



AGENDA
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, December 19, 2019
7:00 PM

1. CALL TO ORDER

2. ROLL CALL – ESTABLISHMENT OF QUORUM

Ian N. Oglesby	Mayor
David R. Pacheco	Mayor Pro Tem
Jason Campbell	Council Member
Jon Wizard	Council Member
Alissa Kispersky	Council Member

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

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

5. PUBLIC 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.

6. PUBLIC AGENCY COMMUNICATIONS

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

7. PRESENTATIONS

A. PROCLAMATION HONORING CITY ATTORNEY FREEMAN

8. CONSENT AGENDA

A. APPROVE MINUTES FROM NOVEMBER 21, 2019 AND DECEMBER 5, 2019

RECOMMENDATION: That the minutes be reviewed and approved.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of November 23, 2019 through December 6, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending November 29, 2019. Total Accounts Payable and Payroll for the above referenced period is \$1,525,054.37.

D. APPROVE A FEE WAIVER FROM MONTEREY COUNTY SOCCER CLUB FOR THE USE OF LLOYD GARNETT FIELD AT CUTINO PARK

RECOMMENDATION: Approve a request from the Monterey County Soccer Club for a Fee Waiver of One Thousand, Seven Hundred, Twenty-Three Dollars and Twenty-Nine Cents (\$1,723.29) for the costs associated with the use of Cutino Field from February 2020 to July 2020 and require the Organization to provide insurance coverage.

C. APPROVE A FEE WAIVER FROM HINDU TEMPLE OF MONTEREY PENINSULA FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR DIWALI CELEBRATION NIGHT EVENT ON NOVEMBER 07, 2020

RECOMMENDATION: Approve the fee waiver request from the Hindu Temple of Monterey Peninsula for the use of Laguna Grande Hall and kitchen to hold their Diwali Celebration Night in the amount of \$1,207.25 (One Thousand, Two Hundred Seven Dollars and Twenty-Five cents), the Organization to provide the City with the non-refundable portion of the deposit of \$147.81 and purchase the City's insurance of \$113.00.

E. APPROVE A FEE WAIVER FROM WAYNE GARNETT FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR CELEBRATION OF LIFE FOR KELVIN GARNETT ON DECEMBER 21, 2019

RECOMMENDATION: Approve the fee waiver request from Wayne Garnett for the use of Laguna Grande Hall and kitchen to hold their celebration of life for Kelvin Garnett in the amount of \$716.46 (Seven Hundred, Sixteen Dollars and Forty-Six Cents), the family to provide the City with a non-refundable portion of the deposit of \$147.81.

F. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM ORCHESTRA IN THE SCHOOLS

RECOMMENDATION: Approve a request from Orchestra in the Schools for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs of tuition aid to all participating students in the program.

G. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM INTERNATIONAL SCHOOL OF MONTEREY

RECOMMENDATION: Approve a request from International School of Monterey for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs to further develop their environmental education program.

H. APPROVE REALLOCATING 0.285 AF WATER FROM SMALL COMMERCIAL FUND TO RESERVE FUND, AND APPROVING WAC-19-26: MONTEREY COUNTY, PROPERTY OWNER, AND COMMUNITY HUMAN SERVICES, APPLICANT, 0.285 AF OF WATER FROM RESERVE FOR THE SHELTER AT 1292 OLYMPIA AVENUE LOCATED IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT. THE PROJECT IS EXEMPT CLASS 1, SECTION 15301.A FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.

RECOMMENDATION: Approve reallocating 0.285 AF of water from Small Commercial fund to Reserve fund, and approving WAC-19-26: Monterey County, property owner, and Community Human Services, applicant, 0.285 AF of water from Reserve fund for the shelter at 1292 Olympia Avenue, located in the commercial mixed-use (CMX) zoning district. The project is exempt Class 1, Section 15301.A from the California Environmental Quality Act (CEQA) guidelines.

I. APPROVE THE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS FOR PARKING DESIGNATION ON THERESA STREET

RECOMMENDATION: Approve the Traffic Advisory Committee recommendation to provide a No Parking designation behind the driveway access to 640 Lopez Avenue.

J. APPROVE A RESOLUTION APPROVING MAYORAL RECOMMENDATIONS FOR MAYOR PRO TEMPORE AND ANNUAL APPOINTMENTS TO OUTSIDE COMMITTEE ASSIGNMENTS FOR JANUARY 1, 2020 TO DECEMBER 31, 2020.

RECOMMENDATION: Adopt a resolution confirming the Mayor's appointments of Mayor Pro Tempore and member appointments to represent the City of Seaside on outside boards and committees for the year 2020.

K. ADOPT A RESOLUTION UPDATING THE LISTING OF BENEFITS FOR DEPARTMENT DIRECTORS

RECOMMENDATION: Approve the updated listing of benefits for the Executive Management team.

L. ADOPT A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH PRECISION CONCRETE CUTTING FOR A COST NOT TO EXCEED \$66,000 FOR SIDEWALK MAINTENANCE AND REPAIR SERVICES

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute the contract for a cost not to exceed \$66,000.

M. ADOPT RESOLUTION CANCELLING JANUARY 2, 2020 MEETING.

RECOMMENDATION: Adopt a resolution cancelling the meeting as it is the day after a Federal Holiday.

9. PUBLIC HEARING

A. INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE TITLE 13, CHAPTER 10.080 MUNICIPAL WATER SYSTEM – PERMITS TO CONNECT, PARAGRAPH G, AND TITLE 13, SECTION 12 CROSS CONNECTION CONTROL PROGRAM (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION: Introduce and pass to print the draft ordinance.

B. ADOPTION OF RESOLUTIONS AMENDING THE 2004 SEASIDE GENERAL PLAN TO INCORPORATE THE 5TH CYCLE (2015-2023) DRAFT HOUSING ELEMENT TO THE GENERAL PLAN AND APPROVING CORRESPONDING NEGATIVE DECLARATION.

RECOMMENDATION: Receive public testimony on the proposed 5th Cycle 2015-2023 Housing Element Update and adopt a resolution approving a General Plan Amendment for the 5th Cycle 2015-2023 Housing Element Update and resolution approving a Negative Declaration for compliance with the California Environmental Quality Act (CEQA).

C. ADOPTION OF AN EXTENSION OF URGENCY ORDINANCE 1069 ADOPTING JUST CAUSE EVICTION PROTECTIONS AND RENTAL RATE LIMITS EFFECTIVE IMMEDIATELY UNTIL DECEMBER 31, 2019

RECOMMENDATION: Adopt the Ordinance as presented.

D. APPEAL OF USE PERMIT NO. UP-15-04: THE CITY COUNCIL WILL CONSIDER AN APPEAL RELATED TO A USE PERMIT APPLICATION SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON WIRELESS FOR A WIRELESS FACILITY AT 1460 HILBY AVENUE, THE RS-8 ZONING DISTRICT

RECOMMENDATION: Consider an appeal from the Planning Commission's denial of Use Permit Application No. UP-15-04 and adopt a resolution approving Use Permit Application No. UP-15-04.

E. APPEAL OF MASTER USE PERMIT NO. UP-16-07: RESOLUTION GRANTING APPEAL AND DENYING MASTER USE PERMIT NO. UP-16-07 RELATED TO A MASTER USE PERMIT APPLICATION SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON WIRELESS FOR THE INSTALLATION OF FOUR SMALL CELL WIRELESS FACILITIES ON UTILITY POLES NEAR THE FOLLOWING LOCATIONS: (1) 1101 BUENA STREET; (2) 1108 SAN LUCAS STREET; (3) 1431 WARING STREET; and (4) 1268 YOSEMITE STREET.

RECOMMENDATION: Adopt A Resolution for the approval of an appeal which would serve to overturn the Planning Commission approval of Use Permit Application No. UP-16-07 and deny the proposed small cell wireless network facility.

10. BUSINESS ITEMS

A. CONSIDER A FEE WAIVER AND CO-SPONSORSHIP REQUEST FROM THE LULAC COUNCIL #2895 FOR COSTS ASSOCIATED WITH THEIR SEASIDE 10K RUN

RECOMMENDATION: Consider a request from the LULAC Council #2895 for Co-Sponsorship and a waiver of fees and costs associated with their 2020 Seaside 10K Run on March 14, 2020 in the amount of Fifty-Nine Thousand, Nine Hundred and Thirty-Seven Dollars. (\$59,937.00).

11. COUNCIL MEMBER REQUESTS

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

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

13. ADJOURNMENT

Next Regularly Scheduled Meeting:
January 2, 2019
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, 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. Live streamed meeting videos as well as videos of past meetings are available on the City's website at: <http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

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



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
Thursday, November 21, 2019
7:00 PM

1. CALL TO ORDER

The meeting was called to order at 7:31 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
ABSENT: NONE

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Pastor Ronald Britt // Pledge of Allegiance led by Councilmember Campbell

4. REVIEW OF AGENDA

The following items will be continued to a future meeting: items 7A and 9D

5. PUBLIC COMMENT

PUBLIC COMMENT SPEAKERS: Peter Kaiser, Rob O'Keefe, Rev. Kenneth Murray, Rev. Harold Lusk

6. PUBLIC AGENCY COMMUNICATIONS

Alvin Edwards - Monterey Peninsula Water Management District Division 1 (Seaside) - Thanked the Council for their attendance to the special meeting on the feasibility study. Announced December 12 - Pure Water Monterey SER public outreach at the Oldemeyer at 5:30 p.m.

George Riley - Monterey Peninsula Water Management District - Congratulated the City on their sustainability efforts. PUC is planning a December 9 public hearing on their rate increase at Seaside City Hall - Council Chamber.

7. PRESENTATIONS

A. PRESENTATION OF THE NOVEMBER 2019 HOUSE OF THE MONTH

This item was continued to a future meeting.

B. PRESENTATION HONORING PUBLIC WORKS SUPERINTENDENT DAVID FORTUNE FOR 30 YEARS OF SERVICE WITH THE CITY OF SEASIDE

City Engineer/Public Works Director presented a certificate of appreciation to Public Works Superintendent David Fortune.

C. PRESENTATION OF RETIREMENT RECOGNIZING CITY ENGINEER/PUBLIC WORKS DIRECTOR RICK RIEDL FOR 12 YEARS OF SERVICE TO THE CITY OF SEASIDE

Mayor Oglesby presented City Engineer/Public Works Director Rick Riedl with a plaque for his 12 years of service and congratulated him on his retirement.

D. PRESENTATION FROM BE SMART GUN SAFETY

Susan Mister provided a presentation about the Be SMART gun safety program and responded to questions and comments from the Council.

E. RECEIVE PRESENTATION FROM THE TRANSPORTATION AGENCY OF MONTEREY COUNTY ON THE FORT ORD RECREATION TRAIL AND GREENWAY (FORTAG) ENVIRONMENTAL IMPACT DRAFT REPORT AND PUBLIC COMMENT PERIOD

Stefania Castillo provided a presentation on behalf of the Transportation Agency of Monterey County and responded to questions and comments from the Council.

8. CONSENT AGENDA

The following Consent Agenda items were pulled:

Councilmember Wizard - 8K - acknowledged and thanked the Community Development staff for their hard work and effort to obtain the SB2 grant. No public comments.

On motion by Councilmember Wizard and second by Councilmember Kispersky and carried by a unanimous vote, the Council moved to approve item 8K as presented.

Action: Approved

Councilmember Wizard - 8L - City Engineer/Public Works Director Rick Riedl responded to questions from the council. No public comments.

On motion by Councilmember Wizard and second by Councilmember Kispersky and carried by a unanimous vote, the Council moved to approve item 8L as presented.

Action: Approved

Mayor Pro Tem Pacheco - 8G - asked that Pony Baseball provide a game schedule to keep the Council and public informed. Recreation Director Dan Meewis provided a presentation and responded to questions from the Council.

PUBLIC COMMENT SPEAKERS: Ray Bearden, Bobby Maxwell, Carissa Montes-Alouva, Otis Stevenson

On motion by Councilmember Pacheco and second by Councilmember Kispersky

and carried by a unanimous vote, the Council moved to approve item 8G as presented.

Action: Approved

On motion by Councilmember Wizard and second by Councilmember Pacheco and carried by a unanimous vote, the Council moved to approve the consent agenda items as presented (items 8G, 8K, and 8L were considered separately).

Action: Approved

A. APPROVE MINUTES FROM NOVEMBER 7, 2019

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. ACCEPT AND FILE THE CASH AND INVESTMENT REPORT FOR THE CITY OF SEASIDE AND THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE FOR THE 5 QUARTERS ENDING SEPTEMBER 30, 2018 THRU SEPTEMBER 30, 2019

Action: Accepted

D. APPROVE A FEE WAIVER FROM MONTEREY CONDORS CLUB FOR THE USE OF CUTINO FIELD

Action: Approved

E. REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER REQUEST FROM NARCOTICS ANONYMOUS FOR THE USE OF LAGUNA GRANDE HALL FOR THEIR ANNUAL TALENT SHOW EVENT

Action: Approved

F. REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER FOR 2020 HOT CARS COOL NITES CAR SHOWS

Action: Approved

G. CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITY USE AGREEMENT WITH SEASIDE PONY BASEBALL AND SOFTBALL FOR THE 2020 SEASON AND AUTHORIZE WAIVING \$75,091.75 IN FEES.

Action: Approved

**H. APPROVE THE TRAFFIC ADVISORY (TAC) COMMITTEE
RECOMMENDATIONS FOR PARKING DESIGNATIONS**

Action: Approved

**I. ADOPT RESOLUTION APPROVING THE ANNUAL PROGRAM
COMPLIANCE REPORT IN SUPPORT OF PROJECTS FUNDED BY
MEASURE X AND AUTHORIZING STAFF TO SUBMIT REPORT TO THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY**

Action: Approved

**J. APPROVE AMENDMENT #1 TO MEASURE X MASTER PROGRAMS
FUNDING AGREEMENT BETWEEN THE TRANSPORTATION AGENCY FOR
MONTEREY COUNTY AND THE CITY OF SEASIDE**

Action: Approved

**K. APPROVE A RESOLUTION AUTHORIZING THE CITY TO APPLY TO THE
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT (HCD) FOR A GRANT AUTHORIZED UNDERNEATH THE
PLANNING GRANTS PROGRAM (PGP) PROVISIONS OF SB2.**

Action: Approved

**L. ADOPT A RESOLUTION APPROPRIATING AND ENCUMBERING ONE
HUNDRED FORTY NINE THOUSAND THREE HUNDRED SEVENTY
DOLLARS FROM THE POMA FUND BALANCE FOR THE PURCHASE OF A
CARGO VAN AND THREE (3) PICKUP TRUCKS FROM CYPRESS COAST
FORD CAR SALES FOR USE ON THE PRESIDIO OF MONTEREY ANNEX
CONTRACT**

Action: Approved

**M. ADOPT A RESOLUTION AUTHORIZING BETHEL BAPTIST CHURCH TO
RECEIVE \$10,000 ALLOCATED FOR SAFE PARKING INFRASTRUCTURE
IMPROVEMENTS**

Action: Approved

**N. ADOPT A RESOLUTION IN SUPPORT OF THE BE SMART EDUCATION
CAMPAIGN FOR RESPONSIBLE FIREARM STORAGE**

Action: Approved

9. PUBLIC HEARING

**A. INTRODUCTION OF AN ORDINANCE TO ESTABLISH WEST BROADWAY
URBAN VILLAGE PERMITTED ITEMS OF OUTDOOR DINING
FURNITURE AND MERCHANT DISPLAY CARTS IN THE RIGHT OF WAY**

Administrative Analyst Sharon Mikesell provided a presentation on the item and

responded to questions from the Council.

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following vote, the Council moved to pass to print the draft ordinance to modify the Seaside Municipal Code adding Section 12.48 West Broadway Urban Village Permitted Items in the Right of Way and establishing an application process for outdoor dining furniture and merchant display.

ROLL CALL VOTE RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

B. ADOPTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE AMENDMENT SMA-19-02. THE CITY OF SEASIDE, APPLICANT, IS INTRODUCING AN ORDINANCE FOR THE APPROVAL A TEXT AMENDMENT TO SECTION 17.14.030.B – TABLE 2-4 OF THE ZONING CODE, TO ALLOW FOR A SMALL COLLECTION RECYCLING FACILITY TO BE LISTED AS BEING ALLOWED IN THE COMMERCIAL MIXED USE (CMX) ZONING DISTRICT WITH A USE PERMIT. THE TEXT AMENDMENT WILL BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES PER SECTION 15061(3). SECOND READING.

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following vote, the Council moved to adopt the second reading of the ordinance.

ROLL CALL VOTE RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

C. ADOPTION OF AN ORDINANCE AMENDING CHAPTER 15 OF THE SEASIDE MUNICIPAL CODE ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL, ENERGY, GREEN BUILDING STANDARDS, FIRE CODES, RELATED MODEL CODES AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS. SECOND READING.

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following vote, the Council moved to adopt the second reading of the ordinance.

ROLL CALL VOTE RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE
ABSENT: NONE

D. CITY-INITIATED URGENCY ORDINANCE: ADDING CHAPTER 17.55 TO THE TO THE SEASIDE MUNICIPAL CODE (SMC) TO ADD A NEW CHAPTER SPECIAL PROVISIONS FOR SMALL WIRELESS FACILITIES, AND MAKING THEM SUBJECT TO A PERMIT AS SPECIFIED IN A NEW CITY COUNCIL POLICY (ROLL CALL VOTE)

This item was continued to a future meeting.

10. BUSINESS ITEMS

A. DENSITY BONUS, INCLUSIONARY HOUSING, AND DEVELOPMENT CONCESSIONS FOR THE CONSTRUCTION OF NINE MULTI-FAMILY APARTMENT BUILDINGS AND ONE MIXED-USE BUILDING WITH GROUND-FLOOR COMMERCIAL AT THE PROPERTY BOUNDED BY BROADWAY AVENUE, TERRACE STREET, OLYMPIA AVENUE, AND SAN LUCAS STREET (CURRENT APNS: 012-191-001, 002, 003, 004, 013, 016, 017, 021, 022, 023, 024, 025, 028 and 029)

Community Development Manager Gloria Stearns presented the item and responded to questions and comments from the Council.

On motion by Mayor Pro Tem Pacheco and second by Councilmember Wizard and carried by the following vote, the Council moved to adopt the resolution approving the requested density bonus with the recommended changes to the language.

RESULTS: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

B. DISCUSS MEDIAN MAINTENANCE STRATEGIES AND AUTHORIZE THE ISSUANCE FOR A REQUEST FOR PROPOSALS FOR SUPPLEMENTAL MEDIAN MAINTENANCE

Assistant City Manager Lesley Milton-Rerig provided a presentation and responded to questions from the Council. Finance Director Kimberly Dabner provided the Council with further explanation of the use of Measure X funds.

No public comment.

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following vote, the Council moved to authorize staff to issue an RFP for \$180,000 for median maintenance program with 70% median maintenance and 30% redesign and landscape replacement.

RESULTS: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

11. COUNCIL MEMBER REQUESTS

None.

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

City Manager Malin - thanked Rosa for help with slide for presentation and acknowledged Chief Pridgen for utilizing the Code of Conduct in the Police Department Swearing in Ceremony

City Attorney - NONE

KISPERSKY - NONE

WIZARD - FORA Meeting on November 9, US Army and DOD meetings in Washington, DC, Seaside County Sanitation District meeting that continued negotiations on the Tioga project

CAMPBELL - Expressed appreciation and thanked Public Works Superintendent Dave Fortune and City Engineer/Public Works Director Rick Riedl for their years of service, reported on Monterey One Water meeting

PACHECO - Reported on Veterans Day Program, Seaside Chamber Business Walk, Art reception at Seaside City Hall - thanked Sandra Gray and Sarah Tier, leadership council for homeless and opening of project 'Casa de Noche Buena'.

OGLESBY - Reported on trip to Washington D.C. to meet with US Army & DOD, Veteran of the Year award, thanked City Engineer/Public Works Director Rick Riedl for his years of service, met with student from SHS lacrosse club and promoted fundraiser at MYO frozen yogurt on Friday, November 22, meeting with Supt. PK Diffenbaugh, thanked for condolences for father-in-law; and the birthday wishes.

13. ADJOURNMENT

The meeting was adjourned at 10:19 p.m.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ian N. Oglesby, Mayor



DRAFT MINUTES

CITY OF SEASIDE
CITY COUNCIL/SUCCESSOR
AGENCY TO THE REDEVELOPMENT
AGENCY

JOINT SPECIAL MEETING
Council Chamber
Thursday, December 5, 2019
5:30 PM

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.

2. CITY COUNCIL/SUCCESSOR AGENCY TO REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE

PRESENT: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
ABSENT: NONE

3. PLEDGE OF ALLEGIANCE

Pledge led by City Attorney Don Freeman.

4. PUBLIC COMMENT

None.

5. CONSENT AGENDA

On motion by Councilmember Wizard and second Councilmember Kispersky and carried by the following vote, the Council/Successor Agency/Parking Authority moved to approve the Consent Agenda items as presented.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. APPROVAL OF MINUTES FROM NOVEMBER 21, 2019

Action: Approved

B. APPROVE AND FILE SUCCESSOR AGENCY CHECKS

Action: Approved

C. GRANTING SANITARY SEWER EASEMENTS OVER ASSESSOR'S PARCEL NUMBERS 011-561-013, 011-561-014, & 011-561-015 TO SEASIDE COUNTY SANITATION DISTRICT

Action: Authorized

6. BUSINESS ITEMS

A. PRESENTATION ON SEASIDE NUTRITION, ACADEMICS & ATHLETICS FOR COPS & KIDS (S.N.A.A.C.K.) VAN AND PROCLAMATION ACKNOWLEDGING NATIVIDAD MEDICAL CENTER FOR THEIR FINANCIAL SUPPORT

Chief Pridgen presented the item. The meeting took a recess from 5:35 p.m. - 5:40 p.m. to view the S.N.A.A.C.K van parked in front of City Hall.

