN THE RS-12 ZONING DISTRICT (APN 012-792-002).**

**THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(e)
FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

Mr. Medina presented the property location and details of the fence in question. The north side of Flores on which this property is located, is above the grade of the street and is the reason why the fence does not meet height requirements. The residents attempted to build a fence tall enough to retain the sand and dirt on their lot from shifting and moving. Mr. Medina presented the PowerPoint which included a visual diagram of the dimensions of the fence and a comparison of what existed before. Mr. Medina concluded by explaining findings in support of the exception, some of which included, neighborhood compatibility, distance from the major intersections and the ability to post a mirror to allow for more visibility of a vehicle pulling out for pedestrians. He did note that if the board wanted to deny the request a new draft resolution would need to be brought back to the next Planning Commission regular meeting to be adopted.

Chair Owens asked Mr. Medina if a permit would have been issued to this applicant had they come to the city before building it. Mr. Medina answered no, a permit would not have been issued if it was shown to be over 4 feet on a site plan. He then invited the applicant to address the commission. Applicant explained that his elevated lot does not allow for a 4 foot fence and that the zoning code needs to be changed for such lots in Seaside. He then told the commission when he purchased the home in 1995 that he obtained permits for the side and rear fences but didn't have the money at the time for front. Chair Owens asked the applicant why he did not obtain a permit for the front fence when he had previously obtained a permit for the other fences on his property. The applicant did not have an answer and returned to his seat. Chair Owens then opened the discussion to the public. There was no public comment and he brought it back to the commission.

Chair Owens expressed his understanding of the applicant's situation as he lives on a similar elevated lot in Seaside. He asked Mr. Medina what the previous zoning code stated about where the measurement was to be taken for fence heights. Mr. Medina cited the switch in the 2006 zoning code which changed the grade from the highest to the lowest point to measure from. Mr. Medina reiterated that if the commission would consider the topography of this lot it may help explain the construction of the fence height.

Commissioner Ogelsby pointed out that the applicant is asking for an exception to the code which in and of itself acknowledges that it does not comply with the code. He then stated he was in favor of moving this request along. Chair Owens reiterated that the applicant knew he needed a permit but didn't get one for the front and he would like the code upheld. The applicant spoke up and Chair Owens allowed them to approach the commission. The applicant's wife explained that because they were not changing the height they did not think they needed a permit and expressed the hardship of cost this would put on them if they had to cut it down due to the material used to construct it. Chair Owens closed applicant comment and brought it back to the commission.

Chair Owens expressed his decision to deny this request based on the fact the Planning Commission spends a lot of time constructing code and if he voted to go against the code it would be as if their work was for naught. He empathized with their situation but reiterated that there are codes and laws that are required to be followed and upheld. He asked for a motion.

Commissioner Ross made a motion to deny the fence exception and Commissioner Spalletta seconded. Mr. Medina asked for some statements to be made on the record to support findings to deny the request. Commissioner Ross stated that the fence is not compatible with the neighborhood and Chair Owens stated that the fence is outside the code and does not fit with the neighborhood.

Commissioner Oglesby clarified this item will be brought back at the next meeting to be voted on. If the applicant does not agree with the vote, they may then appeal to the City Council.

Chair Owens moved on to the next item.

B. STUDY SESSION TO REVIEW THE FOLLOWING TOPICS WITH THE PLANNING COMMISSION:

1. BROWN ACT

2. ETHICS

3. PLANNING COMMISSION REVIEW AUTHORITY

4. SEASIDE VISION AND MISSION STATEMENT

5. SEASIDE STRATEGIC PLAN AND PLANNING COMMISSION

6. BOARDS COMMISSIONS AND COMMITTEES HANDBOOK

7. PLANNING COMMISSION WORK PLAN

Gloria Stearns gave a PowerPoint presentation to the Planning Commission.

Chair Owens asked about the Broadway timeline and shared his opinion of the support that should have been given to the businesses. Ms. Stearns shared the various ways the city has been communicating with businesses and promoting the Broadway businesses to the public. Commissioner Ross shared her thoughts on tourists passing through Seaside due to all the construction and wants Seaside to be a more than it is now. Ms. Stearns shared her enthusiasm for Seaside to be a destination and assured the commission that plans are in the work to keep us unique while maintaining our culture.

Ms. Stearns continued her presentation. Commissioner Spalletta asked how the commission could be better updated on things going on in the city. Ms. Stearns suggested to read the City Council agendas to have an idea of what could come down to the commission. A point was made that short term rentals would be a topic heard by the commission and then the presentation continued. The commission will be provided a Commissions and Committee handbook which outlines work plans. It was recommended to have a work plan in order to have a clear direction as to what the Commission would like to accomplish.

Chair Owens expressed his frustration with granting variances when the code is meant to be upheld regardless of the lack of knowledge that a code existed. Ms. Stearns reassured him that the majority of people do comply and it is within the purview of the Planning Commission to hear cases of exceptions. The presentation concluded.

7. REPORTS FROM COMMISSIONERS

Chair Owens would like staff to check on a few fences they believe are too high. Locations to be discussed after the meeting.

8. REPORTS FROM STAFF

Mr. Medina reminded the commission of a Joint Meeting with City Council and Board of Architectural Review regarding Cutino Park at the Oldemeyer Center at 7:00pm.

9. ADJOURNMENT

Meeting was adjourned through the chair at 8:24pm.

Respectfully submitted,

Kristen Rice,
Sr. Administrative Assistant

John Owens, Chair



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, November 8, 2017
7:00 PM

1. **CALL TO ORDER**

Acting Chair, Commissioner Ogelsby, called the meeting to order at 7:00pm.

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

PLANNING COMMISSION

PRESENT: Ross, La Mica, Spalletta, Ogelsby

ABSENT: Owens, Leachman, Dodson,

3. **REVIEW OF AGENDA**

None.

4. **PUBLIC COMMENT**

None.

5. **APPROVAL OF MINUTES**

None.