Rosemary Soto, Management Analyst for Monterey County Office of Community Engagement and Strategic Advocacy introduced Jennifer Williams, President and CEO of Natividad Foundation Center provided comments on the S.N.A.A.C.K initiative.

7. CLOSED SESSION

City Attorney Don Freeman read the Closed Session items.

Time Entered: 5:46 p.m.

Time Exited: 6:14 p.m.

A. CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957.6 - CONFERENCE WITH LABOR NEGOTIATORS

No report. This item will be re-noticed to a future meeting.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

No report.

C. CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957 - PUBLIC EMPLOYMENT

No report.

8. ADJOURNMENT

The meeting was adjourned in memory of Dr. Marie A. Sweet at 6:15 p.m.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ian N. Oglesby, Mayor



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL

SPECIAL MEETING
Council Chamber
Thursday, December 5, 2019
6:00 PM

1. CALL TO ORDER

The meeting was called to order at 6:15 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
ABSENT: NONE

3. PUBLIC COMMENT

None.

4. CLOSED SESSION

City Attorney Don Freeman read the Closed Session items. There were no comments from the public.

Time entered: 6:18 p.m.

Time exited: 6:50 p.m.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: REAL PROPERTY NEGOTIATIONS

No report.

5. BUSINESS ITEMS

A. DEL MONTE MANOR BRIDGE LOAN REQUEST FOR REPAYMENT AND RELEASE/EXTINGUISH CITY REGULATORY AGREEMENT PRIOR TO CLOSE OF ESCROW

City Attorney Don Freeman reviewed the item. There were no comments from the public. President of Terrex Development Corp., Matt Locati responded to questions and comments from the Council.

On motion by Councilmember Wizard and second by Councilmember Pacheco and carried by the following vote, the City Council moved to authorize the City Attorney to execute an agreement on behalf of the City with the proposed developer, removing the deed restriction on the 94 units; as such time as within 24 hours of close of escrow, on the condition that we would receive reassurance from the escrow officer that both the funding and both lenders, that the money will be wired (and the wire transfer is set up) within 24 hours; and if escrow does not close for any reason or is extended the condition of 24 hours window still stays so that City remains protected and that once escrow closes, there

would be no need to re-record the 94 unit deed restriction.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

6. ADJOURNMENT

The meeting was adjourned in memory of Dr. Marie A. Sweet at 7:07 p.m.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ian N. Oglesby, Mayor



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
Thursday, December 5, 2019
7:00 PM

1. CALL TO ORDER

The meeting was called to order at 7:07 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
ABSENT: NONE

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation: Pastor Harold Lusk / Pledge led by City Attorney Don Freeman

4. REVIEW OF AGENDA

None.

5. PUBLIC COMMENT

PUBLIC COMMENT SPEAKERS: Bobby Maxwell, Peter Kaiser, Pastor Harold Lusk, Ramona Olaeta-Reed, Pastor Kenneth Murray, No name given

6. PUBLIC AGENCY COMMUNICATIONS

Katie Nunez - City of Seaside Recreation Supervisor - Winter Wonderland December 13, 2019 from 6-9 p.m. at Seaside City Hall Lawn (440 Harcourt)

7. PRESENTATIONS

A. RETIREMENT PROCLAMATION FOR FORT ORD REUSE AUTHORITY EXECUTIVE OFFICER MICHAEL A. HOULEMARD, JR.

Mayor Oglesby provided comments of the work and contributions of Fort Ord Reuse Authority (FORA) Executive Officer Michael A. Houlemard, Jr. Councilmember/FORA Board member Wizard also provided comments and commended Mr. Houlemard on his efforts and contributions as a nationally recognized leader.

B. NOVEMBER 2019 HOUSE OF THE MONTH

Neighborhood Improvement Committee member Romona Olaeta-Reed presented the homeowner with a plaque and gift card award. The homeowner opted to donate his gift to a family in need.

C. PREPAREDNESS FOR EXTENDED POWER SHUT-DOWN

Fire Chief Brian Dempsey provided presentation on the item and responded to questions from the Council.

8. CONSENT AGENDA

On motion by Councilmember Wizard and second by Councilmember Pacheco and carried by the following vote, the City Council moved to approve the Consent Agenda items as presented.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. APPROVE MINUTES FROM NOVEMBER 13, 2019 AND NOVEMBER 21, 2019

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM COMMUNITY PARTNERSHIP FOR YOUTH

Action: Approved

D. ADOPT A RESOLUTION APPROVING EASEMENTS TO MARINA COAST WATER DISTRICT

Action: Approved

9. PUBLIC HEARING

A. ADOPTION OF AN ORDINANCE TO ESTABLISH WEST BROADWAY URBAN VILLAGE PERMITTED ITEMS OF OUTDOOR DINING FURNITURE AND MERCHANT DISPLAY CARTS IN THE RIGHT OF WAY (SECOND READING - ROLL CALL VOTE)

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following roll call vote, the City Council moved to adopt an ordinance to modify the Seaside Municipal Code adding Section 12.48 West Broadway Urban Village permitted items in the right of way and establishing an application process for an outdoor dining furniture and merchant display carts.

There were no comments from the public.

ROLL CALL VOTE RESULT: 5-0-0-0
AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

B. CITY-INITIATED URGENCY ORDINANCE: ADDING CHAPTER 17.55 TO THE TO THE SEASIDE MUNICIPAL CODE (SMC) TO ADD A NEW CHAPTER SPECIAL PROVISIONS FOR SMALL WIRELESS FACILITIES, AND MAKING THEM SUBJECT TO A PERMIT AS SPECIFIED IN A NEW CITY COUNCIL POLICY (ROLL CALL VOTE 4/5 VOTE REQUIRED)

Senior Planner Rick Medina provided an overview of the item and responded to questions and comments from the Council. There were no comments from the public.

On motion by Councilmember Pacheco and second by Councilmember Kispersky and carried by the following vote, the City Council moved to adopt a new urgency ordinance adding chapter 17.55 to the Seaside Municipal Code to add special provisions for small wireless facilities, and making them subject to a permit as specified in a new City Council policy.

ROLL CALL VOTE RESULT: 5-0-0-0
AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

10. BUSINESS ITEMS

A. PRESENTATION ON GUIDING PROCEDURES FOR THE ART IN PUBLIC PLACES POLICY

Art and History Commissioner Emerson Brown presented the item and responded to questions and comments from the Council.

PUBLIC COMMENT SPEAKERS: Shari Hastey

On motion by Councilmember Wizard and second by Councilmember Kispersky and carried by the following vote, the City Council moved to approve the guiding procedures for "Art in Public Places" policy.

Further requests/considerations to be made for items related to investing in Art in Public Places:

RESULT: 5-0-0-0
AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
NOES: NONE

ABSTAIN: NONE
ABSENT: NONE

B. APPROVE A RESOLUTION AMENDING CITY MANAGER CRAIG MALIN'S EMPLOYMENT AGREEMENT

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following vote, the City Council moved to approve an amendment to City Manager Malin's employment agreement.

Questions from the Council: Housing stipend, and payments are not "PERSable", elaboration of relocation expenses and what has been expended and what has been reimbursed, budget impact 2020: \$9600, 2021: \$2400, based on surrounding City's - comparable City Manager salary (median of the market),

PUBLIC COMMENT SPEAKERS: Ray

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

11. COUNCIL MEMBER REQUESTS

A. RESIDENTIAL TENANT/LANDLORD RENTAL RIGHTS AND REFERRALS PROGRAM (OGLESBY)

Mayor Oglesby indicated the goal to have a conversation about adopting rental rights for tenants and landlord and have it placed on a future agenda.

PUBLIC COMMENT SPEAKERS: Name not given

On motion by Councilmember Wizard and second by Councilmember Pacheco and carried by a unanimous vote, the Council moved to direct staff to have the proposed item added to a future agenda.

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

Kispersky: Monterey One Board Meeting - update on treatment plant expansion and delayed schedule but close to completion, unable to attend Laguna Grande Park JPA meeting

Wizard: next SCSD meeting on 12/10, FORA Board meeting on 12/13

Campbell: Thanked Councilmember Kispersky for filling in at Monterey One Water meeting, MPWMD report at next meeting, budgets for Art Commission - would like to request at budget review, consider how much we have to fund all our

commissions not just AHC.

Pacheco - Monterey Regional Park District - approved RFP LG Master Plan, MPUSD community meeting to review vision 2025, attend Other Brothers grand opening

Oglesby - MBCP added 11 new communities (total of 32) to provide more reusable energy also investing \$25M in uninterrupted power generation fund for new generator funding, TAMC- FORTAG was approved and multi-modal rail line Marina-Monterey

13. ADJOURNMENT

The meeting was adjourned in memory of Dr. Marie A. Sweet at 8:52 p.m.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ian N. Oglesby, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Jessica Riley, Accounting Assistant
Kimberly Drabner, Finance Director

DATE: December 19, 2019

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of November 23, 2019 through December 6, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending November 29, 2019. Total Accounts Payable and Payroll for the above referenced period is \$1,525,054.37.

BACKGROUND

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

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

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

- \$946,759.87 for Payroll and benefits.
- \$11,481.58 to Monterey County Tax Collector for 19-20 Property Taxes. 1st and 2nd installments.
- \$32,769.46 to U.S. Bank - Cal Card for City of Seaside purchase card transactions for the billing period of 8/22/19 - 9/22/19
- \$14,003.65 to Harris & Associates for SCSD - Professional svcs rendered through 9/29/2019-10/26/2019 related to Lift Station Upgrades.
- \$12,360.41 to Conte's Generator Service for Monthly emergency generator services during August-October 2019 and Annual emergency generator services at various City Buildings.
- \$13,379.00 to Whitson Engineers for professional services for July and August 2019 related to Ellis Park Improvement.
- \$27,323.55 to PNC Equipment Finance for lease expense for 3 pick-up trucks and a vactor/patch truck for 11/7/19-12/6/19.
- \$31,320.00 to Dude Solutions Inc. for Smartgov connectors (Bluebeam, Financial, GIS, Merchant, Parcel), 16 Smartgov public portals, & 16 Smartgov user licenses.
- \$32,371.00 to The Sohagi Law Group for Campus Town Center legal services from 10/1/2019 - 10/31/2019.

The remaining checks, totaling \$403,285.85 include payments to vendors for operating expenditures.

The Checks report is available on the City's website here:
<http://www.ci.seaside.ca.us/194/Check-Draft-Register>

FISCAL IMPACT

There are no additional fiscal impacts.

ATTACHMENTS

None



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: December 19, 2019

**SUBJECT: APPROVE A FEE WAIVER FROM HINDU TEMPLE OF
MONTEREY PENINSULA FOR THE USE OF THE LAGUNA
GRANDE HALL AND KITCHEN FOR THEIR DIWALI
CELEBRATION NIGHT EVENT ON NOVEMBER 07, 2020**

PURPOSE & RECOMMENDATION

Approve the fee waiver request from the Hindu Temple of Monterey Peninsula for the use of Laguna Grande Hall and kitchen to hold their Diwali Celebration Night in the amount of \$1,207.25 (One Thousand, Two Hundred Seven Dollars and Twenty-Five cents), the Organization to provide the City with the non-refundable portion of the deposit of \$147.81 and purchase the City's insurance of \$113.00.

BACKGROUND

The Hindu Temple of Monterey Peninsula is a non-profit organization. The Hindu Temple is requesting a fee waiver to help cover the cost associated with their Diwali Celebration Night on Saturday, November 07, 2020 from 12:00 p.m. to 11:00 p.m. in the Laguna Grande Hall at the Oldemeyer Center. The event is open to the public.

Staff recommends that the fees be waived for rental cost of the facility and that the organization provide liability coverage and pay only the non-refundable portion of the deposit of \$147.81 to go towards the building maintenance fund.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

Laguna Grande Hall & Kitchen Fee	11 Hours @ \$109.75	\$1,207.25
Insurance		\$ 113.00
Deposit Non Refundable Portion		\$ 147.81
TOTAL		\$1,468.06

Should the City Council approve the request with the staff recommendation to waive all rental fees but require payment for the insurance and the non-refundable deposit only, the fiscal impact is \$1,207.25.

ATTACHMENTS

1. Hindu Temple of Monterey Peninsula Fee Waiver 2020
 2. Hindu Temple of Monterey Peninsula - 501(C)(3)
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

Name of Applicant Kushma Maharaj Organization Hindu Temple of M.P.
Address P.O. Box 620 Seaside CA. 93955
Street City State Zip
Home Phone 831-241-1475 Cell Phone 831-241-1475 Email Address KushmaMaharaj@yahoo.com

Room(s) Requested Laguna Grande

Day(s) and Date(s) Requested 11/07/2020

Hours Requested (include set-up time) 12pm - 11pm Estimated Attendance 300

Description of Event Diwali Night Function

Special Instructions or Equipment to Be Brought In DJ

Reason for Requesting Fee Waiver

Non Profit solies) Public - Hindu Culture Event.
Serving the People of Monterey Peninsula. This event is open
to the Public. Need a Temple in Monterey for Prayer.

Have you received a Fee Waiver in the past? Yes ☒ No ☐

If so, what was the date of your event? Diwali Night Function

Is your organization based in Seaside? Yes ☒ No ☐

What percentage of your members or participants resides in Seaside? 99%

What is your organization's tax identification number? 26-0588590

Is organization able to provide liability insurance? Yes

Will alcohol be served or sold at your event? Yes ☐ No ☒

Applicant Signature K Maharaj Date 11/6/2019

FOR OFFICE USE ONLY			
Approved:	_____	Security Required?	Yes ☐ No ☐ Notes: _____
Denied:	_____	Staff Approval:	_____
Reviewed:	_____	Date:	_____

POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

Fees may be waived for activities that benefit the majority of Seaside residents. Any new organizations requesting fee waivers are required to submit a letter of intent and complete the Fee Waiver Request form to the Recreation Services Department. The application will be submitted to the City Manager or his designee for review and approval. In the event that the fee waiver request is denied by the City Manager, the request can be appealed to the City Council. Applicants must demonstrate that the following criteria are satisfied:

1. At least 60% of the organization's membership must consist of Seaside residents. The organization must provide documentation verifying membership residency.
2. The organization must be a 501(c)(3) non-profit or public benefit organization and provide taxpayer identification number.
3. The organization must provide an in-kind service/donation to benefit and augment the City of Seaside. A written statement must be submitted with the application outlining specific donations and/or services provided by the organization to the City of Seaside.

FEE WAIVERS FOR MEETING ROOMS

1. Meetings are limited to four hours.
2. All organizations receiving fee waivers must give seven days notice of cancellation. If no notice is given of cancellation, the City reserves the right to deny further fee waiver requests.
3. Due to limited space, organizations may not request fee waivers for any more than one meeting room use per year; fee waivers are not intended to provide for ongoing weekly or monthly meeting use.
4. No faith based organizations may apply for fee waivers due to the separation of church and state.

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

1. Pay the non-refundable portion of the deposit per event.
 2. An organization requesting use of the auditorium for a special event or meeting may receive no more than one fee waiver request within a 90-day period.
 3. Provide special event liability insurance. The following is required:
 - a. Provide an "Occurrence Made" liability insurance policy, naming the city as additionally insured, with limits of \$1 million per occurrence and \$2 million aggregate. A copy of that policy must be provided to the Recreation Services Department.
- OR
- b. Purchase Special Event Liability Insurance through the Recreation Services Department at the time of fee waiver request. This insurance covers not only the city, but also those renting the facility.
4. Fundraising activities of any nature do not qualify for fee waivers.
 5. Special events may be required to provide security at renter's expense. A photocopy of the contract must be on file with the Recreation Services Department. The number of security guards required is determined by the nature of the event and the numbers in attendance.

***A City-sanctioned organization is defined as "any community based group or organization that in cooperation with the Recreation Services Department, provides an entertainment, recreation and/educational service benefiting the citizens of Seaside."**

****All deposits are placed in the maintenance and janitorial fund designated for the upkeep and repair of the Oldemeyer Center.**



**SEASIDE
CALIFORNIA**

Facility Use Request Form

Parks and Recreation Division
440 Harcourt Avenue, Seaside CA 93955
831-899-6800

CONTACT INFORMATION:

ROOM: Laguna Grande Combo

Organization: Hindu Temple of Monterey Peninsula

Name of Applicant: Kushma Maharaj

Address: P.O. Box 620 City: Seaside, CA Zip: 93955

Phone: 831-241-1475 Email: KushmaMaharaj@yahoo.com

Day of Event Contact Name and Phone: Diwali Night Fuction - Kushma

☒ Resident ☐ Non-Resident

EVENT INFORMATION:

Event Title: Diwali Night Fuction

**Please attach invitation or flyer if available.*

Event Date: 11/7/2020 Approximate Number of Guests: 300

Reservation Time: 12 - 6 Event Time: 6 - 11

**Laguna Grande Hall & Soper: Security guard(s) must be present for entire event time. See next page.*

Special Instructions: _____

Request to use the City's: ☒ Podium ☒ Microphone ☐ Projector Screen

**Subject to availability*

***Projectors and other electronic equipment will not be provided*

	Yes	No		Yes	No
Is the event open to the public?	☒	☐	Will refreshments be served?	☒	☐
Will admission be charged?	☒	☐	Will refreshments be sold?	☐	☒
Are you a non-profit organization?	☒	☐	Will you be using the kitchen?	☒	☐
Will there be music?	☒	☐	Will alcohol be served?	☐	☒
Will there be live music and/or DJ?	☒	☐	Will alcohol be sold?	☐	☒
Name of band or DJ: _____			<i>*Alcohol is prohibited at youth oriented events</i>		

APPLICANT WILL PROVIDE THE FOLLOWING ITEMS 30 DAYS PRIOR TO THE EVENT:

1. Full payment of all applicable fees
2. Copy of event security contract by licensed company (if applicable)
3. Proof of liability insurance
4. Copy of ABC license (if applicable)

I have read and agree to all pages in the rental agreement forms

Applicant Signature: Kushma Maharaj Date: 11/6/2020

(For Office Use Only)

Permit Fee: \$2354.94 Authorized Agent: Daniel M. [Signature] Date: 11/6/19

Note: Original to Resource Management/Recreation Department / Copy to Police Department & Parks Division



SEASIDE CALIFORNIA

Facility Use Rental Request Form

Parks and Recreation Division
986 Hilby Avenue, Seaside CA 93955
831-899-6800

FACILITY SELECTION

☐ LAGUNA GRANDE HALL

Capacity: Dining: 225 / Theatre: 300
Dimensions: 128' X 120'

	Resident	Non-Res
Hourly Rate	\$109.75	\$136.25
Deposit	\$591.25	\$738.75
(Non Refundable)	(\$147.81)	(\$184.68)
Alcohol Deposit	\$575.50	\$719.50
(Non Refundable)	(\$143.87)	(\$179.87)

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

- ☐ I will be using Hall only
☐ I will be using Hall & Kitchen only
☐ I will be using Hall, Kitchen & Dance Studio

☐ BAYONET MEETING ROOM

Capacity: Classroom: 30 / Theatre: 40
Dimensions: 24' X 20'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr	\$43.75 /hr	\$55 /hr
After 3 hrs	\$20 /hr	\$24.50 /hr

☐ BLACKHORSE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 50
Dimensions: 28' X 26'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs	\$54.50 /hr	\$68 /hr
After 3 hrs	\$24 /hr	\$29.75 /hr

☐ DANCE STUDIO

Capacity: Classroom: 35 / Theatre: 70
Dimensions: 26' X 24'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr	\$68 /hr	\$84.75 /hr
After 3 hrs	\$31.25 /hr	\$39.25 /hr

☐ SEAHORSE CONFERENCE ROOM

Capacity: 20 / Dimensions: 28' X 16'

	Resident	Non-Res
Rate 0-3 hrs	\$43.75 /hr	\$55 /hr
After 3 hrs	\$20 /hr	\$24.50 /hr

☐ SEASIDE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 60
Dimensions: 32' X 26'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr	\$43.75 /hr	\$55 /hr
After 3 hrs	\$20 /hr	\$24.50 /hr

☐ SEASIDE COMMUNITY CENTER (SOPER)

Capacity: Dining: 85 / Theatre: 100
Dimensions: 128' X 120'

	Resident	Non-Res
Hourly Rate	\$58	\$72.75
Deposit	\$314	\$392.50
(Non Refundable)	(\$78.50)	(\$98.25)
Alcohol Deposit	\$575.50	\$719.50
(Non Refundable)	(\$143.87)	(\$179.87)

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

- ☐ I will be using the Large Room only
☐ I will be using the Kitchen only
☐ I will be using the Large Room & Kitchen

☐ YOUTH EDUCATION CENTER

Two hour rentals: available Fridays and Saturdays
7:30-9:30 PM, and Sundays for any two hours
between 8 AM - 9 PM.