6. **BUSINESS ITEMS**

- A. **FENCE EXCEPTION APPLICATION NO. FE-17-01: BRETT NIELSEN, PROPERTY OWNER, IS REQUESTING A FENCE EXCEPTION TO ALLOW A FIVE-FOOT THREE-INCH FENCE WITHIN THE REQUIRED 15-FOOT FRONT YARD SETBACK LOCATED AT 1808 FLORES STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN# 012-792-002) CONTINUED FROM THE OCTOBER 25, 2017 PLANNING COMMISSION MEETING.**

Mr. Medina opened up with reference to the previous regular meeting's motion of intent to deny the application for a fence exception and referred the Commission to the new draft resolution which contained the findings and evidence to support that decision. Acting Chair, Commissioner Oglesby, offered the applicant an opportunity to speak on the record regarding his denial. The applicant asked for a moment to gather his thoughts. During that time, Commissioner Oglesby asked Mr. Medina about the new evidence and findings which were now presented to the Commission with unfavorable findings. Mr. Medina explained each new finding as it related to the direction he was given from the previous meeting.

The applicant approached the Commission to speak. He believed the fence and his property met the requirements to allow the fence exception, which as he stated, was the only reason he applied. He returned to his seat.

Commissioner Oglesby asked for a motion. On motion by Commissioner Ross, seconded by Commissioner Spalletta the Planning Commission adopted the resolution in a vote 3 to 1 as follows:

AYES: Ross, Spalletta

ABSTAIN: La Mica

Nay: Oglesby

Commissioner Oglesby then informed the applicant of his right to appeal the decision to the City Council.

7. REPORTS FROM COMMISSIONERS

Commissioner Ross asked how a citizen would go about making a street a one way street. Mr. Medina stated that process is handled by submitting a requests to the Traffic Advisory Committee.

Commissioner La Mica announced the Veteran's Service put on by the American Legion on the City Hall lawn at 10:30am on Saturday November 11, 2017.

Commissioner Ross announced a business on Broadway told her they were going to close their business.

Commissioner Oglesby asked if the Cutino Park project would be heard at the Planning Commission other than the joint session they heard it at with the Board of Architectural Review and the City Council. Mr. Medina stated only if the project triggers CEQA and other environmental factors that need reviewing then the project would come to the Planning Commission. Commissioner Oglesby reported a concern regarding noise levels from the proposed skate park.

8. REPORTS FROM STAFF

Mr. Medina reminded the Commissioners of a Special Meeting to review Cannabis applications. Commissioner Oglesby asked for staff to keep the commission updated regarding the finalized time.

9. ADJOURNMENT

On motion by Commissioner La Mica, seconded by Commissioner Spalletta, the meeting was adjourned at 7: 25pm.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair

RESOLUTION NO. 17-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW AN ELECTRONIC MESSAGE BOARD SIGN AT 1620 BROADWAY AVENUE IN THE RS-12 ZONING DISTRICT.

WHEREAS, Greater Victory Temple Church of God in Christ, property owner, has applied for a Use Permit for:

- A. The placement of a freestanding electronic message board sign at the northwest corner of the site.

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 December 13, 2017; and

WHEREAS, the project is a Categorically Exempt, Class 11, Section 15311 meeting the following conditions:

- a) The proposed development will consist of a freestanding sign which will serve to provide an accessory use to the existing church facility.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-17-07:

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

Evidence: The property is located in the RS zone district. The placement of an electronic LED message board is permitted with the issuance of a Use Permit. It has been verified that the design and operation of the LED electronic message board sign will be in compliance with Section 17.40.070.A – Table 3-15 and Section 17.40.080.I of the Seaside Municipal Code.

In accordance with Section 17.40.080.I of the Seaside Municipal Code, the following standards apply to electronic message display signs:

- a. Signs shall be located on either an arterial roadway or collector street in a manner that the zoning administrator determines will not adversely interfere with the visibility or functioning of traffic signals or traffic signage, taking into consideration physical elements of the sign and surrounding area, such as information analyzing physical

obstruction issues, line of sight issues, brightness issues and visual obstruction or impairment issues.

Evidence: Broadway Avenue and Yosemite Street are classified as collector streets. The right-of-way on Broadway is 80 feet wide the right-of-way on Yosemite Street is 60 feet wide. Additionally, the intersection at Yosemite Street and Broadway Avenue is a controlled with a four-way stop sign. The location of the sign outside of the 15-foot by 15-foot line of site safety triangle combined with the width of the right-of-way and controlled stop sign will not result in any interference with traffic safety or the enjoyment of nearby residential uses.

- b. Signs must be 50 feet or more from the nearest residence on the same street as the sign.

Evidence: The sign will be located 102 feet from the nearest residential use at the northwest corner Broadway Avenue and Yosemite Street. Additionally, the sign is oriented in an east-west direction which will direct the LED screen away from this residence.

- c. Sign Area Measurement. An overall maximum of 40 square with a maximum LED screen of 24 square feet is allowed:

Evidence: The combined area of the panels is 35 square feet. The LED sign area will be total 19.3 square feet. Sign is in compliance with maximum sign areas.

- d. Animation. Animated messages shall be limited to fading and dissolving, with no other effect to give the appearance of movement.

Evidence: Sign conditions will require messages/images to fade or dissolve with no other movement.

- e. Audio. No sign shall include any audio message.

Evidence: Sign conditions will prohibit audio message and/or sounds

- f. Duration. Signs messages shall have a minimum hold time of 30 seconds.

Evidence: Sign conditions will require minimum hold time of 30 seconds.

- g. Timing. The sign will not illuminate from the message display area between 9:00 PM and 6:00 AM.

Evidence: Sign conditions will prohibit display of sign message on LED screen between 9:00 PM and 6:00 AM.

- h. Illumination. Electronic changeable message signs may be illuminated with continuous internal LED lighting. No sign shall be illuminated so that the primary source of the light is visible beyond the property line or in any way will cause excessive glare or brightness in excess of 0.3 foot candles.

Evidence: The Sign conditions will limit the maximum brightness to 0.3 foot candles. The zoning administrator reserves the right to require and/or complete a post-installation inspection of the sign illumination. If, as a result of this inspection, it is determined that the illumination is so bright as to adversely impact adjacent properties and uses, the zoning administrator may require shielding or a reduction and/or adjustment in the intensity of the sign illumination, so that it is in keeping with the general level of illumination of the surrounding properties. Such intensity restriction may vary by time of day and ambient light conditions. Illuminated signs located adjacent to any residential area shall be shielded to direct light downward and away from adjacent properties such that there is no spillover light and shall be controlled by a rheostat or functional equivalent to avoid excessive glare to residential properties.

- i. Light detector. No permit for such sign shall be issued unless the sign is installed with an automatic, or a scheduled dimming time by which the signs light intensity will reduce when ambient light conditions darken.

Evidence: Such dimming feature shall reduce the light intensity from the sign from dusk to dawn to a level that does not impair the visibility on any adjacent roadway, or be directed onto a residential property.

2. The proposed use is consistent with the General Plan and any applicable Specific Plan

Evidence: The proposed sign will consist of a high quality sign that will serve to serve as an allowed accessory use to a public meeting place in a manner that will be compatible with the design of the church building and surrounding residential neighborhood.

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

Evidence: Subject property is developed with an existing church with an open space area in front of the church to fully accommodate the proposed sign.

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

Evidence: The location of sign is located on a flat surface located outside of the 15-foot by 15-foot line of site safety triangle at a corner intersection

5. Subject to compliance with the Conditions of Approval, granting the use permit will 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 proposed project will comply with City's land use and urban design Goals and Policies.

BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-17-07 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by required conditions of approval, the sign shall be installed in accordance with the project plans stamped “Received by the City of Seaside December 4, 2017” and approved on December 13, 2017. Project plans are provided as Exhibit “A”.

Building Department/Fire Department:

1. The following codes are enforced by the Building Department and Fire Department:
 - 2016 California Building, Residential, Green, Plumbing, Mechanical, Electrical, and Fire Codes.
 - 2016 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 13th of December, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