	Resident	Non-Res
Deposit	\$83	\$103.50
(Non Refundable)	(\$21)	(26)
0-25 Guests	\$172	\$215
26-50 Guests	\$188.50	\$235
51-75 Guests	\$223	\$278.50
Mini Golf	\$25	\$31
Extra 1/2 Hour	\$38	\$47.50

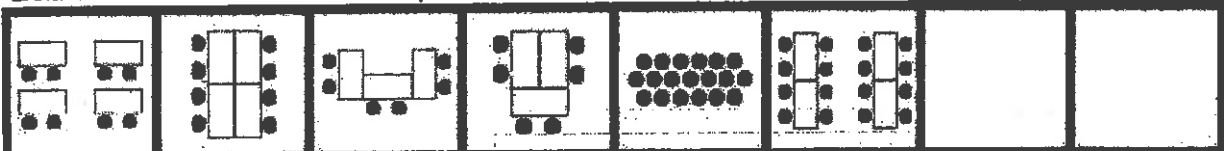
Non-Profit Rate: For Laguna Grande Hall, Seaside Community Center, and the Youth Education & Resource Center, non-profits may use the resident rate. For all other meeting rooms, non-profits may have up to 4 hours for \$31.75. Proof of 501(c)(3) required.

Security Guards: If required, security guards must be present for entire duration of event. Failure to comply or late security guards may result in deposit forfeited or event shut down completely.

SEATING CONFIGURATION

Review and select a seating configuration below. If you would like a different layout, please sketch your preferred layout in the box marked "other" or on the back of this sheet.

☐ Classroom ☐ Conference ☐ U-Shaped ☐ Pods ☐ Theater ☐ Banquet ☐ Empty ☐ Other





P.O. Box 2508, Room 4010
Cincinnati OH 45201

029787.722724.317112.12635 1 AB 0.408 536



HINDU TEMPLE OF MONTEREY PENINSULA
% SHALENDRA P HARI
PO BOX 620
SEASIDE CA 93955-0620

029787

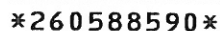
CUT OUT AND RETURN THE VOUCHER AT THE BOTTOM OF THIS PAGE IF YOU ARE MAKING A PAYMENT,
EVEN IF YOU ALSO HAVE AN INQUIRY.

The IRS address must appear in the window.
4077956534

BODCD-TE

Use for payments

Letter Number: LTR4168C
Letter Date : 2018-06-26
Tax Period : 000000



INTERNAL REVENUE SERVICE
P.O. Box 2508, Room 4010
Cincinnati OH 45201

A barcode consisting of vertical bars of varying heights, used for automated mail sorting.

HINDU TEMPLE OF MONTEREY PENINSULA
% SHALENDRA P HARI
PO BOX 620
SEASIDE CA 93955-0620



Department of the Treasury
Internal Revenue Service

P.O. Box 2508, Room 4010
Cincinnati OH 45201

In reply refer to: 4077956534
June 26, 2018 LTR 4168C 0
26-0588590 000000 00
00031959
BODC: TE

HINDU TEMPLE OF MONTEREY PENINSULA
% SHALENDRA P HARI
PO BOX 620
SEASIDE CA 93955-0620



029787

Employer ID number: 26-0588590
Form 990 required: Yes

Dear Taxpayer:

We're responding to your request dated May 04, 2018, about your tax-exempt status.

We issued you a determination letter in November 2009, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

We also show you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax
- Form 990-N, Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990-EZ
- Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation

According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m.,



Secretary of State
Certificate of Amendment of
Articles of Incorporation
Name Change Only - Nonprofit

AMDT-
NP-NA

A0809819

FILED
SECRETARY OF STATE
STATE OF CALIFORNIA

FEB 22 2018

IMPORTANT — Read Instructions before completing this form.

Filing Fee — \$30.00

Copy Fees — First Page \$1.00 & .50 for each attachment page;
Certification Fee — \$5.00

This Space For Office Use Only

1. Corporation Name (Enter the exact name of the corporation as it is currently recorded with the California Secretary of State)

Haripur Ramayan Bhajan Mandali

2. 7-Digit Secretary of State File Number

C3007083

3. New Corporation Name

Item 3a: Enter the number, letter, or other designation assigned to the provision in the Articles of Incorporation being amended (e.g., "I," "First," or "A"). See Instructions if the provision in the Articles of Incorporation being amended does not include a number, letter, or other designation. Any attachment is made part of this document.

Item 3b: Enter the new corporate name.

3a. Article 1 of the Articles of Incorporation is amended to read as shown in Item 3b below:

3b. The name of the corporation is Hindu Temple of Monterey Peninsula.

4. Approval Statements

4a. The Board of Directors has approved the amendment of the Articles of Incorporation.

4b. Member approval was (check one):

☒ By the required vote of the members in accordance with California Corporations Code section 5812, 7812, or 12502.

☐ Not required because the corporation has no members.

5. Read, sign and date below (See instructions for signature requirements. Note: Both lines must be signed.)

We declare under penalty of perjury under the laws of the State of California that the matters set forth herein are true and correct of our own knowledge and we are authorized by California law to sign.

February 19, 2018

Date

Signature

Shalendra P. Hari

Type or Print Name of President

February 19, 2018

Date

Signature

Kushma Maharaj

Type or Print Name of Secretary



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: December 19, 2019

SUBJECT: APPROVE A FEE WAIVER FROM MONTEREY COUNTY SOCCER CLUB FOR THE USE OF LLOYD GARNETT FIELD AT CUTINO PARK

PURPOSE & RECOMMENDATION

Approve a request from the Monterey County Soccer Club for a Fee Waiver of One Thousand, Seven Hundred, Twenty-Three Dollars and Twenty-Nine Cents (\$1,723.29) for the costs associated with the use of Cutino Field from February 2020 to July 2020 and require the Organization to provide insurance coverage.

BACKGROUND

The Monterey County Soccer Club is requesting a Fee Waiver to use Cutino Field from February 2020 to July 2020 on available Sundays starting February 09, 2020 through July, 26 2020. Field use for this program would be used only for Seaside residents in the program to play home games.

Monterey County Soccer Club is a nonprofit club dedicated to the positive development of their youth through their participation in a safe, healthy and affordable soccer program that is fun and rewarding for all participating players. Their objective is to teach and train their youth soccer players, develop leadership qualities and promote good sportsmanship among players, coaches, officials, parents and spectators.

This is the first time the Monterey County Soccer Club has requested a fee waiver. The organization will provide their own insurance.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

Cutino Field Fee (50% reduction) \$1,723.29

ATTACHMENTS

1. Monterey County Soccer Club Fee Waiver Request 2020
 2. Monterey County Soccer Club - Facility Use Application 2020
 3. Monterey County Soccer Club 501(c)(3)
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

Name of Applicant JORGE ROJAS Organization MONTEREY COUNTY SOCCER CLUB
Address 443 E. ALBAL ST. STEAL SALINAS, CA. 93905
Street City State Zip
Home Phone N/A Cell Phone 831-905-9899 Email Address majorgerojas@gmail.com

Room(s) Requested CUTINO FIELD

Day(s) and Date(s) Requested FEB 2020 - JULY 2020 (SUNDAYS)

Hours Requested (include set-up time) 7:30AM - 6:30 PM Estimated Attendance 30+

Description of Event SOCCER GAMES

Special Instructions or Equipment to Be Brought In NONE

Reason for Requesting Fee Waiver

REQUEST FOR 100% SEASIDE FAMILIES NOT HAVING A PLACE TO PLAY SOCCER THAT PARTICIPATE IN OUR ORGANIZATION,

Have you received a Fee Waiver in the past? Yes ☐ No ☒

If so, what was the date of your event? N/A

Is your organization based in Seaside? Yes ☐ No ☒

What percentage of your members or participants resides in Seaside? 20%

What is your organization's tax identification number? 46-1456474

Is organization able to provide liability insurance? YES

Will alcohol be served or sold at your event? Yes ☐ No ☒

Applicant Signature [Signature] Date 28 OCT 2019

FOR OFFICE USE ONLY

Approved: _____

Denied: _____

Appealed: _____

Security Required? Yes ☐ No ☐

Staff Approval: _____

Date: _____

Notes: _____

POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

Fees may be waived for activities that benefit the majority of Seaside residents. Any new organizations requesting fee waivers are required to submit a letter of intent and complete the Fee Waiver Request form to the Recreation Services Department. The application will be submitted to the City Manager or his designee for review and approval. In the event that the fee waiver request is denied by the City Manager, the request can be appealed to the City Council. Applicants must demonstrate that the following criteria are satisfied:

1. At least 60% of the organization's membership must consist of Seaside residents. The organization must provide documentation verifying membership residency.
2. The organization must be a 501© 3 non-profit or public benefit organization and provide taxpayer identification number.
3. The organization must provide an in-kind service/donation to benefit and augment the City of Seaside. A written statement must be submitted with the application outlining specific donations and/or services provided by the organization to the City of Seaside.

FEE WAIVERS FOR MEETING ROOMS

1. Meetings are limited to four hours.
2. All organizations receiving fee waivers must give seven days notice of cancellation. If no notice is given of cancellation, the City reserves the right to deny further fee waiver requests.
3. Due to limited space, organizations may not request fee waivers for any more than one meeting room use per year; fee waivers are not intended to provide for ongoing weekly or monthly meeting use.
4. No faith based organizations may apply for fee waivers due to the separation of church and state.

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

1. Pay the non-refundable portion of the deposit per event.
 2. An organization requesting use of the auditorium for a special event or meeting may receive no more than one fee waiver request within a 90-day period.
 3. Provide special event liability insurance. The following is required:
 - a. Provide an "Occurrence Made" liability insurance policy, naming the city as additionally insured, with limits of \$1 million per occurrence and \$2 million aggregate. A copy of that policy must be provided to the Recreation Services Department.
- OR
- b. Purchase Special Event Liability insurance through the Recreation Services Department at the time of fee waiver request. This insurance covers not only the city, but also those renting the facility.
4. Fundraising activities of any nature do not qualify for fee waivers.
 5. Special events may be required to provide security at renter's expense. A photocopy of the contract must be on file with the Recreation Services Department. The number of security guards required is determined by the nature of the event and the numbers in attendance.

***A City-sanctioned organization is defined as "any community based group or organization that in cooperation with the Recreation Services Department, provides an entertainment, recreation and/educational service benefiting the citizens of Seaside."**

****All deposits are placed in the maintenance and janitorial fund designated for the upkeep and repair of the Oldemeyer Center.**



FACILITY USE APPLICATION

Guidelines for Use of City Fields

1. No fee waivers or extensions will be issued over the counter. Established groups, such as Seaside Pony Baseball, Seaside Raiders and Seaside PAL shall submit fee waiver requests to the Resource Management Department. Resource Management staff will submit these requests to the City Council. All others shall apply to the Special Events Committee. Requests approved by the Committee will be submitted by Recreation and Community Development staff to Council for consideration.
2. A minimum of 30 days lead time is required for each request. This will allow staff sufficient time to prepare the staff report for submission to Council.
3. Requests shall include a complete list of the days, dates and hours requested for use of City fields. Requests shall include a listing of all services required, such as use of snack bar, field lights, additional staff, and additional field preparation, and other special needs.
4. Before the start of each season, each group shall submit a list of current board members, along with contact information. A single point of contact (the authorized representative) shall be designated, and this person shall be authorized to make decisions for the group. The group shall notify the City if the authorized representative changes. Requests to the City will be accepted only from the authorized representative.
5. Each group will enter into a Use Agreement with the City for use of the fields. Before the start of each season, City staff will meet with the authorized representative and interested board members to discuss the terms of the Use Agreement. Terms of the Use Agreement will be enforced.
6. Groups will not be given any keys to the snack bars, restrooms or fields until all conditions of the Use Agreement have been met (including proof of insurance, 401(c)3 status, etc.).
7. A deposit requirement of \$500 may be considered for the new season for each group requesting a fee waiver. Staff will document any instances of violations of the terms of the Use Agreement during the previous season. The deposit would cover the return of keys, cleanup of the fields, restrooms and snack bars. If collected, the deposit would be returned in full if all keys are returned and the fields, restrooms and snack bars have been kept in good condition during the season. Some or all of the deposit would be withheld if all keys are not returned or if the grounds have not been properly maintained. If the Police Department is called to the park during a time that the field has been reserved and the group is found to be in violation of City Code or there are any Health Department violations attributable to the group, the entire deposit would automatically be forfeited.
8. Groups are not allowed to charge the public for parking on City property at group events. If the group would like to solicit donations, they must obtain a no-fee permit in advance, in accordance with Chapter 5.28 (Charitable Solicitation), of the City Municipal Code.

Attachments: 1. Questionnaire
2. Application
3. Sample Use Agreement
4. Key Request

Attachment 1 Questionnaire

Date of Request: 28 OCT 2019

1. Name of Organization: MONTEREY COUNTY SOCCER CLUB
Address: 443 E. ALISAL ST. STE. A1
City/State/Zip: SALINAS, CA. 93905
Phone: 831-905-9899
Authorized Representative: JORGE ROJAS
2. Status: (Circle all that apply) Private ☐ Non-profit ☒ Public ☐ Profit ☐
3. If Non-Profit, please provide your Tax ID # 46-1456474
4. How long have you been established? 2013 (6 YRS)
How many members are there? 5,000 (ADULT/YOUTH) 50% ADULTS 50% YOUTH
How many members live in the City of Seaside? 300
Do members pay annual or monthly dues? YES ☒ NO ☐
5. Is your organization affiliated with any national, federal, state, county or local agency or association? YES ☒ NO ☐ If YES, please provide the name of that agency or association. US CLUB SOCCER, NORCAL, CALNORTH, CRNA, UPSL
6. Are you a YOUTH-oriented organization? YES ☒ NO ☐ And if YES, how many Seaside youth are in your organization? 300
7. Does your organization provide its services only to Seaside youth or residents?
YES ☐ NO ☒ Or is membership open to all youth or residents in Monterey County? YES ☒ NO ☐
If YES, please provide the number of youth/residents by city.
SEASIDE - 300 CASTROVILLE - 125
SALINAS - 1,800
(CUTTING FIELD ONLY FOR SEASIDE TEAMS)
8. Does your organization receive funding or other support of any type from any national, federal, state, county, regional, city, private or public agency/affiliation? YES ☐ NO ☒.
If YES, please explain.

9. Before coming to the City of Seaside and requesting this use of the fields, have you contacted other cities with regards to the use of their facilities? YES ☒ NO ☐ If YES, please explain why you chose not to use their facility.
FIELDS NOT AVAILABLE.

IF REQUESTING A FEE WAIVER
PLEASE COMPLETE QUESTIONS 10 THROUGH 12

10. Does your organization have the ability to pay any portion of the fees to use the facility?
YES ☒ NO ☐

If your organization does have the ability to pay a reasonable share of the requested fees, please explain why you still feel that a fee waiver should be granted.

N/A

11. If the request for fee waiver is not granted, and you chose not to avail yourself of the City facility, what are your plans?

HAVE PARENTS DECIDE IF WILLING TO PAY
ADDITIONAL COST OR PLAY DIFFERENT CITY.

12. If you are granted a fee waiver, what in-kind services (such as field maintenance, trash cleanup, etc) can you offer to help offset costs?

WE HAVE FIELD MARSHALL AT ALL OUR SITES TO HELP
WITH CROWD CONTROL, TRASH CLEANUP AND OTHER
REQUIRED DUTIES.

13. Do you plan on having any special events, such as tournaments, picture day, registration, opening day, etc.? YES ☐ NO ☒. If YES, please list events and dates below:

N/A

14. Please list any additional information you feel is relevant:

THE SITE WOULD BE USED ONLY FOR SEASIDE
RESIDENTS THAT HAVE EXPRESSED AN INTEREST
PLAYING AT HOME.

**Attachment 2
City of Seaside
Field Use Application**

Date: 28 OCT 2019

Name of Organization: MONTEREY COUNTY SOCCER CLUB

Address: 443 E. ALISAL ST. STE. A1

City/State/Zip: SALINAS, CA. 93905

Authorized Representative	
Name and Title	JORGE ROJAS - PRESIDENT
Address	443 E. ALISAL ST. STE. A1
Address	SALINAS, CA. 93905
Telephone	831-905-9899
Fax	N/A
Email	majorgerojas@gmail.com
Board Members	
Name and Title	JULIO SANCHEZ - VP
Telephone	831-970-7836
Name and Title	RICHARD MUSSALUM - SECRETARY
Telephone	408-234-0464
Name and Title	ARACELI FRANCO - TREASURER
Telephone	831-905-0639
Name and Title	SERGIO HERRERA - DIRECTOR OF COACHING (DOC)
Telephone	408-421-1994
Name and Title	JAUIER HERNANDEZ - SCHEDULER
Telephone	831-809-7931
Name and Title	CARLOS RUBIO - REFEREE COORDINATOR
Telephone	831-578-6580
Name and Title	VICTOR TORRES - SPECIAL EVENTS
Telephone	831-809-8438

Requested Dates for Cutoff

Please fill out one form per park requested

Organization: MONTEREY COUNTY SOCCER CLUB				
Park: CUTIVO FIELD				
Services Requested:				
Use of field	Yes	☒	No	☐
Use of snack bar	Yes	☐	No	☒
Use of lights	Yes	☐	No	☒
Other:	Yes	☐	No	☒
	Yes	☐	No	☐
	Yes	☐	No	☐

Date	Day	Hours	Number of Hours	
			Daily Total	Lights
FEBRUARY 2, 2020	SUNDAY	8AM-6PM	10	0
FEBRUARY 9, 2020	SUNDAY	8AM-6PM	10	0
FEBRUARY 16, 2020	SUNDAY	8AM-6PM	10	0
FEBRUARY 23, 2020	SUNDAY	8AM-6PM	10	0
MARCH 1, 2020	SUNDAY	8AM-6PM	10	0
MARCH 8, 2020	SUNDAY	8AM-7PM	11	0
MARCH 15, 2020	SUNDAY	8AM-7PM	11	0
MARCH 22, 2020	SUNDAY	8AM-7PM	11	0
MARCH 29, 2020	SUNDAY	8AM-7PM	11	0
APRIL 5, 2020	SUNDAY	8AM-7PM	11	0
APRIL 19, 2020	SUNDAY	8AM-7PM	11	0
APRIL 26, 2020	SUNDAY	8AM-7PM	11	0
MAY 3, 2020	SUNDAY	8AM-7PM	11	0
MAY 17, 2020	SUNDAY	8AM-7PM	11	0
MAY 24, 2020	SUNDAY	8AM-7PM	11	0
MAY 31, 2020	SUNDAY	8AM-7PM	11	0
JUNE 7, 2020	SUNDAY	8AM-7PM	11	0
JUNE 14, 2020	SUNDAY	8AM-7PM	11	0
JUNE 28, 2020	SUNDAY	8AM-7PM	11	0
JULY 5, 2020	SUNDAY	8AM-7PM	11	0
JULY 12, 2020	SUNDAY	8AM-7PM	11	0
JULY 19, 2020	SUNDAY	8AM-7PM	11	0
JULY 26, 2020	SUNDAY	8AM-7PM	11	0
Total Days	23	Total Hours	248	0

Please fill out one form per park requested

			Number of Hours	
Date	Day	Hours	Daily Total	Lights
February 9, 2020	Sunday	8am-6pm	10	0
February 23, 2020	Sunday	8am-6pm	10	0
March 8, 2020	Sunday	8am-7pm	11	0
March 22, 2020	Sunday	8am-4pm	8	0
March 29, 2020	Sunday	8am-4pm	8	0
April 26, 2020	Sunday	8am-4pm	8	0
May 3, 2020	Sunday	8am-4pm	8	0
May 17, 2020	Sunday	8am-4pm	8	0
May 24, 2020	Sunday	8am-4pm	8	0
May 31, 2020	Sunday	8am-7pm	11	0
June 7, 2020	Sunday	8am-7pm	11	0
June 14, 2020	Sunday	8am-7pm	11	0
June 28, 2020	Sunday	8am-7pm	11	0
July 5, 2020	Sunday	8am-7pm	11	0
July 12, 2020	Sunday	8am-7pm	11	0
July 19, 2020	Sunday	8am-7pm	11	0
July 26, 2020	Sunday	8am-7pm	11	0
Total Days	17	Total Hours	167	0

CINCINNATI OH 45999-0038

In reply refer to: 0248164841
Feb. 20, 2015 LTR 4168C 0
46-1456474 000000 00
00027440
BODC: TE

MONTEREY COUNTY SOCCER LEAGUE
% JORGE ROJAS
443 E ALISAL ST STE A1
SALINAS CA 93905

0763

Employer Identification Number: 46-1456474
Person to Contact: B. Hall
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Feb. 10, 2015, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in August 2014.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248164841
Feb. 20, 2015 LTR 4168C 0
46-1456474 000000 00
00027441

MONTEREY COUNTY SOCCER LEAGUE
% JORGE ROJAS
443 E ALISAL ST STE A1
SALINAS CA 93905

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,



Doris Kenwright, Operation Mgr.
Accounts Management Operations 1



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: December 19, 2019

SUBJECT: APPROVE A FEE WAIVER FROM WAYNE GARNETT FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR CELEBRATION OF LIFE FOR KELVIN GARNETT ON DECEMBER 21, 2019

PURPOSE & RECOMMENDATION

Approve the fee waiver request from Wayne Garnett for the use of Laguna Grande Hall and kitchen to hold their celebration of life for Kelvin Garnett in the amount of \$716.46 (Seven Hundred, Sixteen Dollars and Forty-Six Cents), the family to provide the City with a non-refundable portion of the deposit of \$147.81.