Resolution No. 17-XX
USE PERMIT APPLICATION NO. UP-17-07

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

7'9"
Length

Greater Victory Temple
Church of God in Christ



2'
Height

WITH GOD
ALL THINGS ARE POSSIBLE

2'5"
Height

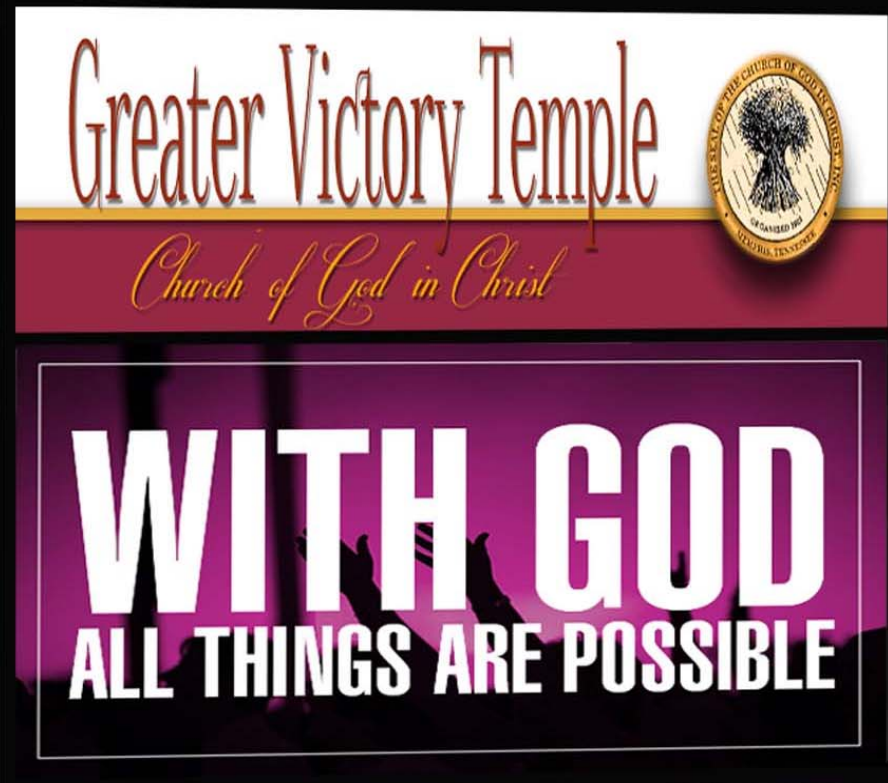
Sign Option

1'8"
Depth

7'9"
Length

2'
Height

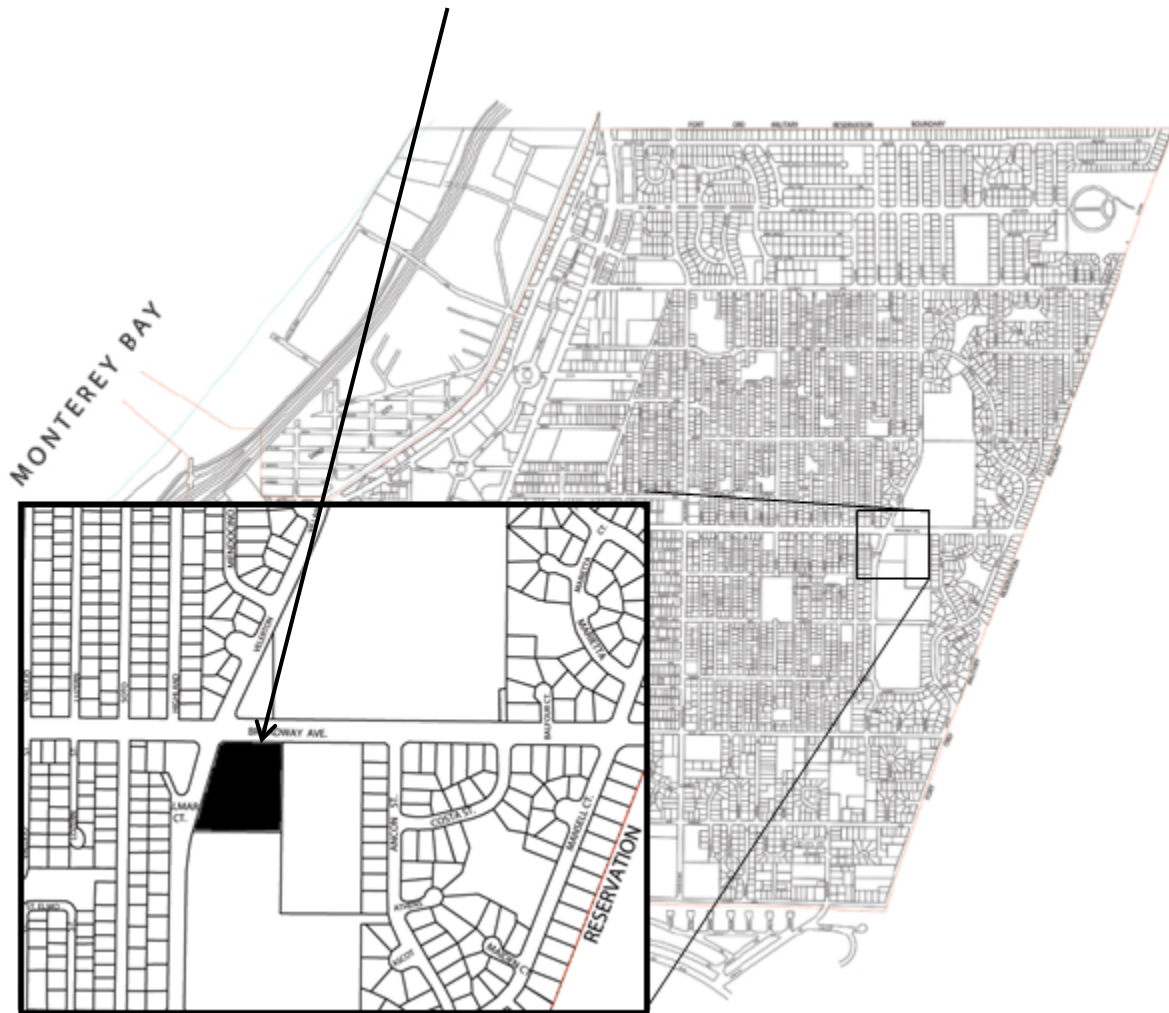
2'5"
Height



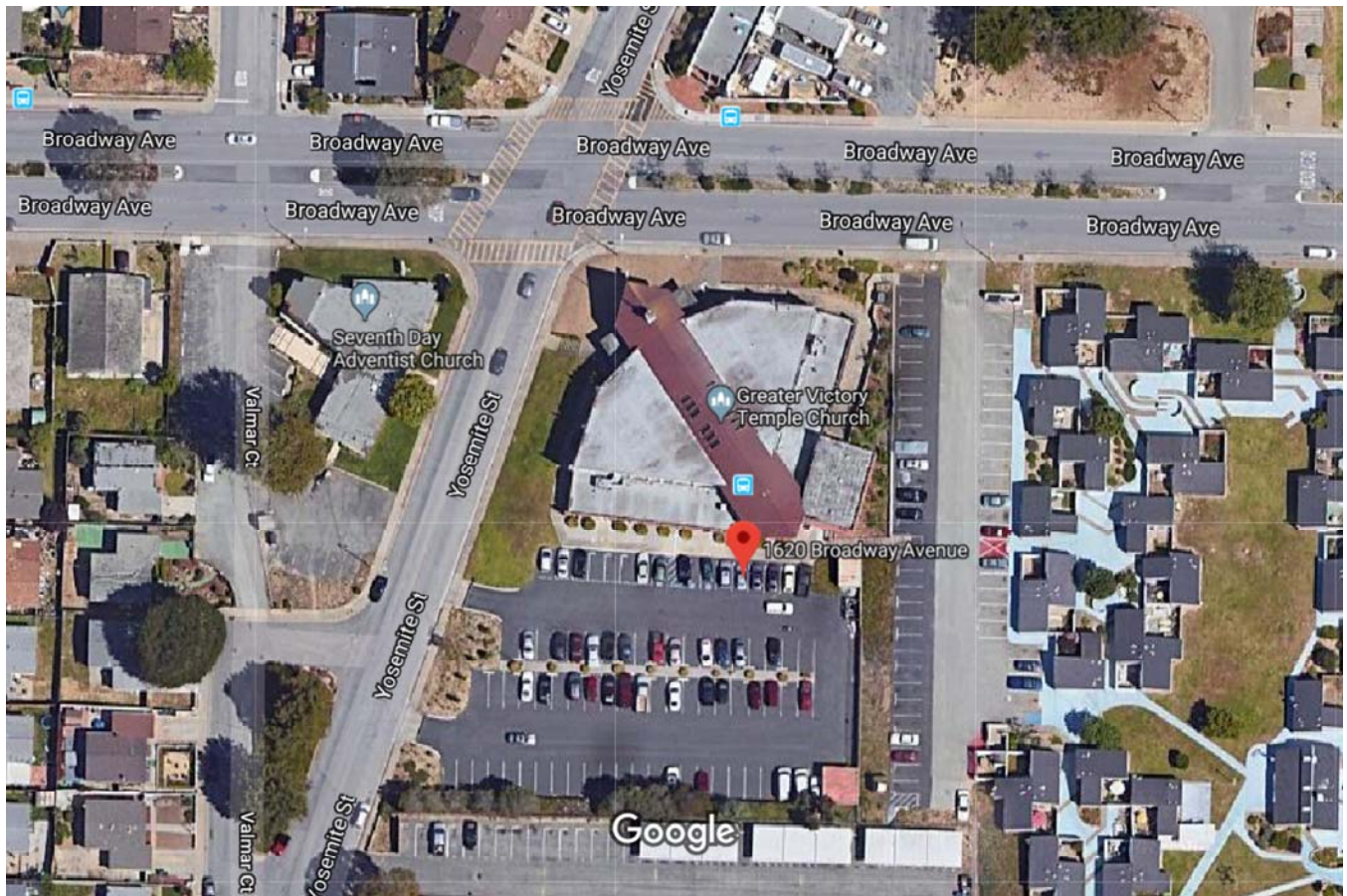
Sign Option

Location Map

Project Site: 1620 Broadway Avenue



Google Maps 1620 Broadway Ave



Imagery ©2017 AMBAG, DigitalGlobe, Map data ©2017 Google 50 ft



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.B.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: December 13, 2017

SUBJECT: ZONING CODE TEXT AMENDMENT: THE CITY OF SEASIDE PLANNING COMMISSION WILL HOLD A PUBLIC HEARING TO PROVIDE THE SEASIDE CITY COUNCIL WITH A RECOMMENDATION ON A PROPOSED EMERGENCY SHELTER ZONING TEXT AMENDMENT TO AMEND CHAPTER 17, ARTICLE 2, SECTION 17.14.030.B, TABLE 2-4 AND ARTICLE 4, SECTION 17.52.100 OF THE ZONING CODE TO ADD EMERGENCY SHELTERS AS A PERMITTED LAND USE IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT AND ON THE LANDS LOCATED WITHIN CENSUS TRACT 137.

PURPOSE

Planning Commission will consider a recommendation to the City Council regarding a text amendment to Chapter 17 of the Seaside Municipal Code to make modifications to Section 17.14.030.B – Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) to make Emergency Shelters permitted in the Community Commercial (CC) Zoning District, add Section 17.22.050 to establish Census Tract 137 as an Overlay Zone to allow for Emergency Shelters as a permitted use and amend Section 17.52.100 to add standards concerning Emergency Shelters which would be permitted as an allowed use in the Community Commercial Zoning District and Census Tract 137 Overlay District.

RECOMMENDATION

Adopt the Draft Resolution provided as Attachment 1 to the staff report recommending that the City Council adopt text amendments amending Section 17.14.030.B – Table 2-4 and Section 17.52.100 of the Seaside Municipal Code to allow for Emergency Shelters as a permitted use in the Community Commercial (CC) Zoning District and the lands within Census Tract 137 and to establish development standards for the operation of an Emergency Shelter that would not be subject to a discretionary permit.

BACKGROUND

Senate Bill 2 (SB 2), also known as the Housing Authority Act, became effective January 1, 2008, and codified in California Government Code Section 65583, obligates cities to establish a zoning district or overlay district that allows Emergency Shelters. An Emergency Shelter is defined as a facility for the temporary shelter and feeding of homeless persons operated by a public or nonprofit agency.

The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph, except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- (i) The maximum number of beds or persons permitted to be served nightly by the facility.
- (ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- (iii) The size and location of exterior and interior onsite waiting and client intake areas.
- (iv) The provision of onsite management.
- (v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
- (vi) The length of stay.
- (vii) Lighting.
- (viii) Security during hours that the emergency shelter is in operation.

The City is currently coordinating with Housing and Community Development on the 2014-2019 Housing Element Update, as required by State Law. In response to the Draft Housing Element, HCD has stated that they would approve the document subject to the City updating its Zoning Code to include provisions for an Emergency Shelter as a permitted use within a zone of sufficient capacity to accommodate the city's homeless housing needs. Specific requirements of the Housing Element are codified in Government Code §65580 through §65589.8. The Housing Element must include an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The Housing Element must identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and make adequate provision for the existing and projected needs of all economic segments of the community. The following policy has been included in the updated Housing Element:

Housing Opportunities for Special Needs Residents

Emergency Shelters: Define emergency shelters consistent with State law. Permit emergency shelters by right in the Mixed Use Low, Mixed Use High, and Residential High, and/or Employment areas via a non-discretionary administrative procedure. Establish development and performance standards for emergency shelters that will be equivalent to similar uses in the same zone.

The areas currently designated as Community Commercial would be designated as Mixed Use Low and

High in the updated General Plan. Census Tract 137 would include a mixture of Mixed Use Low and High, Neighborhood High, and Neighborhood General. The range of densities within the Neighborhood High and Neighborhood General would be consistent with a shelter use. Furthermore, Census Tract 137 is an area of the City that can provide a transition between the cities commercial, higher density core and its single family residential neighborhoods. The CC zone is located on the Fremont Boulevard. A map showing the location of Census Tract 137 is provided as 2.

PROPOSED CHANGES

The proposed refinements to support Emergency Shelters as a permitted use in the Community Commercial Zoning District and Census Tract 137 are outlined below to ensure compliance with SB 2. The proposed changes are denoted by ~~strike through type~~ for language that is deleted and underline type for new language.

Table 2-4 Uses Allowed Uses and Permit Requirements for Commercial Uses

*** Change made to include Emergency Shelters as Permitted (P) in CC Zone**

TABLE 2-4 (continued) Allowed Land Uses and Permit Requirements for Commercial Zones	P	Permitted Use, Zoning Clearance required					
	MUP	Minor Use Permit required (see Section 17.52.070)					
	UP	Use Permit required (see Section 17.52.070)					
	S	See cited Section for permit requirement					
	—	Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	CD	CMX	CC	CRG	CA	CH	

RESIDENTIAL

Emergency/transitional shelter	—	UP	P	—	—	—	17.42.090
Home occupation	P	P	P	P	—	—	17.42.110
Mixed use project residential component	MUP(2)	MUP(2)	UP(2)	UP(2)	—	—	17.42.120
Residential care facility, 7 or more clients	—	—	UP	—	—	—	
<u>Live Work</u>		<u>UP</u>	<u>UP</u>	---	---	<u>UP</u>	

CHAPTER 17.22 – OVERLAY ZONES

*** Add new language listed below:**

17.22.050 – EMERGENCY SHELTER OVERLAY

- A. Purpose. This Section provides zoning designation where an emergency shelter can be permitted without a discretionary permit.
- B. Applicability. The Emergency Shelter overlay is applied to areas of Census tract 137.
- C. Development standards. Proposed development standards for an Emergency Shelter that is permitted within the Emergency Shelter Overlay Zone is listed under Section 17.52.100.D

CHAPTER 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 with a Use Permit in the RS-8 and RS-12 zones.
2. **Category 2 shelter.** A shelter for single men and single women may be approved with a Use Permit in the RM zone.
3. **Category 3 Shelter.** An emergency shelter shall be a permitted use in the community commercial zone and Census Tract 137.
4. **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 for Category 1 and Category 2 Shelters

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.
4. Residents shall not be required to participate in any religious or philosophical ritual, service, meetings, or rites as a condition of eligibility for being housed in a shelter.
5. The exteriors of the shelter shall be upgraded, fenced and landscaped, and maintained as required by the Commission.
6. No more than 16 persons shall be allowed at any shelter location, including the on-site manager.
7. Single women may be housed in a shelter for single women with children.
8. Each shelter shall comply with Title 24 of the State Code, all state building regulations, the Uniform Building Code and all related codes (per pages IV, V, and VI of the UBC), and the

Uniform Housing Code.