BACKGROUND

Wayne Garnett is requesting a fee waiver to help cover the cost associated with their celebration of life for Kelvin Garnett on Saturday, December 21, 2019 from 12:00 p.m. to 5:30 p.m. in the Laguna Grande Hall at the Oldemeyer Center.

Kelvin Garnett was the former long-time Seaside High School boys basketball head coach for 22 years, getting to 200 wins quicker than any other boys basketball coach in the county. Kelvin was regarded as one of the best dressed coaches during his tenure. During his tenure, the Spartans won seven league titles in the old Monterey Bay League, with his last coming in 2004 which was his final season.

This is the first time Wayne Garnett is requesting a fee waiver. The celebration of life is open to the public.

Staff recommends that the fees be waived for rental cost of the facility and that Wayne

Garnett pay only the non-refundable portion of the deposit of \$147.81 to go towards the building maintenance fund.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

Laguna Grande Hall & Kitchen Fee	5.5 Hours @ \$109.75	\$603.46
Insurance		\$113.00
Deposit Non Refundable Portion		\$147.81
TOTAL		\$864.27

Should the City Council approve the request with the staff recommendation to waive all rental fees but require payment for the non-refundable deposit only, the fiscal impact is \$716.46.

ATTACHMENTS

1. Fee Waiver Request Kelvin Garnett Celebration of Life 2019
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

Name of Applicant Wayne Garnett Organization _____
Address 23 Stowe Court Seaside CA 93955
Street City State Zip
Home Phone 831-442-9674 Cell Phone 831-238-3731 Email Address Gnett77@yahoo.com

Room(s) Requested Large auditorium at Oldemeyer Center

Day(s) and Date(s) Requested Saturday, December 21st, 2019

Hours Requested (include set-up time) 5.5 Estimated Attendance 250

Description of Event Celebration of Life for Kelvin Garnett

Special Instructions or Equipment to Be Brought In use of PA system and video equipment

Reason for Requesting Fee Waiver

Offset costs for funeral services - Kelvin Garnett long time resident and community member
of Seaside. Coached Varsity Boys Basketball at Seaside High for 22 seasons

Have you received a Fee Waiver in the past? Yes ☐ No ☒

If so, what was the date of your event? _____

Is your organization based in Seaside? Yes ☐ No ☐

What percentage of your members or participants resides in Seaside? _____

What is your organization's tax identification number? _____

Is organization able to provide liability insurance? _____

Will alcohol be served or sold at your event? Yes ☒ No ☐

Applicant Signature Wayne Garnett Date 12/11/2019

FOR OFFICE USE ONLY

Approved: _____

Denied: _____

Appealed: _____

Security Required? Yes ☐ No ☐

Staff Approval: _____

Date: _____

Notes: _____

POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

Fees may be waived for activities that benefit the majority of Seaside residents. Any new organizations requesting fee waivers are required to submit a letter of intent and complete the Fee Waiver Request form to the Recreation Services Department. The application will be submitted to the City Manager or his designee for review and approval. In the event that the fee waiver request is denied by the City Manager, the request can be appealed to the City Council. Applicants must demonstrate that the following criteria are satisfied:

1. At least 60% of the organization's membership must consist of Seaside residents. The organization must provide documentation verifying membership residency.
2. The organization must be a 501© 3 non-profit or public benefit organization and provide taxpayer identification number.
3. The organization must provide an in-kind service/donation to benefit and augment the City of Seaside. A written statement must be submitted with the application outlining specific donations and/or services provided by the organization to the City of Seaside.

FEE WAIVERS FOR MEETING ROOMS

1. Meetings are limited to four hours.
2. All organizations receiving fee waivers must give seven days notice of cancellation. If no notice is given of cancellation, the City reserves the right to deny further fee waiver requests.
3. Due to limited space, organizations may not request fee waivers for any more than one meeting room use per year; fee waivers are not intended to provide for ongoing weekly or monthly meeting use.
4. No faith based organizations may apply for fee waivers due to the separation of church and state.

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

1. Pay the non-refundable portion of the deposit per event.
 2. An organization requesting use of the auditorium for a special event or meeting may receive no more than one fee waiver request within a 90-day period.
 3. Provide special event liability insurance. The following is required:
 - a. Provide an "Occurrence Made" liability insurance policy, naming the city as additionally insured, with limits of \$1 million per occurrence and \$2 million aggregate. A copy of that policy must be provided to the Recreation Services Department.
- OR**
- b. Purchase Special Event Liability insurance through the Recreation Services Department at the time of fee waiver request. This insurance covers not only the city, but also those renting the facility.
4. Fundraising activities of any nature do not qualify for fee waivers.
 5. Special events may be required to provide security at renter's expense. A photocopy of the contract must be on file with the Recreation Services Department. The number of security guards required is determined by the nature of the event and the numbers in attendance.

***A City-sanctioned organization is defined as "any community based group or organization that in cooperation with the Recreation Services Department, provides an entertainment, recreation and/educational service benefiting the citizens of Seaside."**

****All deposits are placed in the maintenance and janitorial fund designated for the upkeep and repair of the Oldemeyer Center.**



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: December 19, 2019

**SUBJECT: APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
FROM ORCHESTRA IN THE SCHOOLS**

PURPOSE & RECOMMENDATION

Approve a request from Orchestra in the Schools for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs of tuition aid to all participating students in the program.

BACKGROUND

Orchestra in the Schools (OITS) is requesting a Three Thousand Dollar (\$3,000.00) donation from the Mayor's Youth Fund to help cover the cost of their tuition aid to all participating students in the program. Orchestra in the Schools is the only beginning children's symphony orchestra on the Monterey Peninsula, providing high quality instruction to beginner musicians. Students perform a broad range of classical compositions simplified for young musicians.

The funds will be used for providing tuition aid to all students. The cost per student is One Thousand One Hundred Dollars (\$1,100.00). OITS charges Five Hundred and Fifty Dollars (\$550.00) per student. By offering this aid, Orchestra in the Schools can reach a greater number of underprivileged children who desire to learn the art of music. This contribution from the Mayor's Youth Fund will help to provide the tuition aid needed for the 21 students enrolled from the City of Seaside. OITS practices and promotes recycling with their old sheet music, packaging of snacks and drinks and wherever they can support going green.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. They received their last donation at the August 16, 2018 City Council meeting. They submitted their 2018 Mayor's Youth Fund Closing Report within the 60 day time frame.

FISCAL IMPACT

This request would be funded by a donation from the Waste Management's District to the Mayor's Youth Fund.

ATTACHMENTS

1. MYF Request Packet - Orchestra in the Schools - 2019
 2. 501 (c)(3) Orchestra in the Schools
 3. W-9 - Orchestra in the Schools - 2019
 4. Mayors Youth Fund Closing Report - OITS 2018
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

MAYOR'S YOUTH FUND POLICY

Purpose: The Mayor's Youth Fund was created to provide supplemental financial assistance to students and non-profit groups that provide services to improve the lives of young people living in the City of Seaside. A policy has been developed to standardize the evaluation of contribution requests and ensure that the funds are used appropriately to serve the City's youth.

Eligible Applicants: Contributions will only be made to, or on behalf of, students or organized groups, such as schools and non-profit organizations based in Seaside and/or serving a majority of Seaside residents (50%) that are 18 years old or younger or enrolled in high school. Faith based organizations may apply for contributions from the Mayor's Youth Fund if the funding is not used to support religious activities such as worship, Sunday School, or religious instruction. In addition, activities funded by the Mayor's Youth Fund must be open to all persons without regard to their religious affiliation.

Submittal of Contribution Requests: In order to request a contribution, the following information must be provided in writing:

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.
- Description of other methods being used to raise funds and/or other contributors.
- An explanation of how the group, activity, or event will benefit Seaside youth.
- Written description of how the use of the funds will be specifically used for youth group activities/events and/or has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.
- How this request will provide a municipal benefit (ie., benefit the community).
- Proof of non-profit organizations status (not a taxpayer's I.D> number) and a current W-9 form.

Evaluation Process and Criteria: Contributions can only be made if approved by the City Council. Funding requests will be evaluated based on their consistency with this policy, including the following criteria.

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.

- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)
- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

Contribution Limits: In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

<u>Individuals*</u>	25% of total cost of activity (not to exceed \$1,000.00)
Groups up to 20	up to \$1,500.00
Groups 21+	up to \$3,000.00

In addition, funding will be limited to one contribution per year (every 12 months).

Payment Process: If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

Mayor's Youth Fund Contribution Request

Prior to completing this request please, review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: Orchestra in the Schools, Inc.

Address: 2035 Cross Street, Seaside, CA 93955

Email: cathy@orchestraintheschools.org

Phone Number: Home N/A Work N/A Cell (831) 915-7260

Name of Individual: Catherine E. Rivera

% Residents or Students of Seaside: 26 %

of Participants: Total Students 80 / Seaside Students 21

Ages: 9 - 15

CRITERIA – Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:

Scholastic	<u> </u>
Athletic	<u> </u>
Music	<u> X </u>
Environmental	<u> </u>
Art	<u> </u>

Is funding a reward for one of these activities?

Yes. Orchestra in the Schools, Inc. is an after school music program that teaches children, grades 3-10, how to play orchestral instruments, read music, and perform with the orchestra. Guitar instruction is also offered.

Description of event, activity or program funding pertains to: (Attach Additional Information as Necessary)

See Attachment

Description of how the funds will be specifically used for youth groups activities/events and/or has a nexus to the goals of recycling, cleanup and/or "green" sustainability to insure a healthy environment.

See Attachment

What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request?

See Attachment

*Total Amount Requested: (See Contribution limits) \$3,000

Funding Requirements

- Funding is limited to one contribution per year (every 12 months).
- The Mayor's Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.
- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.
- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

Individual Requests: Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000.00. Applications that are incomplete will be returned.

Description of Event Cont....

Orchestra in the Schools (OITS) is the only beginning children's symphony orchestra on the Monterey Peninsula, providing high quality small and large group instruction to beginner musicians. Our students perform a broad range of famous classical compositions simplified for young people. Notably, OITS graduates serve as the major source of new musicians for Youth Music Monterey County's Junior Youth Orchestra and its highly talented Honors Youth Orchestra. In November, 2012, in an effort to reach more students in other areas of the Peninsula a new location was added at Monterey International School in Seaside.

Since 1988, we have taught over 1900 children to play a musical instrument and experience the joy of participating in an orchestra. Many children begin with no musical knowledge and then perform with the full orchestra just months later. The children are assembled together, from their small group instruction, to perform as an orchestra. The joy in their eyes and the smiles on their faces as they hear their instruments combine to make beautiful symphonic music tells the entire story.

Orchestra in the Schools believes that all children deserve this enriching opportunity. We recognize that children who build their confidence through the rigor and cooperation required to produce music together will become adults who understand the value of perseverance, appreciate artistic beauty and practice responsibility, helping to make the world a better place.

Description of how the use of the funds will be specifically used for the youth groups activities Cont....

Tuition aid is awarded to all students – we charge \$550 per student for tuition, the actual cost is over twice that amount. We also additional tuition aid to qualified students to help with the initial tuition fee. By offering this aid, Orchestra in the Schools can reach a greater number of underprivileged children in seaside who desire to learn how to play a musical instrument. These funds also allow us to hire high quality music instructors/professionals who teach small group and perform with along beside the students in the full orchestra. This contribution from the Mayor's Youth fund will help to provide the tuition aid needed for the 21 students we have enrolled from the City of Seaside.

We practice and promote recycling with our old sheet music, packaging of snacks and drinks and wherever we can support going green.

Provide description and/or explanation of what your particular event will do to provide a municipal benefit to the City of Seaside Cont.....

Children who participate in Orchestra in the Schools learn how to co-operate with other, leadership, and follow instructions to create an orchestra. This contribute to the growth of good citizens for the Seaside community bringing together children, parents, friends, and community members to celebrate and enjoy the benefits of creating music together.

Currently the ensembles from Orchestra in the Schools are scheduled to play at the following events in the City of Seaside:

Tuesday, Dec. 10th – Orchestra in the Schools Winter Concert at the Monterey International School in Seaside, all OITS groups will be performing.

Friday, Dec. 13 – Full Orchestra at the City of Seaside: Winter Wonderland Snow Festival and Tree Lighting. Guitar ensemble will perform.

Saturday, Dec. 14 – Oldemeyer Center in Seaside: Annual Community Holiday Luncheon. The OITS String Quartet will perform.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 03 2014

ORCHESTRA IN THE SCHOOLS INC
8060 CARMEL VALLEY RD
CARMEL, CA 93923

Employer Identification Number:
46-4271913
DLN:
17053002343014
Contact Person:
JUANITA M HERALD ID# 31979
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
November 18, 2013
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,



Director, Exempt Organizations

Letter 947

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Orchestra in the Schools, Inc.		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☒ Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
5 Address (number, street, and apt. or suite no.) See instructions. P.O. Box 1669		Requester's name and address (optional)
6 City, state, and ZIP code Monterey, CA 93940		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-				-	
or								
Employer identification number								
4	6		-	4	2	7	1	9 1 3

Part II Certification

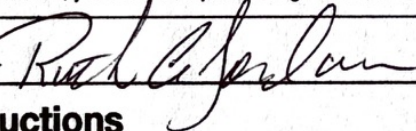
Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►



Date ►

12-2-19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: August 16, 2018

Name of Organization: Orchestra in the Schools

Contact: Cathy Rivera, Board Member

Address: 2035 Cross St., Seaside, CA 93955

Email/Phone: rivera.cathy@gmail.com 831-915-7260

Amount of Donation Received: \$1500.00

What Items were purchased with Mayor's Youth Fund Donation:

The donation from the Mayor's Youth Fund Donation was applied toward tuition aid for the eight Seaside children that have enrolled as of the first rehearsal on September 11, 2018.

**** Please describe the activities and the date the group/individuals participated in related to reduce, reuse and recycle? Please provide written description, brief City Council presentation, and/or photos.**

At each rehearsal, orchestra students enjoy a snack during a break in the 2-hour class. All recyclable packaging from these snacks is deposited in recycle bins. Please see attached photo.

Signature: Cathy Rivera, Board Member

Date: 10-01-2018

***This form is due 60 days upon receipt of funding by the applicant. Organizations that do not comply within the 60 day time period may not apply for funding for the following year.**

**** Orchestra in the Schools also maintains a large inventory of instruments which are loaned at no cost to students. These instruments are collected at the end of the year, repaired if needed, and re-used the next season.**

sheet music is also re-used in this way.



October 1, 2018

Cathy Rivera, Board Member
2035 Cross St.
Seaside, CA 93955

City of Seaside Recreation Services
918 Hilby Ave.
Seaside, CA 93955
Att: Terry Navarro

RE: Mayor's Youth Fund Closing Report

Dear Ms. Navarro,

Please find enclosed here a Mayor's Youth Fund Closing Report describing our use of funds awarded to Orchestra in the Schools on August 16, 2018. Please contact me if there remain any questions regarding this report.

We thank you for your kind \$ 1,500.00 donation to our program. We look forward to another fun and exciting music season. Our first performance of the year will be at the International School of Monterey in Seaside on December 4, 2018. We welcome the Mayor, Council, and staff to attend and see our OITS students perform.

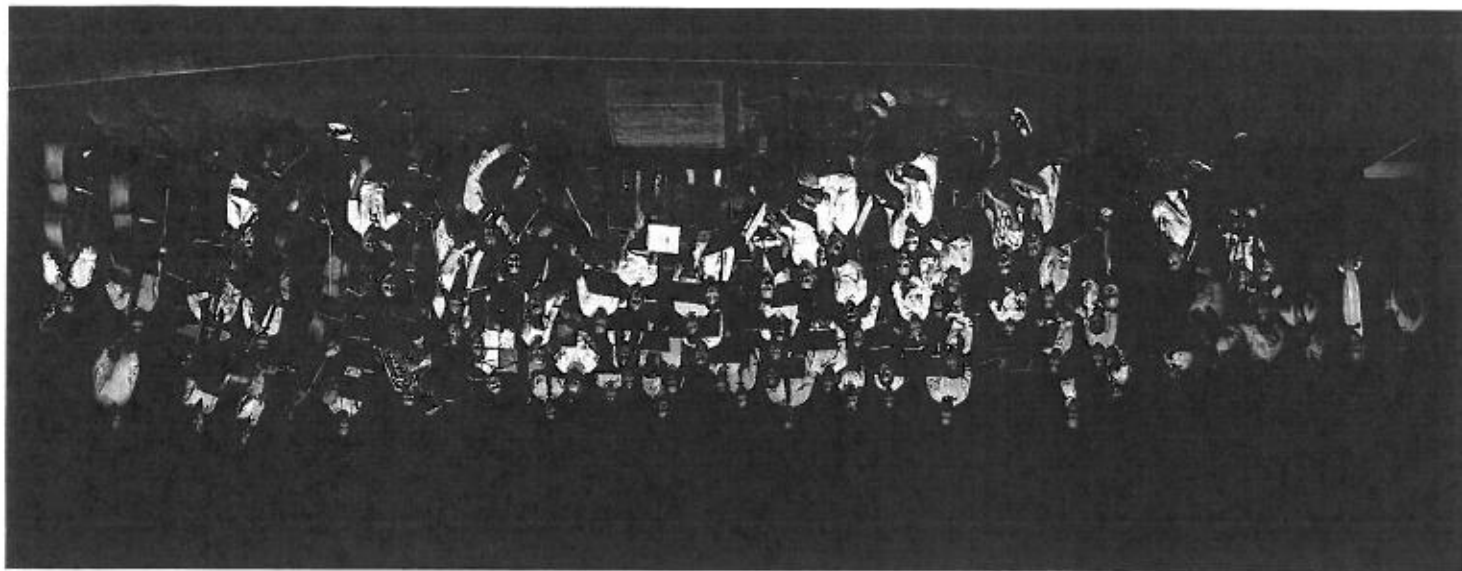
Yours truly,

Cathy Rivera, Board Member



OITS students recycling snack packaging
at rehearsal on 9-18-2018

To register for classes, to donate, or for more information, go to OrchestraInTheSchools.org



P. O. Box 1669
Monterey, CA 93942



**"Inspiring Success for all Children
Through Music"**

WHAT WE DO:

Orchestra in the Schools has taught over 1,800 children to play musical instruments and experience the joy and benefits of participating in an orchestra.

With proven success since 1988, Orchestra in the Schools (OITS) has introduced Monterey County children in Grades 3-10 to classical music through ensembles and orchestral settings.

HOW WE DO IT:

OITS is open to all Monterey County School children in grades 3-10. We offer no-cost instrument loans to help students get started. Tuition aid is available to families in need.

Children are instructed by highly qualified musician-teachers after regular school hours. In addition to small group instruction, the students perform two major public concerts each year in the full orchestra and in other ensembles.

OITS is a unique after-school program preparing children for further musical involvement in advanced orchestra.

OITS grads often audition for Youth Music Monterey County Junior Youth Orchestra to continue their involvement with music.



WHAT STUDENTS SAY:

"I am grateful for the new friends that I made through OITS."

"Learning to play the trumpet was really cool"

"Playing a solo was scary at first."



WHAT PARENTS SAY:

"My daughter's confidence and self esteem have improved since she began OITS."

"Students are loaned instruments at no extra cost. For Tyler, it was a stand-up bass, which can cost from \$500 to \$5,000."

WHAT TEACHERS SAY:

"The magic behind all of this is Jim Paoletti. He was a long-term teacher in the Monterey public schools and a fine musician."

"Studies indicate that children who participate in music do better in school and function with a higher intellect."

CONTACT ORCHESTRA IN THE SCHOOLS:

P. O. Box 1669, Monterey, CA 93942
(831) 508-9000 OrchestraInTheSchools.org
Info@OrchestraInTheSchools.org

OITS is a 501(c)(3) non-profit organization.

HOW TO BECOME A PART OF OITS:

Register for classes online at OrchestraInTheSchools.org

HOW YOU CAN HELP OITS:

OITS is funded 33% by tuition and 67% by grants and donations. Your support is vital to daily operations. That's why your help is critical!

DONATE:

Orchestra in the Schools, Inc.
P. O. Box 1669, Monterey CA 93942
Online: OrchestraInTheSchools.org
Your gift is tax-deductible

SUPPORT AT ANY LEVEL IS GREATLY APPRECIATED:

Founder (\$2,500 and up)
Conductor (\$1,000-\$2,499)
Concertmaster (\$500-\$999)
Orchestra (\$250-\$499)
Musicians (\$100-\$249)

PARTIAL LIST OF SUPPORTERS:

BOB DAVIES
JANET McDANIEL
BARBARA SWAIN

NBR
Foundation



ARTS COUNCIL
of MONTEREY COUNTY



Here for Good!
Community Foundation
for Monterey County



PEBBLE BEACH
COMMUNITY FOUNDATION



MONTEREY
PENINSULA
FOUNDATION



MONTEREY COUNTY GIVES!
Joining Together for Big Ideas



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: December 19, 2019

**SUBJECT: APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
FROM INTERNATIONAL SCHOOL OF MONTEREY**

PURPOSE & RECOMMENDATION

Approve a request from International School of Monterey for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs to further develop their environmental education program.

BACKGROUND

International School of Monterey is requesting a Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs to further develop their environmental education program. They will be spending all of the funds on a solid waste compost system and garden structures, supplies and equipment. Currently, they have three gardens on site and would like to expand and strengthen their use in their academic program.

The International School of Monterey's environmental program will educate all of their students on the value of recycling solid food and other waste. By involving their students directly in the sorting, transporting and utilization of the composting system, they hope to embed an understanding and respect for a healthy environment in all of their students. Their garden program provides a cycle in the growing, harvesting, consuming, and composting of plants. This will develop a hands-on understanding of the value of sustainability in the community.