E. Emergency shelters permitted by right for homeless in the CC Zone and Census Tract 137.

Any application for an emergency shelter facility located in the Census Tract 137, that meets the following performance, development, design and managerial standards shall not require a discretionary permit, per Section 65583(a)(4) of the California Government Code:

1. Emergency shelters shall obtain and maintain in good standing all required licenses, permits and approvals from City, County, State and Federal agencies or departments and demonstrate compliance with all applicable building and fire codes.
2. The emergency shelter shall conform to all property development standards of the zoning district in which it is located, except as modified by these performance standards.
3. The length of stay of an individual client shall not exceed six (6) months within a twelve (12) month period.
4. The maximum number of beds for emergency shelters shall be fifty (50) unless a major conditional use permit approved to permit additional beds.
5. External lighting shall be provided for security purposes. The lighting shall be stationary and directed away from adjacent properties and the public right-of way.
6. No more than one emergency shelter shall be permitted within a radius of 300 feet from another such shelter when measured from the closest property lines. An exception to this separation requirement may be granted if significant physical features act as barriers from said sensitive uses, such as a freeway or railroad right-of-way.
7. Parking facilities shall be designed to provide one space per staff member. A secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need, but no less than a minimum of four (4) bicycle spaces.
8. A client waiting and intake area shall be provided as interior space and contain a minimum of ten (10) square feet per bed provided at the facility, and a minimum size of 100 square feet of floor area.
9. Outdoor charitable food distribution shall be conducted entirely on private property in a covered area, during times that are approved by the City, and shall not block accessible pathways.
10. No signs are present on the property relating to its use as a shelter for the homeless.
11. Donation/collection bins and areas shall be screened from public view and shall be open to the public between the hours of 9:00 a.m. to 6:00 p.m. A sign stating hours of operation shall be placed in a clear, visible location and shall be no larger than 15 square feet.

12. Adequate storage for personal belongings shall be provided.
13. The city may inspect the facilities during business hours for compliance with the management plan and any other applicable regulations and standards.
14. A minimum of one-staff person or agent shall be on-duty and awake when the facility is in operation.
15. Management Plan: The applicant or operator shall submit a management and operation plan for the Emergency Shelter review and approval by the Planning Manager prior to approval of a business license. The Plan shall include, but not be limited to, the following: security, staff training, neighborhood relations, pet policy, client intake process, list of services provided, facility maintenance, refuse control, amenities, such as hours of operation, cooking/dining facilities, laundry facilities and activity policies, anti-discrimination policies.

The plan may be reviewed as needed by the City with revisions made by the operator.

F. Findings required for approval. Use Permit approval for a Category 1 and Category 2 shall require that the Commission first make the following findings, in addition to those required for Use Permits by Section 17.62.070:

1. Adequate parking is available for the type of shelter proposed;
2. The project will have no adverse impact on the surrounding neighborhood;
3. There is not an overconcentration of shelters for the homeless in the surrounding areas in that neighborhood and in the City; and
4. The proposed homeless shelter is consistent with the Housing Element of the General Plan.

G. Conditions of approval. The approval of a Use Permit for a Category 1 and Category 2 temporary emergency shelter for the homeless shall include the following conditions of approval, in addition to any other conditions deemed necessary by the Commission based on the specific proposal.

1. All plans for modifications to existing structures or proposed additions shall be submitted to the Building Official, the Fire Marshal, and the Health Officer for review and approval.
2. The applicant shall meet with the Crime Prevention Officer for recommendations regarding the safety of the tenants.
3. The applicant shall comply with all applicable federal, state, and county regulations relating to the operation of the shelter.

4. The maximum number of persons allowed in the existing shelter, following any modifications or additions, shall be established by the Building Official and the Fire Marshal. The maximum occupancy of a single person or dormitory facility shall be based on a minimum 100 square feet of superficial floor area per person.
5. The applicant shall file with the Director, for review and approval, a list of house rules relating to the operation of the shelter.
6. The Use Permit is subject to continuing jurisdiction of the Commission and subject to review in six months and as determined thereafter.

H. Inspections and monitoring.

1. **Inspections.** Prior to opening, the facility shall be inspected by the following persons or their representatives:
 2. Health Officer;
 3. Building Official;
 4. Fire Marshal; and
 5. Crime Prevention Officer.
6. **Monitoring.** The Commission shall review the operation of the shelter and its compliance with the Use Permit at the end of the first six months of operation and as determined thereafter, and upon receipt of continuing complaints from the neighborhood where the facility is located.

I. Facility additions. Except for shelters that do not require a discretionary permit, Board of Architectural Review approval is required for any proposed addition to a shelter, subject to Section 17.62.030 (Architectural Review).

ENVIRONMENTAL REVIEW

The proposal is exempt from environmental review under State California Environmental Guidelines Section 15061(b)(3), the “General Rule”, because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

RECOMMENDED ACTIONS

1. Open the public hearing and take testimony on the proposed Resolution regarding amendments to the Zoning Code.
2. Close the public hearing and consider the Staff Report and proposed Resolution.
3. Adopt and recommend that the City Council adopt said amendments as an Ordinance.

FISCAL IMPACT

There is no impact to the general fund regarding this item at this time.

ATTACHMENTS

- 1.
 1. Attachment 1 - Draft Resolution
 2. Attachment 2 - Census Tract 137 Boundaries
-

**PLANNING COMMISSION
RESOLUTION NO. 17-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, INITIATING AN AMENDMENT TO THE ZONING CODE BY AMENDING TITLE 17 OF SEASIDE MUNICIPAL CODE CONCERNING STANDARDS FOR EMERGENCY SHELTERS AND MAKING MODIFICATIONS TO TABLE 2-4 IN SECTION 17.14.030.B (USES PERMITTED); AND RECOMMENDING ADOPTION BY THE CITY COUNCIL

WHEREAS, California Senate Bill SB 2 (SB 2), effective January 1, 2008, and codified to California Government Code Section 65583 obligates cities to establish a zoning district that allows Emergency Shelters as a land use which does not require a use permit or other discretionary approval, and allows for the opportunity to create written standards for the development and operation of Emergency Shelters; and

WHEREAS, City staff recommends certain amendments to the Zoning Code regarding Emergency Shelters which will bring the City of Seaside regulations into compliance with SB 2; and

WHEREAS, the City's General Plan Housing Element Program 8 calls for amending the Zoning Code to be in compliance with SB 2; and

WHEREAS, A State approved housing Element is required for eligibility of certain grants; and

WHEREAS, 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 in relation to the proposed Fence Exception; and

WHEREAS, the Planning Commission considered written information concerning the proposed exception at a duly noticed public hearing held on December 13, 2017; and

WHEREAS, the proposal is exempt from environmental review under State California Environmental Guidelines Section 15061(b)(3), the "General Rule", because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for the approval of the Text Amendments:

1. That the proposed amendment is consistent with the General Plan

Evidence: The proposed amendments to the Zoning Code to add new standards pertaining to Emergency Shelters and modifications to Table 2-4 in Section 17.14.030.B would be consistent with following Housing Program:

Program 8: Permit Emergency Shelters by right in the Community Commercial (CC) zone via a non-discretionary administrative permit procedure. Establish development and performance standards for emergency shelters that will be equivalent to similar uses in the same zone.

2. The proposed amendment is necessary for public health, safety, and general welfare or will be of benefit to the public.

Evidence: The proposed amendment to the Zoning Code that adds standards for the Emergency Shelters ensures that operating characteristics of any Emergency Shelter do not adversely impact public health, safety, and general welfare of the community in which a shelter is located.

3. That the proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act.

Evidence: The proposal is exempt from environmental review under State California Environmental Guidelines Section 15061(b)(3), the “General Rule”, because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the Planning Commission hereby recommends to the City Council that the following text amendments be adopted:

PROPOSED CHANGES

The proposed refinements to support Emergency Shelters as a permitted use in the Community Commercial Zoning District and Census Tract 137 are outlined below to ensure compliance with SB 2. The proposed changes are denoted by ~~striketrough type~~ for language that is deleted and underline type for new language.

1. **Table 2-4 Uses Allowed Uses and Permit Requirements for Commercial Uses**
*** Change made to include Emergency Shelters as Permitted (P) in CC Zone**

TABLE 2-4 <i>(continued)</i> Allowed Land Uses and Permit Requirements for Commercial Zones	P	Permitted Use, Zoning Clearance required					
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	UP	Use Permit required (see Section 17.52.070)					
	S	See cited Section for permit requirement					
	—	Use not allowed					
	PERMIT REQUIRED BY ZONE						Specific Use Regulations
LAND USE (1)	CD	CMX	CC	CRG	CA	CH	

RESIDENTIAL

Emergency/transitional shelter	—	UP	P	—	—	—	17.42.090
Home occupation	P	P	P	P	—	—	17.42.110
Mixed use project residential component	MUP(2)	MUP(2)	UP(2)	UP(2)	—	—	17.42.120
Residential care facility, 7 or more clients	—	—	UP	—	—	—	

Live Work		UP	UP	---	---	UP
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2. CHAPTER 17.22 – OVERLAY ZONES

* Add new language listed below:

17.22.050 – EMERGENCY SHELTER OVERLAY

- A. Purpose. This Section provides zoning designation where an emergency shelter can be permitted without a discretionary permit.
- B. Applicability. The Emergency Shelter overlay is applied to areas of Census tract 137.
- C. Development standards. Proposed development standards for an Emergency Shelter that is permitted within the Emergency Shelter Overlay Zone is listed under Section 17.52.100.D

3. CHAPTER 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 with a Use Permit in the RS-8 and RS-12 zones.
 - 2. **Category 2 shelter.** A shelter for single men and single women may be approved with a Use Permit in the RM zone.
 - 3. **Category 3 Shelter.** An emergency shelter shall be a permitted use in the community commercial zone and Census Track 137.
 - 4. **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 for Category 1 and Category 2 Shelters

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.
4. Residents shall not be required to participate in any religious or philosophical ritual, service, meetings, or rites as a condition of eligibility for being housed in a shelter.
5. The exteriors of the shelter shall be upgraded, fenced and landscaped, and maintained as required by the Commission.
6. No more than 16 persons shall be allowed at any shelter location, including the on-site manager.
7. Single women may be housed in a shelter for single women with children.
8. Each shelter shall comply with Title 24 of the State Code, all state building regulations, the Uniform Building Code and all related codes (per pages IV, V, and VI of the UBC), and the Uniform Housing Code.

E. Emergency shelters permitted by right for homeless in the CC Zone and Census Track 137.

Any application for an emergency shelter facility located in the Census Track 137, that meets the following performance, development, design and managerial standards shall not require a discretionary permit, per Section 65583(a)(4) of the California Government Code:

- a. Emergency shelters shall obtain and maintain in good standing all required licenses, permits and approvals from City, County, State and Federal agencies or departments and demonstrate compliance with all applicable building and fire codes.
- b. The emergency shelter shall conform to all property development standards of the zoning district in which it is located, except as modified by these performance standards.
- c. The length of stay of an individual client shall not exceed six (6) months within a twelve (12) month period.
- d. The maximum number of beds for emergency shelters shall be fifty (50) unless a major conditional use permit approved to permit additional beds.
- e. External lighting shall be provided for security purposes. The lighting shall be stationary and directed away from adjacent properties and the public right-of way.

- f. No more than one emergency shelter shall be permitted within a radius of 300 feet from another such shelter when measured from the closest property lines. An exception to this separation requirement may be granted if significant physical features act as barriers from said sensitive uses, such as a freeway, railroad right-of-way.
- g. Parking facilities shall be designed to provide one space per staff member. A secured area for bicycle parking shall be provided for use by staff and client, commensurate with demonstrated need, but no less than a minimum of four (4) bicycle spaces.
- h. A client waiting and intake area shall be provided as interior space and contain a minimum of ten (10) square feet per bed provided at the facility, and a minimum size of 100 square feet of floor area.
- i. Outdoor charitable food distribution shall be conducted entirely on private property in a covered area, during times that are approved by the City, and shall not block accessible pathways.
- j. No signs are present on the property relating to its use as a shelter for the homeless.
- k. Donation/collection bins and areas shall be screened from public view and shall be open to the public between the hours of 9:00 a.m. to 6:00 p.m. A sign stating hours of operation shall be placed in a clear, visible location and shall be no larger than 15 square feet.
- l. Adequate storage for personal belongings shall be provided.
- m. The city may inspect the facilities during business hours for compliance with the management plan and any other applicable regulations and standards.
- n. A minimum of one-staff person or agent shall be on-duty and awake when the facility is in operation.
- o. Management Plan: The applicant or operator shall submit a management and operation plan for the Emergency Shelter review and approval by the Planning Manager prior to approval of a business license. The Plan shall include, but not be limited to, the following:
 - 1. Security
 - 2. Staff training
 - 3. Neighborhood relations
 - 4. Pet Policy
 - 5. Client intake process
 - 6. List of services provided
 - 7. Facility maintenance
 - 8. Refuse control
 - 9. Amenities, such as hours of operation, cooking/dining facilities, laundry facilities and activity policies.
 - 10. Anti-discrimination policies

The plan may be reviewed as needed by the City with revisions made by the operator.