Based on the information provided in the application, the request meets the criteria for

the Mayor's Youth Fund Policy. This is the first time that the International School of Monterey is requesting a donation.

FISCAL IMPACT

This request would be funded by a donation from the Waste Management's District to the Mayor's Youth Fund.

ATTACHMENTS

1. MYF International School of Monterey 2019
 2. International School of Monterey 501(c)(3)
 3. International School of Monterey W-9
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

MAYOR'S YOUTH FUND POLICY

Purpose: The Mayor's Youth Fund was created to provide supplemental financial assistance to students and non-profit groups that provide services to improve the lives of young people living in the City of Seaside. A policy has been developed to standardize the evaluation of contribution requests and ensure that the funds are used appropriately to serve the City's youth.

Eligible Applicants: Contributions will only be made to, or on behalf of, students or organized groups, such as schools and non-profit organizations based in Seaside and/or serving a majority of Seaside residents (50%) that are 18 years old or younger or enrolled in high school. Faith based organizations may apply for contributions from the Mayor's Youth Fund if the funding is not used to support religious activities such as worship, Sunday School, or religious instruction. In addition, activities funded by the Mayor's Youth Fund must be open to all persons without regard to their religious affiliation.

Submittal of Contribution Requests: In order to request a contribution, the following information must be provided in writing:

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.
- Description of other methods being used to raise funds and/or other contributors.
- An explanation of how the group, activity, or event will benefit Seaside youth.
- Written description of how the use of the funds will be specifically used for youth group activities/events and/or has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.
- How this request will provide a municipal benefit (ie., benefit the community).
- Proof of non-profit organizations status (not a taxpayer's I.D> number) and a current W-9 form.

Evaluation Process and Criteria: Contributions can only be made if approved by the City Council. Funding requests will be evaluated based on their consistency with this policy, including the following criteria.

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see

"Payment Process" information provided below.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of fund for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

Contribution Limits: In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

Individuals* 25% of total cost of activity (not to exceed \$1,000.00)
Groups up to 20 up to \$1,500.00 Groups 21+ up to \$3,000.00

In addition, funding will be limited to one contribution per year (every 12 months).

Payment Process: If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

Mayor's Youth Fund Contribution Request

Prior to completing this request please review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: [International School of Monterey](#)

Address: [1720 Yosemite Street, Seaside, CA 93955](#)

Email: jallen@ismonterey.org

Phone Number: Work [831-532-2169](#) Cell [831-747-0009](#)

Name of Individual: [Jessica Allen, Alex Hofsteen, Dan Rhoads](#)

% Residents or Students of Seaside: [46.35% \(197 students\)](#)

of Participants: [425](#)

Ages: [Kindergarten - 8th Grade \(ages 5-14\)](#)

CRITERIA – Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:

Scholastic _____ Athletic _____ Music _____ Environmental [X](#) Art _____

Is funding a reward for one of these activities?

[We plan on utilizing this grant award to further develop our environmental education program, spending all of the funds on a solid waste compost system and garden structures, supplies, and equipment. Currently, we have three gardens on site and would like to expand and strengthen their use in our academic program.](#)

Description of event, activity or program funding pertains to: (Attach Additional Information as Necessary)

[Expanding students' understanding of the "cycles of life" within our garden program is the root of our use for these environmental program funds. We will use the funds to purchase and build a](#)

greenhouse to grow plants from seeds for our schoolwide vegetable gardens. Over the years in developing our program, we have noticed that if we plant directly by seed, we only see a 20% success rate for plant growth. We will utilize students from our school's Schoolwide Enrichment Model program—which allows students to select an area of interest to study during a 6-week period—to take a leadership role with our garden program. Every SEM session we have students who are interested in gardening so they will work with our garden team to build the greenhouse as a learning experience. We plan on transplanting the plant starts to our raised beds in our vegetable gardens. Teachers at various grade levels that study environments will sign up for the garden beds and plant the starts for the garden team with their students. This will allow the students to have a first hand understanding of the seed and plant life cycle at school. We will also use the environmental program funds to improve and expand our current solid waste compost system with our lunch program. We will purchase student friendly bins and carts to better transport the compost to the gardens. This will help students gain an in depth understanding into the final stages of the plant cycle, decomposition. We will use the compost to generate nutrient rich soil for our greenhouse starts and our garden beds. Teachers in various classes will sign up to have their students harvest our vegetables from our gardens and be asked to collect the seeds from the harvest. These seeds will be replanted in the nutrient rich soil by the students as the next cycle of starts for our greenhouse, thus completing the “cycle of life” in our garden education program. We plan on using the food that is harvested as a curriculum resource to encourage students to be risk takers and healthy eaters. We also plan on creating a mini farmers market at ISM, with the potential to have a booth at the Seaside farmers market where the money that we generate would go back into our environmental program and our gardens.

Description of how the funds will be specifically used for youth groups activities/events and/or has a nexus to the goals of recycling, cleanup and/or “green” sustainability to insure a healthy environment.

As mentioned above, we plan on utilizing the environmental program funds to create a composting system at our school site. Through this system we plan on educating all of our students on the value of recycling solid food and other waste. By involving the students directly in the sorting, transporting, and utilization of the composting system, we hope to embed an understanding and respect for a healthy environment in all of our students. Further, by highlighting through our garden program that there is a cycle in the growing/harvesting/consuming/composting of plants, we hope to develop a hands-on understanding of the value of sustainability in our community.

What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request?

Previous grants supporting our garden program:

- \$25,000 Monterey Peninsula Regional Park District grant in 2012
- \$5,000 Monterey Peninsula Foundation grant for SEM (including garden classes) in 2019
- \$500 Literacy for Life grant in 2018
- \$100 Home Depot donation in 2018

- In-kind Seaside Garden Center soil donation in 2018

In addition, we utilize a vast array of parent volunteers to help with SEM as well as our once-a-month Saturday Work Day volunteers to maintain and upgrade our gardens during the school year.

*Total Amount Requested: (See Contribution limits) \$3000

Funding Requirements

- Funding is limited to one contribution per year (every 12 months).
- The Mayor's Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.
- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.
- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

Individual Requests: Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000.00. Applications that are incomplete will be returned.

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: _____

Name of Organization: _____

Contact: _____

Address: _____

Email/Phone: _____

Amount of Donation Received: _____

What Items were purchased with Mayor's Youth Fund Donation:

Please describe the activities and the date the group/individual participated in related to reduce, reuse and recycle? Please provide written description, brief City Council presentation, and/or photos. _____

Signature: _____

Date: _____

***This form is due 60 days upon receipt of funding by the applicant. Organizations that do not comply within the 60 day time period may not apply for funding for the following year.**

OGDEN UT 84201-0038

In reply refer to: 0441674133
Feb. 07, 2011 LTR 4168C E0
77-0485756 000000 00 R
00026545
BODC: TE

INTERNATIONAL SCHOOL OF MONTEREY
% SEAN MADDEN
1720 YOSEMITE ST
SEASIDE CA 93955-3914

040659

Employer Identification Number: 77-0485756
Person to Contact: M.Selim
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Jan. 27, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in July 1999.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(ii).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0441674133
Feb. 07, 2011 LTR 4168C E0
77-0485756 000000 00 R
00026546

INTERNATIONAL SCHOOL OF MONTEREY
% SEAN MADDEN
1720 YOSEMITE ST
SEASIDE CA 93955-3914

If you have any questions, please call us at the telephone number
shown in the heading of this letter.

Sincerely yours,



Rita A. Leete
Accounts Management II

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. International School of Monterey	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☒ Other (see instructions) ► Nonprofit, tax-exempt, 501(c)(3) corporation	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions. 1720 Yosemite Street 6 City, state, and ZIP code Seaside, CA 93955 7 List account number(s) here (optional)	Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

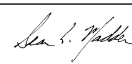
Social security number									
			-				-		
or									
Employer identification number									
7	7		-	0	4	8	5	7	5

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Digitally signed by Sean Madden Date: 2019.12.02 13:44:03 -08'00'
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



CITY OF SEASIDE STAFF REPORT

Item No.: 8.H.

TO: City Council

BY: Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner

DATE: December 19, 2019

SUBJECT: **APPROVE REALLOCATING 0.285 AF WATER FROM SMALL COMMERCIAL FUND TO RESERVE FUND, AND APPROVING WAC-19-26: MONTEREY COUNTY, PROPERTY OWNER, AND COMMUNITY HUMAN SERVICES, APPLICANT, 0.285 AF OF WATER FROM RESERVE FOR THE SHELTER AT 1292 OLYMPIA AVENUE LOCATED IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT. THE PROJECT IS EXEMPT CLASS 1, SECTION 15301.A FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.**

PURPOSE & RECOMMENDATION

Approve reallocating 0.285 AF of water from Small Commercial fund to Reserve fund, and approving WAC-19-26: Monterey County, property owner, and Community Human Services, applicant, 0.285 AF of water from Reserve fund for the shelter at 1292 Olympia Avenue, located in the commercial mixed-use (CMX) zoning district. The project is exempt Class 1, Section 15301.A from the California Environmental Quality Act (CEQA) guidelines.

BACKGROUND

PURPOSE & RECOMMENDATION

It is recommended that the City Council approve reallocating 0.285 AF of water from Small Commercial fund to Reserve fund, and approving WAC-19-26: Monterey County, property owner, and Community Human Services, applicant, 0.285 AF of water from Reserve fund for the shelter at 1292 Olympia Avenue, located in the commercial mixed-use (CMX) zoning district. The project is exempt Class 1, Section 15301.A from the California Environmental Quality Act (CEQA) guidelines.

Conditions of approval are provided as Attachment 1 to the staff report for this item.

In accordance with Ordinance 892, the applicant is requesting water to allow the conversion of an existing modular office building into an emergency shelter.

BACKGROUND

This request came before the Water Allocation Committee at a special meeting on November 20th, 2019. At that time, the WAC recommended approval for this item as it moves on to Council for consideration, per Ordinance 850, which allows for water to be allocated to a reserve fund and "water may be allocated from this fund for projects that are unique and do not fit within the parameters of this water allocation program. The final decision on utilization of the reserve fund will be made by the City Council." The WAC recommended that City Council consider approving 0.285 AF of water for use by the women's shelter at 1292 Olympia Avenue as part of the reserve fund.

There is currently no water allocated to the reserve fund, so 0.285 may be removed from Small Commercial which currently has a balance of 7.668 AF. If the allocation to Reserve fund is approved, that would leave Small Commercial with a balance of 7.383 AF. It is recommended the Reserve fund be used for the shelter application of 0.285 AF.

The project site is located 1292 Olympia Avenue at the southwest corner of Olympia Avenue and Noche Buena Street. The project site is developed with an existing 50-foot by 90-foot (4,500 sq. ft.) modular office within the overall office complex and parking lot of the Monterey County Social Services site. Location map is provided as Attachment 2. Site Photos are provided as Attachment 3.

The adjacent uses consist of single family dwellings to the north, a funeral home to the east, and commercial retail uses and daycare center to the south and west.

WATER IMPACT

Amount Needed = 0.285 AF

STAFF ANALYSIS

The proposed project consists of the conversion of an existing modular office building to an emergency shelter. The site plan is provided as Attachment 1 - Exhibit A. The water use determination by the Monterey Peninsula Water Management District (MPWMD) that is required for the provision of a 30-bed emergency shelter is provided as Attachment 1 - Exhibit B. Per the City of Seaside Zoning Code, the Emergency Shelter is a permitted use within Census Tract 137 which the site is located within.

Institutional projects which involve an increase in water use above the water allocation from a previous use are evaluated in accordance with a Point System contained in Ordinance 892. Projects receiving 20 points will be awarded water per the available amount of water from the City's Commercial Water Category. Per the Point Criteria, City staff finds that the proposed project would receive the following points:

	Determination	Points Received
<u>Revenue Generation</u> Up to \$5,000 = 1 point	Total: \$ 15,500 City's Share Property Tax Revenue	

\$5,001-\$10,000 = 3 points \$10,001-\$15,000 = 5 points \$15,001 or more = 7 points	0.18% of \$500,000 = \$900 City's Share of Sales Tax Revenue 1% of \$1,460,000 = \$14,600	
<u>Jobs Creation</u> 1-9 part time = 1 point 10 or more part time = 3 points 1-9 full time = 5 points 10 or more full time = 7 points		6
<u>Projects on Major Thoroughfares</u> All other commercial areas = 1 point Fremont, Broadway, Del Monte = 5 points	Broadway Ave	5
<u>Removal of Blight</u> Occupied Bldg, remodel existing structure = 1 pt Vacant Bldg, remodel of existing structure = 3 pts Occupied Bldg, full demo & redevelopment = 5 pts Vacant Property, complete redevelopment = 7 pts	Vacant Bldg, remodel of existing structure	3
<u>Business Retention</u> Seven (7) points will be awarded for projects which, if not approved, would result in the loss of an existing business, which generates revenue for the City and/or significant employment.		7
Total		22

It has been determined that the proposed project would meet the minimum standard of 20 points by providing a combined total of 22 points. Key factors with the proposed shelter are the number of full and part time jobs that will be created and value to the City's housing opportunities for the homeless as outlined in the Seaside General Plan.

ATTACHMENTS

1. Draft Resolution
 2. Attachment 1 - Conditions of Approval
 3. Exhibit A - Attachment 1 Site Plan
 4. Exhibit A - Attachment 2 - MPWMD Determination Letter
 5. Attachment 2 - Location Map
 6. Attachment 3 - Site Photos
-

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE,

APPROVING REALLOCATING 0.285 AF WATER FROM SMALL COMMERCIAL FUND TO RESERVE FUND, AND APPROVING WAC-19-26: MONTEREY COUNTY, PROPERTY OWNER, AND COMMUNITY HUMAN SERVICES, APPLICANT, 0.285 AF OF WATER FROM RESERVE FOR THE SHELTER AT 1292 OLYMPIA AVENUE LOCATED IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT. THE PROJECT IS EXEMPT CLASS1, SECTION 15301.A FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.

WHEREAS, the City Council periodically reallocates water between various funds, which include: Broadway catalyst, Broadway and Terrace, Auto Center, West Broadway Urban Village, Small Commercial, ADUs, and Reserve per Ordinances 850 and 892; and

WHEREAS, a request for 0.285 AF of water has been made by a shelter which was considered and recommended for approval by the Water Allocation Committee at the November 20, 2019 meeting with unanimous agreement that the request would go to City Council; and

WHEREAS, the shelter request is unique and does not clearly fit within the parameters of the water allocation program, which deems it eligible for consideration for allocation using the Reserve fund, per Ordinance 850; and

WHEREAS, the City Council understands the need and appreciates the benefits that a shelter will provide for the community; and

WHEREAS, reallocating 0.285 AF of water from the Small Commercial fund to the Reserve fund is a minor reallocation.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves reallocating 0.285 AF water from the Small Commercial fund to the Reserve fund and using the Reserve fund allocation for the 0.285 AF requested by the shelter at 1209 Olympia Avenue, with the following conditions.

Project Specific: *Planning:*

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans identified as "1292 Olympia Avenue" stamped as received on "November 11, 2019".
2. The water allocation is valid only for the implementation of changing the modular building located at the project site from a Group I office water use to a Group III emergency shelter dormitory water use per the Monterey Peninsula Water Management District (MPWMD) regulations in the amount of 0.285 acre feet. A determination letter from MPWMD is provided as Exhibit A - Attachment 2. Any change in the land use at this site prior to a Certificate of Occupancy shall cause the water permit to become null and void. Any change in the use of the emergency shelter to a higher water use in the future must be approved by the Water Allocation Committee Zoning Administrator as a minor change.
3. Applicant must secure a Certificate of Occupancy for the improvements within one year from the issuance of the Water Permit.

Standard:

4. Water Allocation approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.54.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.
5. Proposed changes to the approved application(s) must receive approval from the Zoning Administrator.
6. 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.
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 proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and landscape irrigation equipment.
9. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
10. Water conservation fixtures shall be provided in the proposed project.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Seaside, State of California, on the 19th of December 2019 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

Conditions of Approval
File No. WAC-19-26
November 20, 2019

Project Specific:

Planning:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans identified as “1292 Olympia Avenue” stamped as received on “November 11, 2019”. The project site plan is provided as Exhibit A - Attachment 1.
2. The water allocation is valid only for the implementation of changing the modular building located at the project site from a Group I office water use to a Group III emergency shelter dormitory water use per the Monterey Peninsula Water Management District (MPWMD) regulations in the amount of 0.285 acre feet. A determination letter from MPWMD is provided as Exhibit A - Attachment 2. Any change in the land use at this site prior to a Certificate of Occupancy shall cause the water permit to become null and void. Any change in the use of the emergency shelter to a higher water use in the future must be approved by the Water Allocation Committee Zoning Administrator as a minor change.
3. Applicant must secure a Certificate of Occupancy for the improvements within one year from the issuance of the Water Permit.

Standard:

4. Water Allocation approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.54.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.
5. Proposed changes to the approved application(s) must receive approval from the Zoning Administrator.
6. 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.

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 proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and landscape irrigation equipment.
9. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
10. Water conservation fixtures shall be provided in the proposed project.

WATER ALLOCATION APPLICATION NO. WAC-19-26

This permit is 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 Water Allocation Committee.

Applicant's Signature

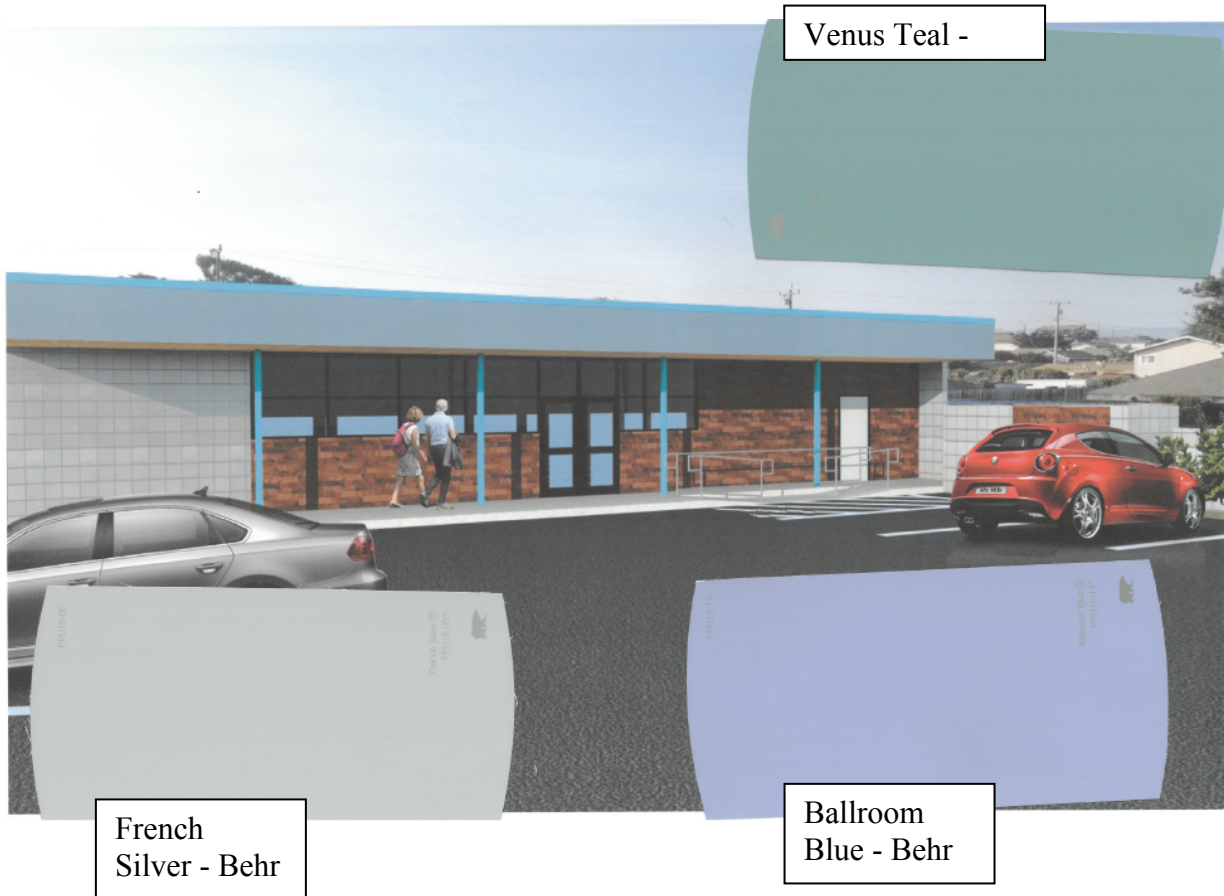
Date

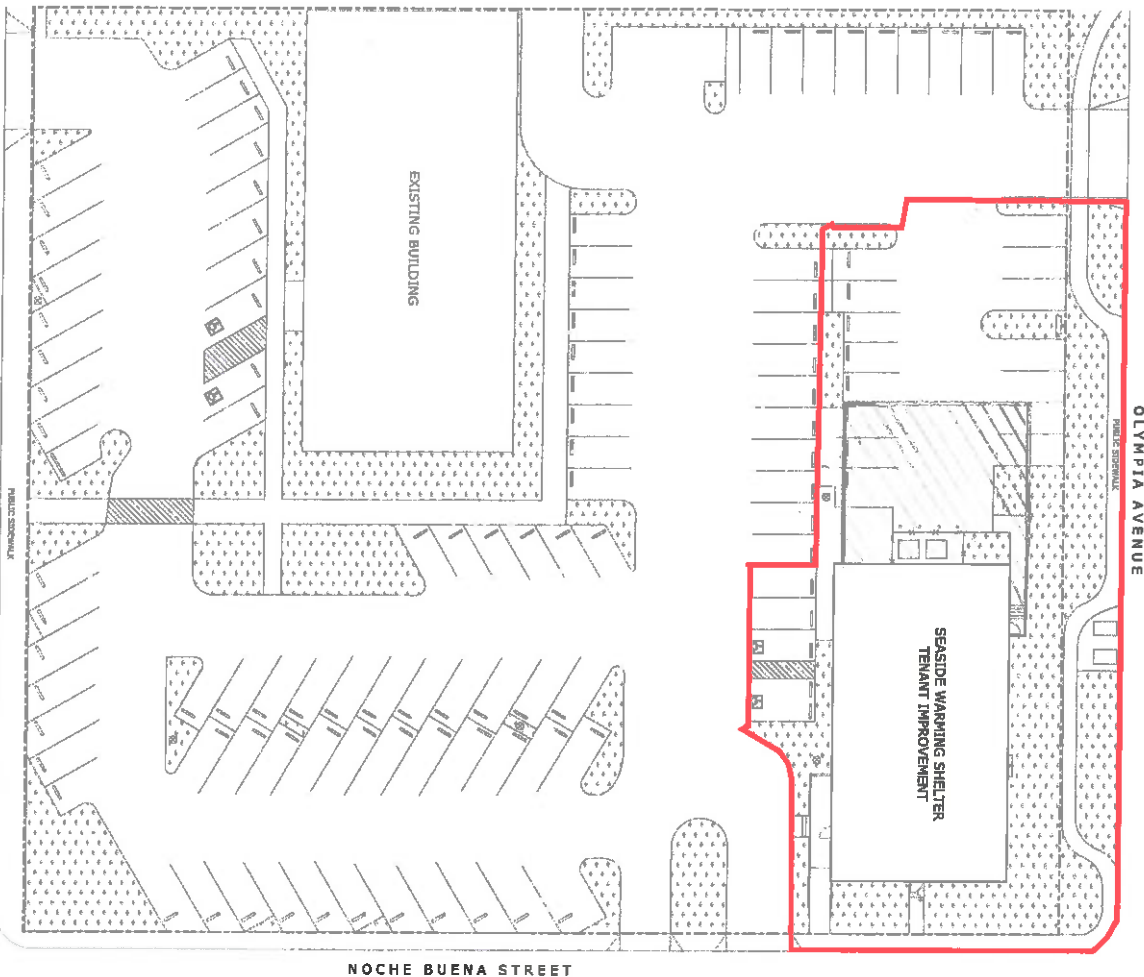
Property Owner's Signature

Date

Exhibit "A"

Exterior Façade/Colors





NOCHE BUENA STREET

OLYMPIA AVENUE

SEP 30 2019

September 26, 2019

Ms. Amy Stocker
Gathering for Women
147 El Dorado St.
Monterey, California 93940

**Subject: Peninsula Shelter Project, 1292 Olympia Avenue, Seaside, CA
(APN: 012-691-001)**

Dear Ms. Stocker:

A description of the proposed Peninsula Shelter Project was submitted to the District on September 24, 2019. It is my understanding that it was submitted with a request to review the water needs for the project. The following summarizes the Water Permit process for the proposed project:

The District will consider the proposed shelter as a Group III “dormitory” use with a water use factor of 0.02 acre-foot (AF) per one-person bed. The written proposal indicated that there would be 30 participants in ten bedrooms (the submitted floor plan shows 26 beds). For the purpose of calculating the amount of water needed for the project, the District assumes there will be a maximum of 30 beds. Thirty beds at 0.02/AF will result in a Water Use Capacity of 0.60 AF.

The existing 4,500 square-foot building is considered a Group I water use with a water factor of 0.00007 AF/square-foot. This equates to a Water Use Capacity of 0.315 AF. Because there is an increase in the Capacity due to the new use, the City of Seaside will need to authorize 0.285 AF from one of its water Allocations. Seaside has water in three Allocations as of August 30, 2019: The Paralta Allocation (2.149 AF), the Pre-Paralta Allocation (34.438 AF), and the Public Credit Allocation (1.144 AF). All but the Public Credit are subject to the District’s Capacity Fee.

The District’s Capacity Fee for 0.285 AF during fiscal year 2019-20 is \$8,693.07. This fee may be deferred upon approval of the Board per MPWMD Rule 24-H, Permit Fee Payment Plans. Rule 24-H-2 states:

“...the Board, on a case-by-case basis, may authorize delayed payment for Projects which are solely undertaken by California Non-Profit Public Benefit Corporations provided each such plan shall ensure, by recorded deed restriction which includes the consent of each property owner, that all fees and charges due for the issuance of a Water Permit, together with deferred interest at the rate to be set by the Board, shall be paid in full in the event Project-ownership or occupancy is transferred to any entity other than a California Non-Profit Public Benefit Corporation. This provision is intended for use only in the presence of a substantial financial hardship to the Project proponent such that the development of the Project would be jeopardized by the present assessment of the full fees and charges due for the issuance of a Water Permit.”

If Gathering for Women wants to request the deferred payment option, a written request will be required. The request should explain the substantial financial hardship behind the request (see above). A public hearing on the request will be scheduled for a meeting of the Board of Directors.

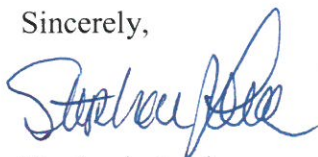
Once the final construction plans have been received by the City of Seaside, the City will release the water and the plans for the District's Water Permit process. The District's process includes recordation of at least one deed restriction on the property before issuance of the Water Permit. Deed restrictions must be signed by an authorized representative of the County of Monterey (and witnessed by a Notary) and may require action by the Board of Supervisors.

To summarize: Based on the description received by the District on September 24, the project Site has an existing Water Use Capacity of 0.315 AF. The new project has a Water Use Capacity of 0.60 AF. The City of Seaside needs to release 0.285 AF from an Allocation for the project. Capacity Fees of \$8,693.07 will be charged for 0.285 AF, but this may be deferred by action of the Board, and a request to delay payment is needed. There will also be processing fees of \$450, plus additional fees for preparing and recording documents. Prior to issuance of the Water Permit, there will be at least one deed restriction that will require the notarized signature(s) of the property owner(s).

The information in this letter is based on the District's current rules and regulations. The District's Rules and Regulations are subject to revision by action of the Board of Directors. New Water Permit applications submitted to the District are subject to the rules in effect at the time the complete application is received.

If you have further questions, please contact Gabby Bravo or Stephanie Kister at 831-658-5601. Gabby and Stephanie will be processing the Water Permit.

Sincerely,

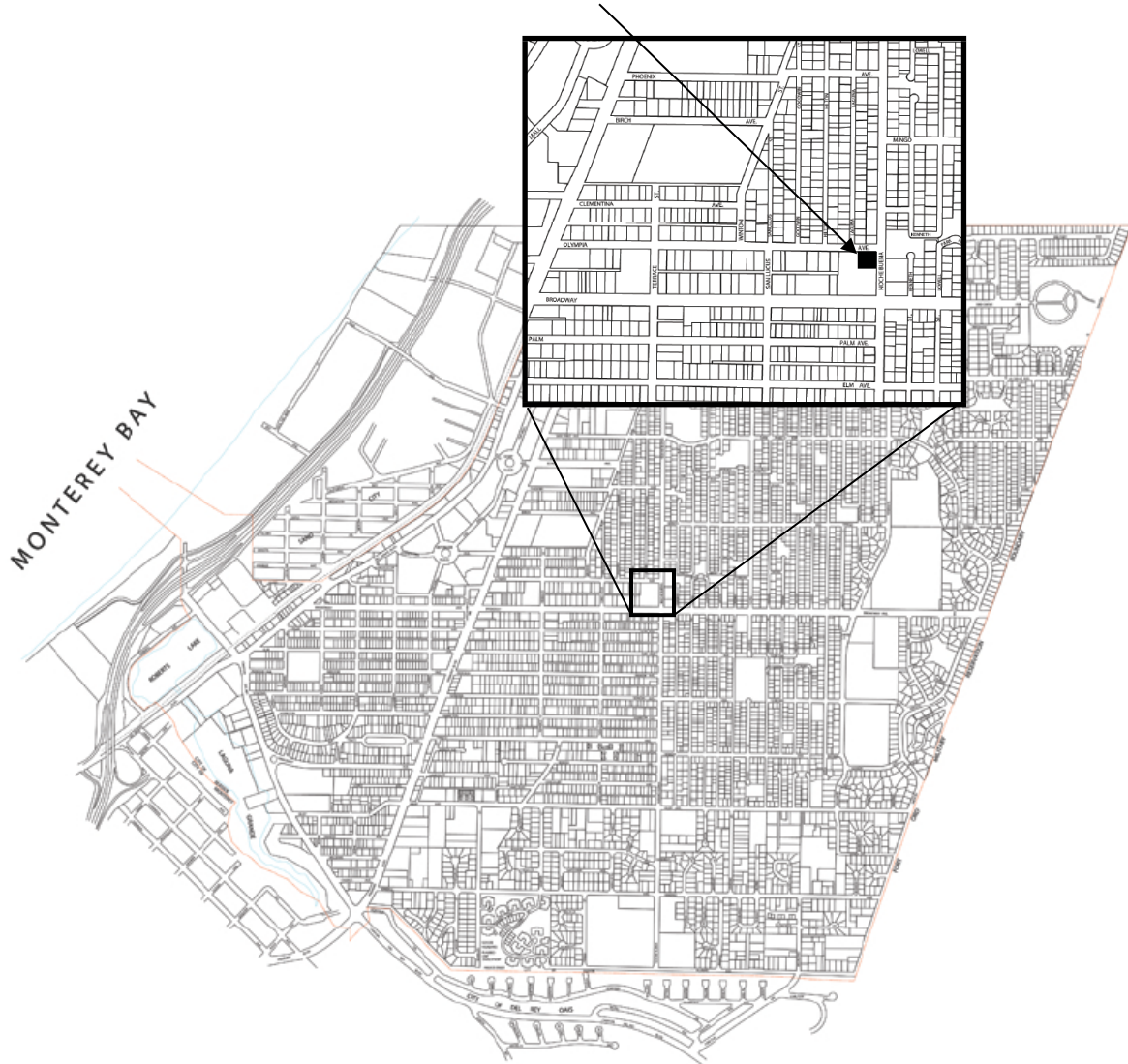


Stephanie Locke
Water Demand Manager

Attachment 2

Location Map

Project Site: 1292 Olympia Avenue



Attachment 3

Site Photos



View of front façade facing parking lot



View of side façade facing Noche Buena Street



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.I.

TO: City Council

FROM: Craig Malin, City Manager

BY: Leslie Llantero, Assistant Engineer
Scott Ottmar, Senior Engineer

DATE: December 19, 2019

**SUBJECT: APPROVE THE TRAFFIC ADVISORY COMMITTEE (TAC)
RECOMMENDATIONS FOR PARKING DESIGNATION ON
THERESA STREET**

PURPOSE & RECOMMENDATION

Approve the Traffic Advisory Committee recommendation to provide a No Parking designation behind the driveway access to 640 Lopez Avenue.

BACKGROUND

The resident at 640 Lopez Avenue is requesting the city to mark a "No Parking" area in proximity to the driveway located to the rear of the property on Theresa Street.

The single car garage driveway at 640 Lopez Avenue can only be accessed from Theresa Street. Theresa Street pavement width measures approximately 32 feet wide with no sidewalk curb or gutter with five single family residences. There is a "NO PARKING" sign that prevents vehicles from parking within the city owned property located on the corner of Theresa St. and Hilby Ave. Other than that sign there are no other parking restrictions on Theresa Street. Theresa Street dead ends at the rear of 632 & 640 Lopez Avenues.

ANALYSIS

The request states that vehicles park in front of 1192 Theresa St. and block access to

the driveway at 640 Lopez (Attachment 1). A recent boundary survey of 1192 Theresa Street revealed the existing white fence fronting the property is set back from the property line approximately 1'4" to the east of the property line (Attachment 2). This leaves approximately 13'8" wide opening to access the garage of 640 Lopez Avenue. The distance from the applicant's garage to the property line is approximately 14'6". A standard single car garages driveway approach measures 12 feet wide by 20 feet long.

Per the California Vehicle Code (Attachment 3), it is unlawful to park blocking a driveway. To help with clarification of the driveway limits, and due to the street configuration and physical constraints, an unrestricted back up area is necessary to allow access to and from the applicants garage at 640 Lopez Avenue.

The standards applicable to the design of perpendicular parking in parking lots most closely represents the conditions for access to the garage at 640 Lopez Avenue. Perpendicular parking in parking lots requires 24 feet of back up clearance to exit a standard 9 foot wide parking stall. The driveway's available opening at 640 Lopez is approximately 13'8" wide. The extra width of the driveway access provides vehicles maneuverability to reverse out of the garage at 640 Lopez Avenue with a shorter back up distance of 22 feet.

It is recommended to paint a 22'x22' section on Theresa Street adjacent to the property line of 1192 Theresa Street to allow backup clearance for the residence at 640 Lopez Avenue.

FISCAL IMPACT

The installation of the 2'x22' parking designation will be paid from the Street Maintenance Account.

ATTACHMENTS

1. Request
2. 1192 Theresa Property Survey
3. California Vehicle Code 22500
4. Photos
5. Measurements

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



Attn Leslie

Engineering Department

\$56 Application Fee

Traffic Advisory Committee Request Application

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

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

Name: Danny Abbuzzese Date: 5/31/19
Address: 640 Lopez Ave Phone: 831-236-3058
Seaside, CA 93940

Type of Request (check all that apply):

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

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

FEES WILL APPLY FOR PARKING AND CURB MARKING REQUESTS

Request: Mark no parking in front
of my Driveway, Facing Right, from
street view with either sign or
ground markings. My Driveway Access
is off Theresa Street, located
at the back of my property. My
Driveway has been partially or completely
blocked since moving in June of
2016. After numerous attempts to work
with neighbor, I am forced to submit
this request.

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

TAC REQUEST PROCEDURE

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

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

Fees

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

Description	Fee*
Marking curb – per curb (20' maximum length)	\$384
Installation of one sign	\$384

* Fees subject to change per City Council approved fee schedule.

PLEASE COMPLETE FOR PARKING AND CURB MARKING REQUESTS

TAC REQUEST ACKNOWLEDGEMENT STATEMENT

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

[Signature]
Applicant Signature

5/31/19
Date

Rec# R00000870

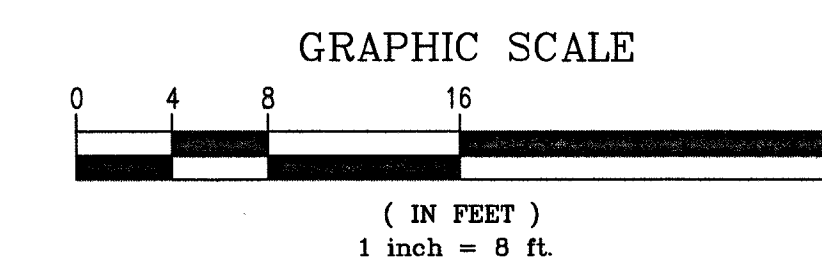
NOTES:

1. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORD DATA. A RECORD OF SURVEY WILL BE FILED WITH THE COUNTY OF MONTEREY SHOWING THIS BOUNDARY SURVEY.
2. DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. THIS PROPERTY MAY BE AFFECTED BY EASEMENTS THAT ARE NOT SHOWN ON THIS MAP.
4. ● DENOTES A FOUND 3/4" IRON PIPE TAGGED "LS 3381", UNLESS OTHERWISE NOTED.
5. DIMENSIONS SHOWN ARE FROM THE FACE OF FENCE COLUMN PERPENDICULAR TO THE LOT LINE.

LEGEND:

AC ASPHALTIC CONCRETE
 CB CATCH BASIN
 CONC CONCRETE
 EP EDGE OF PAVEMENT
 WM WATER METER
 WV WATER VALVE

SCALE: 1" = 8'

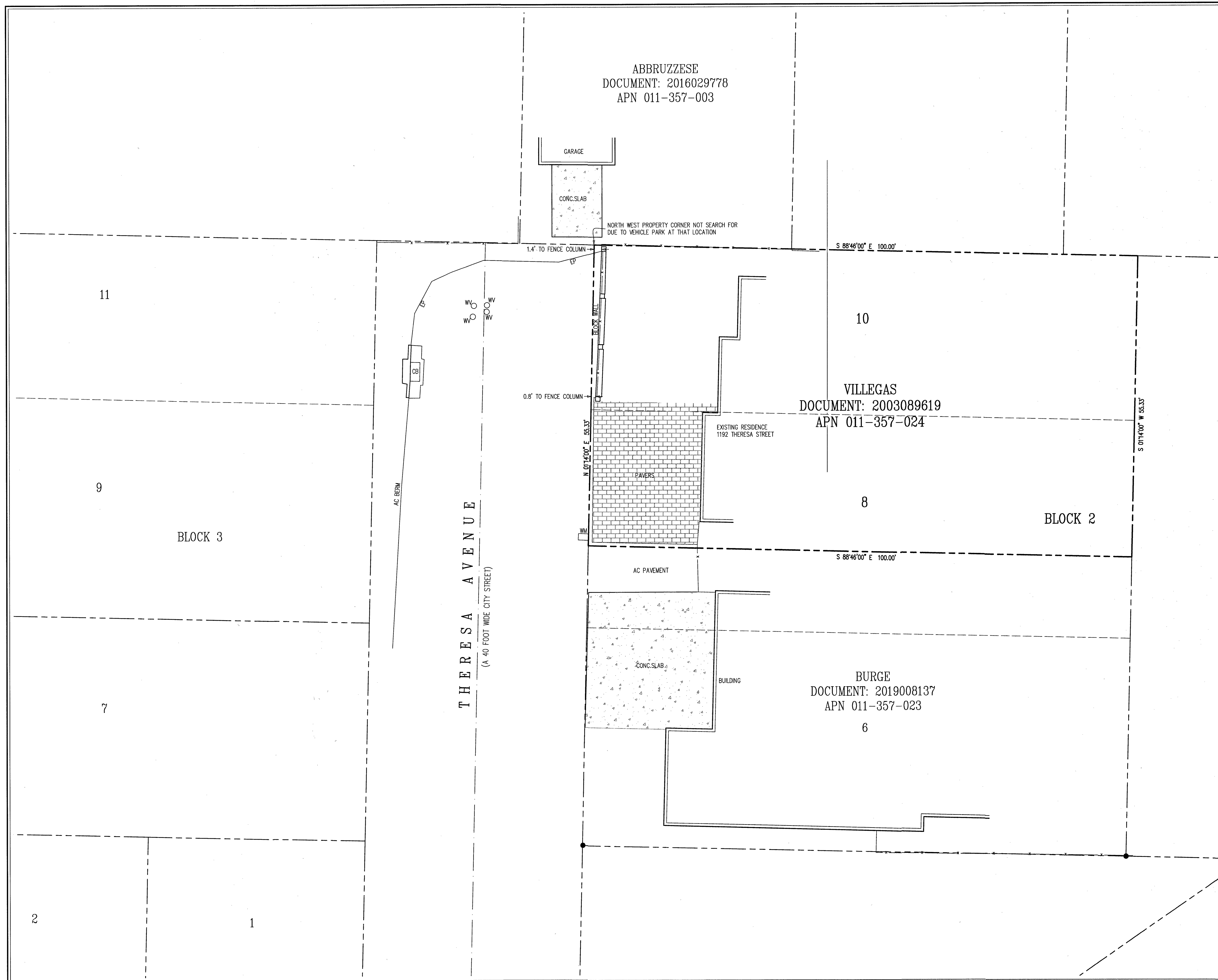


PLANIMETRIC SURVEY

OF
 A PORTION OF
 LOTS 8 & 10
 BLOCK 2
 VOLUME 3 CITIES & TOWNS, PAGE 24

CITY OF SEASIDE COUNTY OF MONTEREY STATE OF CALIFORNIA
 PREPARED FOR
 JOSE VILLEGAS & ROSALINDA JIMENEZ

BY
MONTEREY BAY ENGINEERS, INC.
 CIVIL ENGINEERING • SUBDIVISIONS • LAND SURVEYING • CONSTRUCTION STAKING
 607 Charles Ave Suite B Seaside, California 93955
 Phone: (831) 899-7899
 SCALE: 1" = 8' JOB No. 19-085 OCTOBER 2019
 FIELD: MAL & AL DRAWN BY: AL



State of California

VEHICLE CODE

Section 22500

22500. A person shall not stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:

(a) Within an intersection, except adjacent to curbs as may be permitted by local ordinance.

(b) On a crosswalk, except that a bus engaged as a common carrier or a taxicab may stop in an unmarked crosswalk to load or unload passengers when authorized by the legislative body of a city pursuant to an ordinance.

(c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, which sign or paint was erected or placed by local authorities pursuant to an ordinance.

(d) Within 15 feet of the driveway entrance to a fire station. This subdivision does not apply to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle.

(e) (1) In front of a public or private driveway, except that a bus engaged as a common carrier, schoolbus, or a taxicab may stop to load or unload passengers when authorized by local authorities pursuant to an ordinance.