F. Findings required for approval. Use Permit approval for a Category 1 and Category 2 shall require that the Commission first make the following findings, in addition to those required for Use Permits by Section 17.62.070:

1. Adequate parking is available for the type of shelter proposed;
2. The project will have no adverse impact on the surrounding neighborhood;
3. There is not an overconcentration of shelters for the homeless in the surrounding areas in that neighborhood and in the City; and
4. The proposed homeless shelter is consistent with the Housing Element of the General Plan.

G. Conditions of approval. The approval of a Use Permit for a Category 1 and Category 2 temporary emergency shelter for the homeless shall include the following conditions of approval, in addition to any other conditions deemed necessary by the Commission based on the specific proposal.

1. All plans for modifications to existing structures or proposed additions shall be submitted to the Building Official, the Fire Marshal, and the Health Officer for review and approval.
2. The applicant shall meet with the Crime Prevention Officer for recommendations regarding the safety of the tenants.
3. The applicant shall comply with all applicable federal, state, and county regulations relating to the operation of the shelter.
4. The maximum number of persons allowed in the existing shelter, following any modifications or additions, shall be established by the Building Official and the Fire Marshal. The maximum occupancy of a single person or dormitory facility shall be based on a minimum 100 square feet of superficial floor area per person.
5. The applicant shall file with the Director, for review and approval, a list of house rules relating to the operation of the shelter.
6. The Use Permit is subject to continuing jurisdiction of the Commission and subject to review in six months and as determined thereafter.

H. Inspections and monitoring.

1. **Inspections.** Prior to opening, the facility shall be inspected by the following persons or their representatives:
 - a. Health Officer;

- b. Building Official;
- c. Fire Marshal; and
- d. Crime Prevention Officer.

2. **Monitoring.** The Commission shall review the operation of the shelter and its compliance with the Use Permit at the end of the first six months of operation and as determined thereafter, and upon receipt of continuing complaints from the neighborhood where the facility is located.

I. **Facility additions.** Except for shelters that do not require a discretionary permit, Board of Architectural Review approval is required for any proposed addition to a shelter, subject to Section 17.62.030 (Architectural Review).

ADOPTED AND APPROVED by the Planning Commission at a regular meeting.

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

Census Tract 137

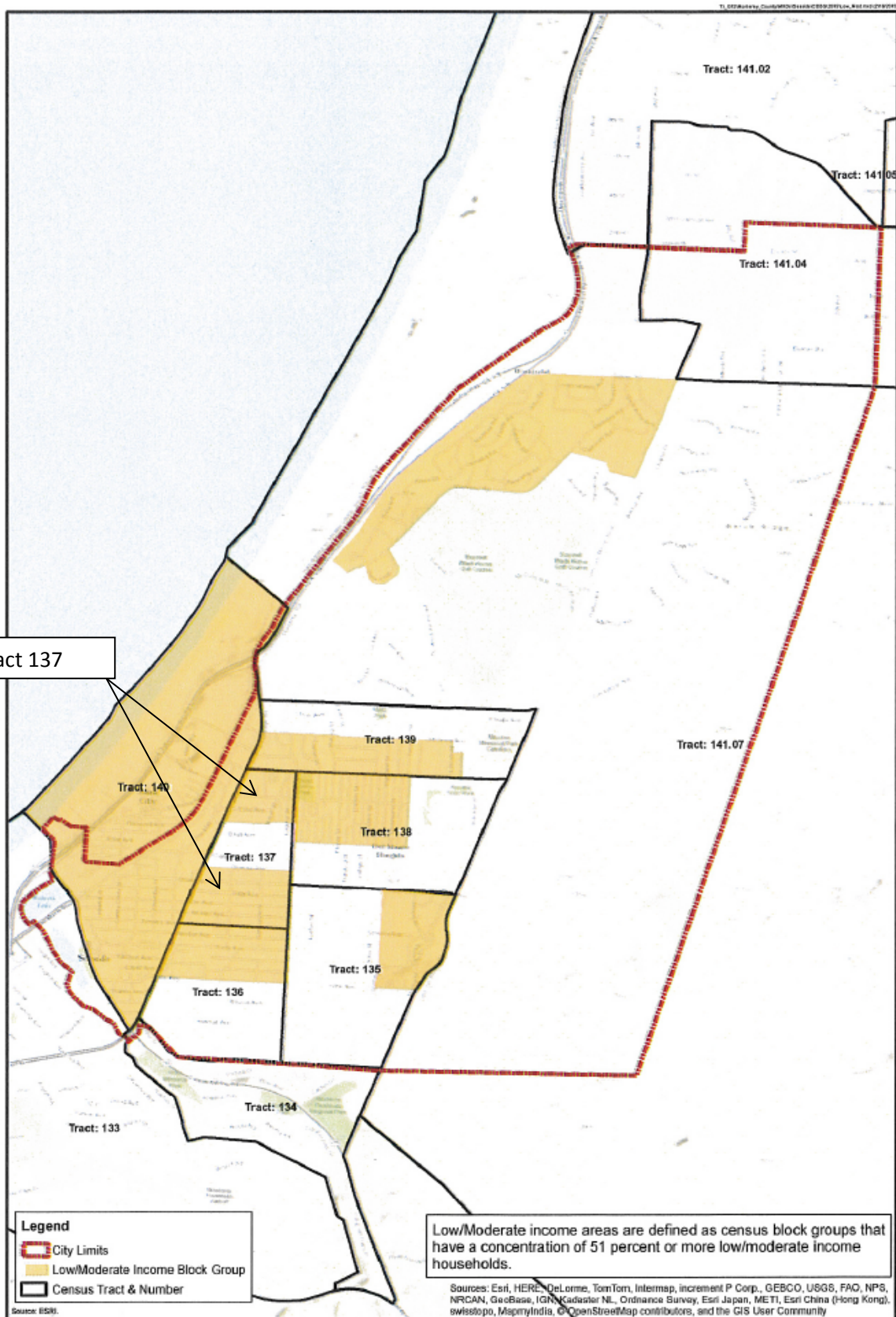


Figure 6
Areas of Low and Moderate Income Concentration