(2) In unincorporated territory, where the entrance of a private road or driveway is not delineated by an opening in a curb or by other curb construction, so much of the surface of the ground as is paved, surfaced, or otherwise plainly marked by vehicle use as a private road or driveway entrance, shall constitute a driveway.

(f) On a portion of a sidewalk, or with the body of the vehicle extending over a portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 21114.5. Lights, mirrors, or devices that are required to be mounted upon a vehicle under this code may extend from the body of the vehicle over the sidewalk to a distance of not more than 10 inches.

(g) Alongside or opposite a street or highway excavation or obstruction when stopping, standing, or parking would obstruct traffic.

(h) On the roadway side of a vehicle stopped, parked, or standing at the curb or edge of a highway, except for a schoolbus when stopped to load or unload pupils in a business or residence district where the speed limit is 25 miles per hour or less.

(i) Except as provided under Section 22500.5, alongside curb space authorized for the loading and unloading of passengers of a bus engaged as a common carrier in local transportation when indicated by a sign or red paint on the curb erected or painted by local authorities pursuant to an ordinance.

(j) In a tube or tunnel, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility.

(k) Upon a bridge, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility, and except that buses engaged as a common carrier in local transportation may stop to load or unload passengers upon a bridge where sidewalks are provided, when authorized by local authorities pursuant to an ordinance, and except that local authorities pursuant to an ordinance or the Department of Transportation pursuant to an order, within their respective jurisdictions, may permit parking on bridges having sidewalks and shoulders of sufficient width to permit parking without interfering with the normal movement of traffic on the roadway. Local authorities, by ordinance or resolution, may permit parking on these bridges on state highways in their respective jurisdictions if the ordinance or resolution is first approved in writing by the Department of Transportation. Parking shall not be permitted unless there are signs in place, as may be necessary, to indicate the provisions of local ordinances or the order of the Department of Transportation.

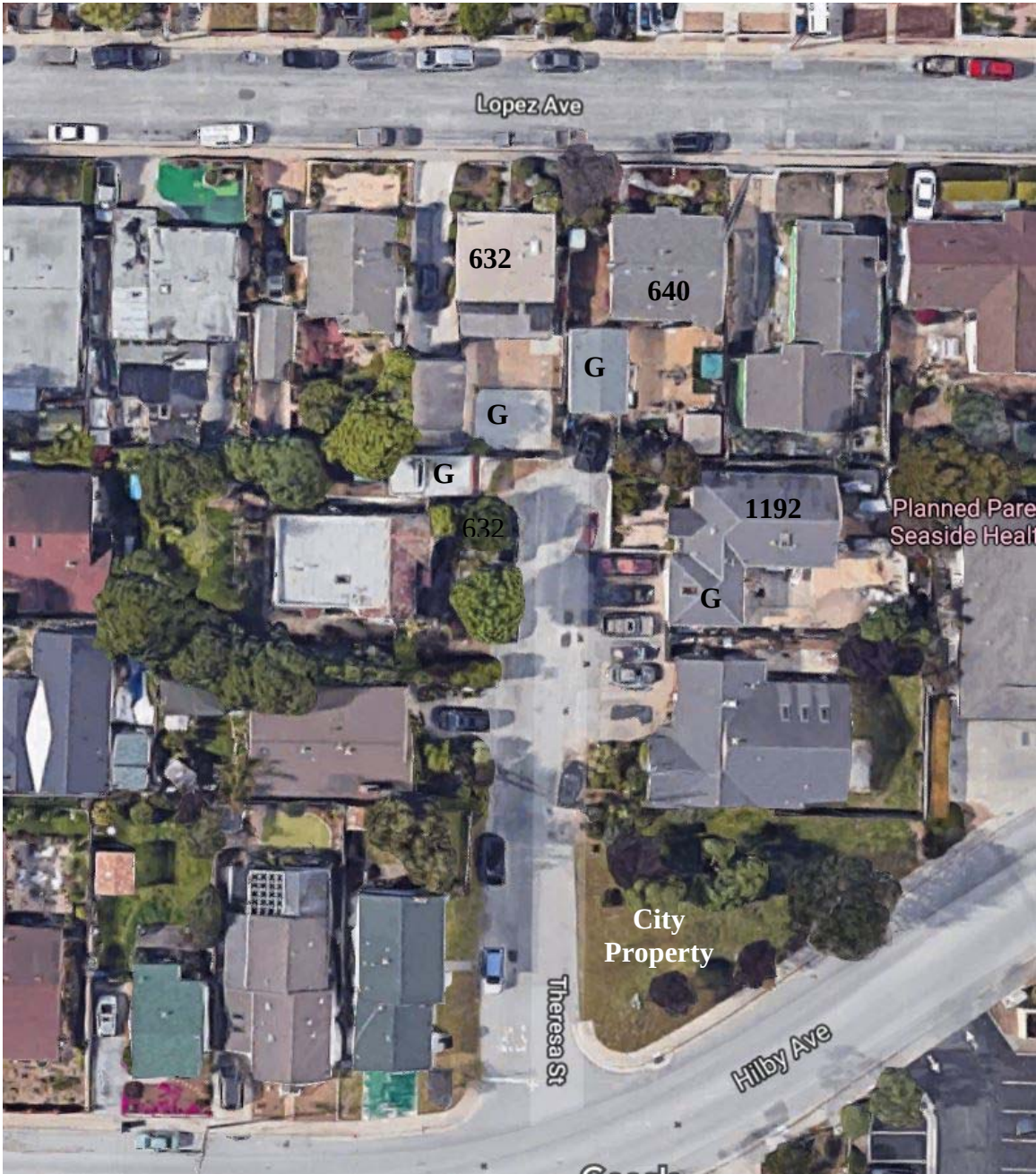
(l) In front of or upon that portion of a curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.

(m) In a portion of a highway that has been designated for the exclusive use of public transit buses.

(Amended by Stats. 2016, Ch. 716, Sec. 2. (SB 998) Effective January 1, 2017.)

Attachment 4

Aerial Image



Street view Images

Driveway for 640 Lopez Ave

1192 Theresa St



Image from Google April 2015 – View looking north on Theresa Street towards driveway at 640 Lopez Avenue

Driveway for 640 Lopez Ave

1192 Theresa St



Image September 5, 2019 – View looking north on Theresa Street. Truck blocking driveway at 640 Lopez Avenue



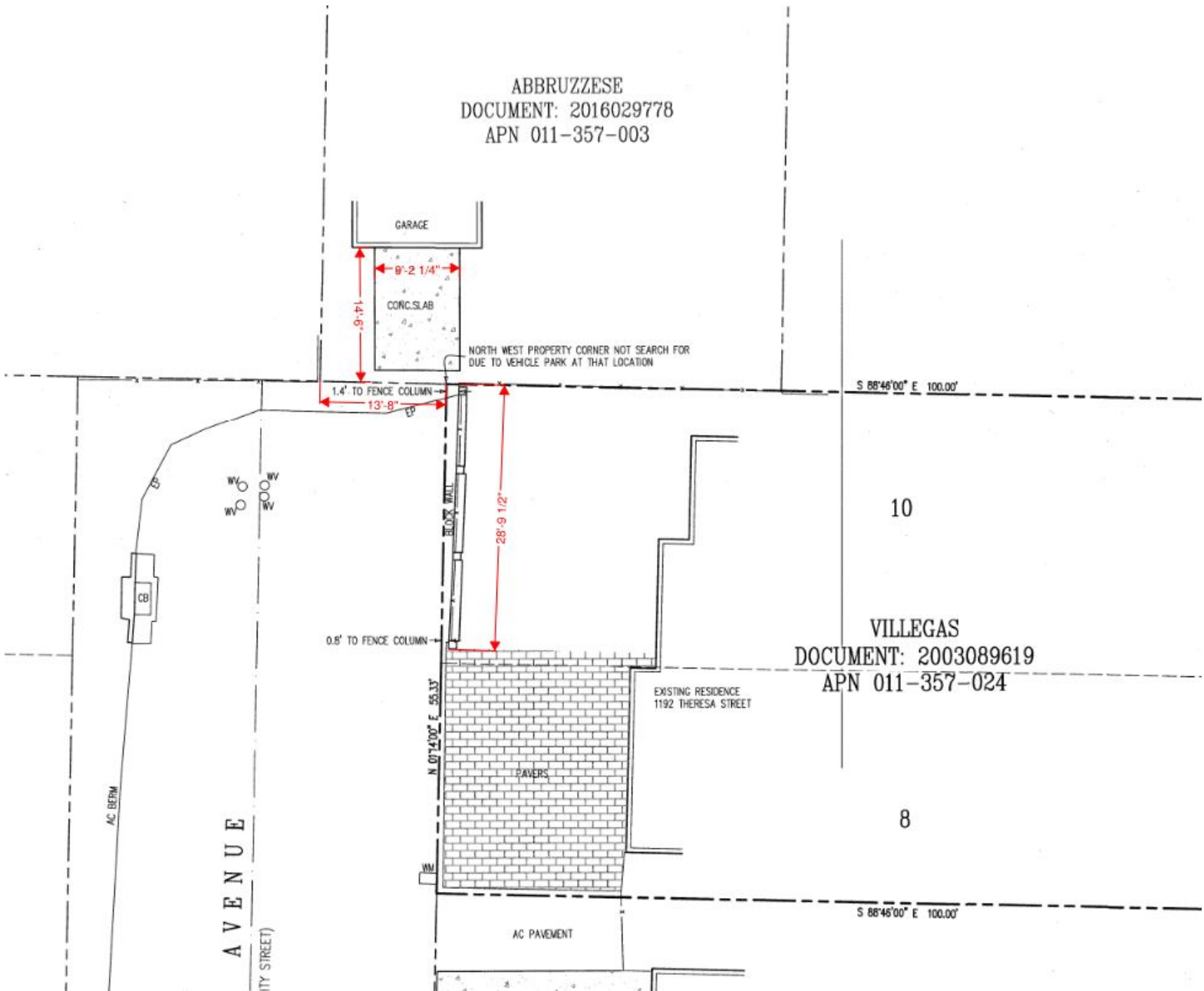
City owns property on the corner of Theresa and Hilby

View looking north on Theresa St.

Seaside Municipal Code 10.32.115 Parking on property under the direct control of the city.

When signs are in place giving notice thereof, it shall be unlawful for any person to drive any vehicle, or to stop, park or leave standing any vehicle, whether attended or unattended, upon the driveways, paths, parking facilities, or the grounds of any property under the direct control of the city, contrary to the directions and provisions of such signs. In addition to the penalties set forth in Chapter 1.16 SMC, vehicles driven, parked, stopped or left standing contrary to the provisions of such signs shall be subject to removal as authorized by Vehicle Code Sections 21113 and 22651(n). (Ord. 788 § 1, 1991)

ABBRUZZESE
DOCUMENT: 2016029778
APN 011-357-003





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.J.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: December 19, 2019

**SUBJECT: APPROVE A RESOLUTION APPROVING MAYORAL
RECOMMENDATIONS FOR MAYOR PRO TEMPORE AND
ANNUAL APPOINTMENTS TO OUTSIDE COMMITTEE
ASSIGNMENTS FOR JANUARY 1, 2020 TO DECEMBER 31, 2020.**

PURPOSE & RECOMMENDATION

Adopt a resolution confirming the Mayor's appointments of Mayor Pro Tempore and member appointments to represent the City of Seaside on outside boards and committees for the year 2020.

BACKGROUND

In addition to the duties on the City Council, the Mayor and Council Members serve as the City's representatives to outside agencies. City of Seaside participation on regional bodies and internal committees enables us to work toward achieving the City's strategic goals. City staff may serve as alternates to some outside agencies or as the City's representative on the agency or subcommittee.

Per Municipal Code Section 2.14.040, the Mayor reviews assignments annually for the upcoming calendar year and makes recommendations for the assignments for outside boards, commissions and agencies according to their areas of interest and expertise, or to assign staff as appropriate. The recommended assignments for calendar year 2020 are proposed in the attached document.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Draft Resolution 2020 appointments
 2. 2020 Outside Agency Assignments
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING MAYOR'S RECOMMENDATION FOR MAYOR PRO TEMPORE AND
CTTY COUNCIL MEMBER ASSIGNMENTS TO
COMMITTEE/COMMISSION/BOARD ASSIGNMENTS FOR 2020**

WHEREAS, annually, the Mayor considers City Council Member assignments to various commissions, boards and committees in special districts and organizations, joint powers authorities and other agencies; and

WHEREAS, Mayor Oglesby has considered these appointments and has made recommendations for City Council member assignments to the various commissions, boards and committees in special districts and organizations, joint powers authorities and other agencies for January 1, 2020 to December 31, 2020; and

WHEREAS, Mayor Oglesby has recommended that the position of Mayor Pro Tempore for 2020 be assigned to Council Member Dave Pacheco.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby approve Mayor Oglesby's recommendations of Council Member Dave Pacheco, for Mayor Pro Tempore and City Council Member assignments to various outside commissions, committees and boards as listed in Attachment A.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Seaside, duly held on the 19th day of December, 2019 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

SEASIDE CITY COUNCIL MEMBER COMMITTEE ASSIGNMENTS January 1, 2020 –December 31, 2020

Item	Committee	Representative	Alternate	Date/Time
1	Association of Monterey Bay Area Governments (AMBAG)	Council Member Kispersky	Council Member Wizard	2 nd Wednesday, 7 p.m.
2	Monterey-Salinas Transit District (MST)	Mayor Pro Tem Pacheco	Council Member Campbell	2 nd Monday, 10 a.m.
3	Transportation Agency of Monterey County (TAMC)	Mayor Oglesby	Mayor Pro Tem Pacheco	4 th Wednesday, 9 a.m.
4	Monterey One Water	Council Member Campbell	Council Member Kispersky	Last Monday, 7 p.m.
5	Community Human Services of Monterey County JPA	Mary Mitchell	Council Member Kispersky	3 rd Thursday, 11:30 a.m.
6	Monterey Regional Waste Management District (MRWMD) (4 year appointment)	Council Member Campbell	NA	3 rd Friday, 9 a.m.
7	Seaside County Sanitation District	Council Member Wizard	Mayor Pro Tem Pacheco	2 nd Tuesday, 9:30 a.m.
8	Monterey Peninsula Unified School District (MPUSD) & City of Seaside Trustees and City Council Collaboration	Mayor Oglesby Mayor Pro Tem Pacheco	MPUSD Trustees Dr. Betty E. Lusk, Ms. Alana Myles Ms. Debra Gramsbacher	Called
9	North Salinas Mosquito Abatement District	Reserved	Council Member Campbell	2 nd Tuesday, 12 noon
10	Fort Ord Reuse Authority (FORA)	Mayor Oglesby Council Member Wizard	(1) Mayor Pro Tem Pacheco/ (2) Council Member Campbell	2 nd Friday, 3:00 p.m.
11	Seaside Groundwater Basin Watermaster	Mayor Oglesby	Council Member Wizard	1 st Wednesday, 2 p.m.
12	Monterey Peninsula Regional Water Authority (MPRWA)	Mayor Oglesby	Mayor Pro Tem Pacheco	2 nd and 4 th Thursday, 7 p.m.
13	Traffic Advisory Committee	Mayor Pro Tem Pacheco	Council Member Campbell	3 rd Tuesday, 5:00 p.m.
14	Laguna Grande Joint Powers Authority	Council Member Kispersky	Council Member Wizard	Called
15	California Joint Powers Insurance Group	Council Member Campbell	Roberta Greathouse	Called
16	Monterey Bay Community Choice Power Policy Committee	Mayor Oglesby	Mayor Pro Tem Pacheco	1 st Wednesday at 10:30 a.m.
17	Homeless Leadership Council	Mayor Pro Tem Pacheco	Reserved	Called
18	Monterey Bay Community Choice Power Operations Board	City Manager Craig Malin	Human Resources Director Roberta Greathouse	3 rd Wednesday at 10:30 a.m.

ATTEST per Resolution No. 20

Lesley Milton, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.K.

TO: City Council

FROM: Craig Malin, City Manager

BY: Roberta Greathouse, Human Resources Director/Risk Manager

DATE: December 19, 2019

**SUBJECT: ADOPT A RESOLUTION UPDATING THE LISTING OF BENEFITS
FOR DEPARTMENT DIRECTORS**

PURPOSE & RECOMMENDATION

Approve the updated listing of benefits for the Executive Management team.

BACKGROUND

In Closed Session, the City Council authorized modifications to the Executive Managers' Compensation Plan that are similar to the agreements reached with other labor associations. The changes to the Compensation Plan are:

1. Salary adjustments:
 - a. 3% increase on the first pay period in January 2020.
 - b. 2% increase on the first pay period of January 2021.
2. Longevity Pay:
 - a. The City will provide a 2.5% longevity pay step at 8 years of continuous City service. This step replaces the longevity step formerly provided at 10 years.
 - b. The City will provide an additional 2.5% longevity pay step at 15 years of continuous City service (total of 5%).
3. Department Directors wishing to obtain a Masters' or Doctorate Degree are eligible to receive reimbursement for tuition and book expenses up to \$3,000 per fiscal year.

There are no other changes to salary, paid leave, or benefits.

FISCAL IMPACT

The estimated cost of this item for fiscal year 19/20 is \$26,000. The total cost of this item over two years is estimated to be \$88,000.

ATTACHMENTS

1. Draft Resolution
 2. Department Director Compensation Plan 2020
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING AMENDMENTS TO THE EXECUTIVE MANAGERS'
COMPENSATION PLAN**

WHEREAS, City of Seaside's Executive Managers are unrepresented; and

WHEREAS, it is the City's desire that the unrepresented employees receive similar pay and benefits as other employees and that salaries remain competitive in the labor market; and

WHEREAS, the attached Executive Managers Compensation Plan outlines the salaries and benefits of the City's Executive Management team.

NOW, THEREFORE, BE IT RESOLVED, that the attached Executive Managers Compensation Plan shall be effective as stated therein; and

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 19th day of December 2019.

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

City of Seaside
Executive Managers Compensation Plan
Effective January 1, 2020

- A. APPLICATION:** This Compensation Plan applies to the City's at-will Department Director classifications.
- B. ANNUAL SALARY (effective 7/13/19):**
- | | |
|---|--------------|
| a. Assistant City Attorney: | \$150,001.28 |
| b. Assistant City Manager: | \$140,387.52 |
| c. Chief Building Official: | \$127,499.84 |
| d. Community Development Director: | \$127,499.84 |
| e. Deputy City Manager – Admin Services: | \$168,365.60 |
| f. Economic Development Director: | \$127,499.84 |
| g. Finance Director: | \$161,665.92 |
| h. Fire Chief: | \$176,842.02 |
| i. Human Resources Director: | \$157,231.36 |
| j. Human Resources Director / Risk Manager: | \$161,162.56 |
| k. Police Chief: | \$183,578.72 |
| l. Public Works Director / City Engineer: | \$161,665.92 |
| m. Recreation Director: | \$150,677.28 |
- C. UNIFORM ALLOWANCE:** The Police Chief will receive a uniform allowance of \$37.38 per pay period and the Fire Chief will receive uniform allowance of \$34.62 per pay period.
- D. SALARY ADJUSTMENTS:**
- a. Longevity Pay:
 - i. Employees with eight or more years of City service shall receive 2.5% longevity pay.
 - ii. Employees with fifteen or more years of City service shall receive an additional 2.5% longevity pay (5% total).
 - b. Performance Pay: The City Manager is authorized to grant up to a 7.5% increase to Directors who exceed expectations in the achievement of established performance goals and objectives. This gives the City Manager flexibility in setting salaries consistent with performance. (Special Compensation CCR 571(a) Incentive Pay.)
 - c. General Adjustments:
 - i. Effective January 11, 2020: all Department Directors will receive a 3% salary increase.
 - ii. Effective January 9, 2021: all Department Directors will receive a 2% salary increase.
- E. RETIREMENT:**
- a. Miscellaneous Classifications:
 - i. Tier 1 - CalPERS 2% @ 55

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

1. Eligibility: Employees determined by CalPERS to be “classic members.”
 2. Employee Contribution: Directors will pay the 7.0% employee contribution to PERS.
 - ii. Tier 2 - CalPERS 2% @ 62 Plan
 1. Eligibility: Employees determined by CalPERS to be “new members.”
 2. Employee Contribution: Directors will pay 50% of the normal cost as determined annually by CalPERS.
 - iii. PARS Supplemental Retirement Plan:
 1. Eligibility: Miscellaneous directors hired by the City on or before June 30, 2010.
 2. Plan: The City will provide the PARS .5% at 55 supplemental retirement plan with credit for prior CalPERS and City service.
 3. Contribution: The City pays the entire contribution.
- b. Fire Chief:
- i. Tier 1 - CalPERS 2% @ 50
 1. Eligibility: Fire employees determined by CalPERS to be “classic members.”
 2. Employee Contribution: The Chief will pay the 9.0% employee contribution to PERS.
 - ii. Tier 2 - CalPERS 2.7% @ 57 Plan
 1. Eligibility: Employees determined by CalPERS to be “new members.”
 2. Employee Contribution: The employee will pay 50% of the normal cost as determined annually by CalPERS.
- c. Police Chief:
- i. Tier 1 - CalPERS 3% @ 55
 1. Eligibility: Police employees determined by CalPERS to be “classic members.”
 2. Employee Contribution: The Chief will pay the 9.0% employee contribution to PERS.
 - ii. Tier 2 - CalPERS 2.7% @ 57 Plan
 1. Eligibility: Employees determined by CalPERS to be “new members.”
 2. Employee Contribution: The employee will pay 50% of the normal cost as determined annually by CalPERS.
- d. The City provides the PERS 1959 Survivors Benefit Level Four. The employee cost is \$2 per month.

**City of Seaside
Executive Managers Compensation Plan
January 1, 2020**

- e. Deferred Compensation: The City will pay up to \$83.33 semi-monthly (\$2,000 annually) to the ICMA deferred compensation program for each Director who makes a matching contribution. No contribution will be made in months where there is a third pay day.

F. MEDICAL, DENTAL, VISION INSURANCE

a. Medical Contributions:

i. MCSIG PPO \$40 (70/30 Plan).

The City will pay 100% of the employee only premium and 90% of the dependent premium. This will be the base contribution amount for all plans except the Grandfathered PACE Plan.

ii. MCISG PPO \$25 (80/20 Plan).

Directors electing to participate in the MCSIG PPO \$25 (80/20 Plan) will pay the difference between the City's contribution for the PPO \$40 Plan and the PPO \$25 Plan premium.

iii. PACE Plan (90/10 Plan) – Employees hired after October 15, 2015.

New employees enrolling in the PACE 90/10 Plan will pay the difference between the City's contribution for the PPO \$40 plan and the PACE Plan premium.

iv. PACE Plan (90/10 Plan) – Grandfathered Tier – open to employees hired before October 15, 2015.

The City will pay 81% of the employee only premium; 70% of the employee + 1 premium; and 73% of the family premium.

- b. Dental and Vision Contributions: The City will contribute towards the cost of Director's dental and vision insurance as follows:

Dental

Employee Only:	\$44.80
Employee + Spouse:	\$92.90
Employee + Children:	\$102.74
Employee + Family:	\$150.85

Vision

Employee Only:	\$5.35
Employee + 1:	\$5.78
Employee + Family:	\$13.12

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

- i. Annual Premium Adjustments: The City and the Director will split the cost of any increase or decrease to the premium on a 50/50 basis.
- c. Retiree Medical:
 - i. Eligibility: Only employees hired by the City on or before June 30, 2010, are eligible for City-paid retiree medical insurance.
 - ii. Notwithstanding the requirements of the City's Health and Welfare Plan to be eligible for retiree medical coverage, and subject to available coverage under the City's plan, the City shall pay the employee's (not dependents) cost of medical insurance in an amount not to exceed the monthly premium for the City's insurance plan for retirees who retire on regular service or disability retirement until age 65 or until the retiree becomes eligible for Medicare, whichever comes first.
 - iii. Employee may cover dependents by paying the additional monthly premium.
 - iv. In the event that coverage is not available under the City's plan, and where an eligible employee elects to continue health coverage under COBRA, the City shall contribute to that COBRA payment an amount not to exceed the monthly premium for the City's health insurance plan for the period of time of COBRA eligibility or up to age 65, whichever is less.
 - v. Employees must have ten years of continuous service with the City, have been hired by the City on or before June 30, 2010, and be at least 50 years of age to receive this benefit.
 - vi. The City complies with all Federal and State guidelines regarding medical and dental insurance. This compliance includes continuation of benefits under COBRA.
- d. Life Insurance: The City will provide term life insurance for all Directors in the amount of two times the Director's annual salary.
- e. Long-Term Disability: The City shall pay the cost of a long-term disability program.
- f. IRS Section 125 Plan: The City shall make available an Internal Revenue Service Code Section 125 Plan for unreimbursed medical and dependent care expenses. The annual maximum is set by the IRS.

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

g. Wellness Program:

- i. Health Club Membership: The City will pay up to \$45 per month towards an employee membership at a health club upon submission of receipt of contract to the Finance Division. The City will process dues by payroll deduction if administratively feasible.
- ii. City Recreation Facilities: Directors and their families will have use of City Recreation facilities at no cost.

G. LEAVE BENEFITS:

a. Vacation

- i. Accrual Rates: The regular accrual rate shall be:

Years of Service	Accrual Rate per year
Up to 4	10 days
5 – 9	15 days
10 – 14	17 days
15 – 19	20 days
20 – 24	21 days
25 +	25 days

- ii. Vacation Upon Termination: Any employee, upon termination of City employment for any reason, who is entitled to vacation time and who has not had the same, shall be paid at his/her current salary rate for such vacation time on the effective date of such termination. If such person works over one-half (1/2) of the month, they shall be entitled to accumulate vacation for that month.
- iii. Maximum Accumulation: Employees will be allowed to have no more than two years earned vacation accumulated as of the end of the 2nd pay period of January of any year. Payout for leave in excess of maximum will occur on the 1st pay period of March.
- iv. The City will allow Directors to cash out 40 hours of accumulated accumulated vacation time as set forth in this section. On or before the pay period which includes December 15 of each calendar year, an employee may make an irrevocable election to cash out up to forty (40) hours of accrued vacation (in whole hour increments) which will be earned in the following calendar year at the employee's base salary rate. On the pay day of the first pay period in November of the

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

calendar year following election of the cash out, the employee will receive cash for the amount of vacation the employee irrevocably elected to cash out in the prior year. However, if the employee's vacation leave balance is less than the amount the employee elected to cash out (in the prior calendar year) the employee will receive cash for the amount of leave the employee has accrued at the time of the cash out. This cash out provision is voluntary on the part of each bargaining employee, and does not change the practice of maintaining a maximum of two years of vacation accumulation at the end of any calendar year.

- v. Accumulation during OJI Leave: An employee being paid because of an injury on-the-job will accumulate vacation time and sick leave.
- vi. No Interruption of Accumulation: No interruption in the accumulation of vacation time shall result when an employee takes sick leave, vacation, temporary military leave, or paid leave because of an on-the-job incurred illness or injury.

b. Sick Leave with Pay for Non-Job Related Illness, Injury or Disability

- i. Accrual: Each Director shall earn eight (8) hours sick leave with pay for each calendar month or major fraction thereof served.
- ii. Sick Leave Use: Sick leave may be used for the illness/injury of family members and all other permissible uses under state law.
- iii. Bereavement Leave: Bereavement leave, to a maximum of three (3) working days, will be permitted, without charging such leave against sick leave, upon the death of a member of the employee's immediate family. Immediate family is defined as a parent, child, spouse or domestic partner, brother, sister, grandparents, father-in-law, and mother-in-law of the employee. Employee may use an additional 16 hours of sick leave to extend said leave.

c. On-The-Job Injury (OJI) Leave:

- i. Police and Fire Chiefs: The Chiefs shall be entitled to on-the-job injury leave in accordance with Section 4850 of the California Labor Code.
- ii. Miscellaneous Directors: Whenever a non-safety Director is disabled by injury or illness arising out of and in the course of his/her duties, he/she shall become entitled to a leave of absence without loss of salary for a period not to exceed three (3) months in any five (5) year

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

period.

- iii. Temporary Disability Benefits: The Director shall draw full salary under OJI leave, and the City will take credit for any temporary disability payments. Once OJI leave is exhausted, an employee on leave without pay would be entitled to temporary disability in accordance with State Worker's Compensation law.
- iv. Use of Accumulated Leaves: Once OJI and/or LC 4850 leave have been exhausted, accumulated leaves may be used to supplement temporary disability payments.
- v. Leave Accrual: A Director on leave of absence under this section will continue to accumulate sick leave and vacation leave.

d. Management Leave

- i. Annual Accrual: Directors shall earn 40 hours of management leave per calendar year. All management leave on the books as of December 31st shall be cashed out in the 1st pay period of March.
- ii. Additional Leave: The City Manager shall have the authority to grant sixteen (16) hours of management time leave to Directors at his/her discretion.
- iii. Management Leave Payoff: On or before the pay period which includes December 15 of each calendar year, an employee may make an irrevocable election to cash out up to forty (40) hours of management leave (in whole hour increments) which will be earned in the following calendar year at the employee's base salary rate. On the pay day of the first pay period in November of the calendar year following election of the cash out, the employee will receive cash for the amount of management leave the employee irrevocably elected to cash out in the prior year. However, if the employee's management leave balance is less than the amount the employee elected to cash out (in the prior calendar year) the employee will receive cash for the amount of leave the employee has on the books at the time of the cash out. This cash out provision is voluntary on the part of each bargaining employee, and does not change the practice of cashing out all management leave hours that are on the books at the end of the any calendar year.

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

- e. Administrative Leave
 - i. Directors shall earn forty (40) hours, non-cumulative, non-reimbursable administrative leave per calendar year.
- f. Holidays: All employees shall be entitled to the following holidays:
 - First day of January (New Year's Day)
 - Third Monday in January (Martin Luther King Observance)
 - Third Monday in February (President's Day)
 - Thirty-first day of March (Cesar Chavez Day)
 - Last Monday in May (Memorial Day)
 - Fourth day of July (Independence Day)
 - First Monday in September (Labor Day)
 - Eleventh day of November (Veteran's Day)
 - Fourth Thursday of November (Thanksgiving Day)
 - Day following Thanksgiving Day
 - Working day immediately preceding Christmas Day (Christmas Eve)
 - Twenty-fifth day of December (Christmas Day)
- g. Jury Duty:
 - i. Jury Duty: The City will grant an employee leave with pay for jury duty. Any checks received from the courts must be submitted to Finance. Travel pay which is included in the check, will be returned to the employee. This rule also applicable to those employees serving on the Grand Jury.

H. TUITION REIMBURSEMENT:

- a. Department Directors wishing to obtain a Masters' or Doctorate Degree are eligible to receive reimbursement for tuition and book expenses up to \$3,000 per fiscal year.
- b. After completing the course with a grade of "C" or better ("Pass" or certificate of achievement for classes that are not graded), proof of completion of course work requirements shall be submitted to the Human Resources Department indicating the specific courses and credits completed, together with receipts and transcripts or other documentation as may be required by the Human Resources Director. This information shall be submitted on forms provided by the Human Resources Department.

I. SEVERANCE PAY:

- a. If a Director is terminated by the City Manager while still willing and able to perform the duties of their position, the City will pay the Director a cash

City of Seaside
Executive Managers Compensation Plan
January 1, 2020

payment equal to four (4) months of salary and will pay the Director's medical, dental, and vision premiums during this four-month period.

- b. In the event the Department Director is terminated for cause, the City shall have no obligation to pay severance as set forth in Paragraph F(a) above.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.L.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: December 19, 2019

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING EXECUTION OF A
CONTRACT WITH PRECISION CONCRETE CUTTING FOR A
COST NOT TO EXCEED \$66,000 FOR SIDEWALK MAINTENANCE
AND REPAIR SERVICES**

PURPOSE & RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute the contract for a cost not to exceed \$66,000.

BACKGROUND

The City Council held a study session on November 21, 2019 regarding sidewalk maintenance and repair. At that meeting, the Council provided direction to staff to engage the services of Precision Concrete Cutting, who currently has a Master Services Agreement (Exhibit A to proposed contract) with our insurance provider California Joint Powers Insurance Authority. As a member of Cal JPIA, the City is authorized to utilize the services outlined in that agreement, with the exact terms and conditions to be arranged between the City and the Contractor.

FISCAL IMPACT

The City Council authorized the allocation of \$66,000 for this project. The Measure X funding agreement executed with each local jurisdiction required the submittal of a

Five Year Capital Improvement Program outlining how the jurisdiction planned to spend its share of Measure X funds, as well as a Maintenance of Effort (MOE) verification report to ensure that existing transportation spending would not be supplanted by Measure X funds.

The proposed contract with Precision Concrete is a qualified expenditure contributing to our required MOE spending, as sidewalks exist within the transportation corridor. The MOE funding methodology increase the amount of local support required under the Measure X agreement. This MOE increase combined with additional revenues provided by Measure X and Measure X bond proceeds allows the city to meet the 5 years CIP program while reducing the city's liability and improving the quality of life for our residents.

RECOMMENDATION

Staff recommends that the City Council adopt the draft resolution authorizing the City Manager to execute a contract with Precision Concrete Cutting for sidewalk repair and maintenance for a cost not to exceed \$66,000 and authorizes the Finance Director to make the necessary budget adjustments to account 210-8110-2073 for the Fiscal Year 2019-20 budget.

ATTACHMENTS

1. Draft Resolution
 2. Sidwalk inventory and Maintenance Agreement
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AUTHORIZING EXECUTION OF A CONTRACT WITH PRECISION CONCRETE CUTTING FOR A COST NOT TO EXCEED \$66,000 FOR SIDEWALK MAINTENANCE AND REPAIR SERVICES

WHEREAS, The City Council held a study session on November 21, 2019 regarding sidewalk maintenance and repair.

WHEREAS, the Council provided direction to staff to engage the services of Precision Concrete Cutting, who currently has a Master Services Agreement with our insurance provider California Joint Powers Insurance Authority and as a member, the City is authorized to utilize the services outlined in that agreement, with the exact terms and conditions to be arranged between the City and the Contractor; and

WHEREAS, during that meeting, the City Council authorized the allocation of \$66,000 for this project; and

WHEREAS, This expenditure is a qualified expenditure to account for our required Maintenance of Effort spending for our measure X funds, as sidewalks exist within the transportation corridor.

WHEREAS, this MOE increase combined with additional revenues provided by Measure X and Measure X bond proceeds allows the city to meet the 5 years CIP program while reducing the city's liability and improving the quality of life for our residents.

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes the City Manager to execute a contract with Precision Concrete Cutting for sidewalk repair and maintenance for a cost not to exceed \$66,000 and authorizes the Finance Director to make the necessary budget adjustments to the FY 19-20 budget.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Seaside duly held on the 19th of December 2019 by the following vote:

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

ABSTAIN:

COUNCIL MEMBERS:

ATTEST:

Ian N. Oglesby, Mayor

Lesley Milton, City Clerk



**CITY OF SEASIDE
AGREEMENT FOR CONTRACTOR SERVICES
SIDEWALK INSPECTION AND MAINTENANCE SERVICES**

THIS AGREEMENT FOR CONTRACTOR SERVICES is made and effective as of _____, 2020, between the City of Seaside, a municipal corporation ("City") and Precision Concrete Cutting ("Contractor") whose current and valid Contractor's License #1032474, as duly issued by the California Department of Consumer Affairs. In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. TERM

This Agreement shall commence on January 1, 2020 and shall remain and continue in effect until tasks described herein are completed, but in no event later than December 31, 2020 unless sooner terminated pursuant to the provisions of this Agreement.

2. SERVICES

Contractor shall perform the tasks described and set forth in Exhibit A, service option 2 of the Master Services Agreement with California Joint Powers Authority, attached hereto and incorporated herein as though set forth in full. Contractor shall complete the tasks according to the schedule of performance which is also set forth in Exhibit A. Exhibit A may include any Scope of Work, Plans, Specifications and other related documents specific to the services to be provided by Contractor.

The City has performed an assessment and inventoried sidewalk trip hazards. The Contractor shall coordinate with the City to update inventory as described in Exhibit B attached hereto and incorporated herein as though set forth in full.

3. PERFORMANCE

a) Contractor shall at all times faithfully, competently and to the best of his/her ability, experience, and talent, perform all tasks described herein. Contractor shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing similar services as are required of Contractor hereunder in meeting its obligations under this Agreement.

b) Contractor shall conform to the rules and regulations pertaining to safety established by the California Division of Industrial Safety. Contractor further agrees to take all necessary precautions for the safety of employees and shall comply with all applicable provisions of federal, state and local regulations, ordinances and codes. The Contractor shall be responsible for erecting and properly maintaining at all times as required by the conditions and progress of the work, all necessary safeguards for the protection of workers and the public and shall post danger signs warning against known or reasonably foreseeable or unusual hazards.

c) At all times during the term of this Agreement, Contractor shall have in full force and effect, all licenses required of it by law for the performance of the services described in this Agreement.

d) The Contractor will obtain a valid City Business License and shall maintain said Business License for the term of this Agreement and any extensions.

e) Contractor shall keep itself informed of State and Federal laws and regulations which in any manner affect those employed by Contractor or in any way affect the performance of its service pursuant to this Agreement. Contractor shall at all times observe and comply with all such laws and regulations. City, and its officers and employees, shall not be liable at law or in equity occasioned by failure of Contractor to comply with this Section.

f) Contractor agrees to comply with all of the applicable provisions of Sections 1777.5 and 1777.6 of the Labor Code, which Sections are hereby specifically referred to, incorporated herein by reference and made a part hereof as though set forth at length herein.

g) Contractor agrees that in the performance of this Agreement or any sub-agreement hereunder, neither Contractor nor any person acting on Contractors behalf shall refuse to employ or refuse to continue in any employment any person on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sexual preference, sex or age. Harassment in the workplace is not permitted in any form. Contractor further agrees to comply with all laws with respect to employment when performing this Agreement.

5. CITY MANAGEMENT

City Engineer/Public Works Services Manager shall represent City in all matters pertaining to the administration of this Agreement, review and approval of all products submitted by Contractor, but not including the authority to enlarge the Tasks to Be Performed or change the compensation due to Contractor. City's City Manager, shall be authorized to act on City's behalf and to execute all necessary documents which enlarge the Tasks to Be Performed or change Contractor's compensation, subject to Section 5 hereof.

6. PAYMENT

(a) City agrees to pay Contractor monthly, in accordance with the payment rates and terms and the schedule of payment as set forth in Exhibit "A", attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. This amount shall not exceed Sixty Six Thousand Dollars (\$66,000.00) which sum shall include all costs, if any, for the total term of the Agreement unless additional payment is approved as provided in this Agreement.

(b) The City Manager's contract authority is limited to a total threshold of \$24,999.00 which includes all costs. Contracts, including any contract amendments that exceed the total

Sidewalk Inspection and Maintenance Services

threshold, require City Council approval. Any contracts, including contract amendments that exceed the total threshold, which do not have City Council approval, shall be void.

(c) Contractor will submit invoices monthly for actual services performed. Invoices shall be submitted on or about the first business day of each month, or as soon thereafter as practical, for services provided in the previous month. Payment shall be made within thirty (30) days of receipt of each invoice as to all non-disputed fees. If the City disputes any of Contractor's fees it shall give written notice to Contractor within thirty (30) days of receipt of an invoice of any disputed fees set forth on the invoice.

7. INSPECTION

City shall at all times have the right to inspect the work and materials. Contractor shall furnish all reasonable aid and assistance required by City for the proper examination of the work and all parts thereof. Such inspection shall not relieve Contractor from any obligation to perform said work strictly in accordance with the specifications or any modifications thereof and in compliance with the law.

8. SUSPENSION OR TERMINATION OF AGREEMENT WITHOUT CAUSE

(a) The City may at any time, for any reason, with or without cause, suspend or terminate this Agreement, or any portion hereof, by serving upon the Contractor at least ten (10) days prior written notice. Upon receipt of said notice, the Contractor shall immediately cease all work under this Agreement, unless the notice provides otherwise. If the City suspends or terminates a portion of this Agreement such suspension or termination shall not make void or invalidate the remainder of this Agreement.

(b) In the event this Agreement is terminated pursuant to this Section, the City shall pay to Contractor the actual value of the work performed up to the time of termination, provided that the work performed is of value to the City. Upon termination of the Agreement pursuant to this Section, the Contractor will submit an invoice to the City pursuant to Section 5(c).

9. DEFAULT OF CONTRACTOR

(a) Contractor's failure to comply with the provisions of this Agreement shall constitute a default. In the event that Contractor is in default for cause under the terms of this Agreement, City shall have no obligation or duty to continue compensating Contractor for any work performed after the date of default and can terminate this Agreement immediately by written notice to Contractor. If such failure by Contractor to make progress in the performance of work hereunder arises out of causes beyond Contractor's control, and without fault or negligence of Contractor, it shall not be considered a default.

(b) If the City Manager or his/her delegate determines that Contractor is in default in the performance of any of the terms or conditions of this Agreement, he/she shall cause to be served upon Contractor a written notice of the default. Contractor shall have ten (10) days after service upon it of said notice in which to cure the default by rendering a satisfactory performance.

In the event that Contractor fails to cure its default within such period of time, City shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

11. OWNERSHIP OF DOCUMENTS

(a) Contractor shall maintain complete and accurate records with respect to sales, costs, expenses, receipts, and other such information required by City that relate to the performance of services under this Agreement. Contractor shall maintain adequate records of services provided in sufficient detail to permit an evaluation of services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Contractor shall provide free access to the representatives of City or its designees at reasonable times to such books and records; shall give City the right to examine and audit said books and records. Contractor shall permit City to make copies and transcripts there from as necessary; and shall allow inspection of all work, data, documents, proceedings, and activities related to this Agreement. Such records, together with supporting documents, shall be maintained at the City of Seaside City Hall for a minimum period of three (3) years after receipt of final payment.

(b) Upon completion of, or in the event of termination or suspension of this Agreement, all original documents, designs, drawings, maps, models, computer files, surveys, notes, and other documents prepared in the course of providing the services to be performed pursuant to this Agreement shall become the sole property of City and may be used, reused, or otherwise disposed of by City without the permission of Contractor. With respect to computer files, Contractor shall make available to City, at City's office and upon reasonable written request by City, the necessary computer software and hardware for purposes of accessing, compiling, transferring, and printing computer files.

12. INDEMNIFICATION

(a) Indemnification for Professional Liability. Contractor shall indemnify, protect, defend and hold harmless City and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all losses, liabilities, damages, costs and expenses, including attorney's fees and costs to the extent same are actually caused in whole or in part by any negligent or wrongful act, error or omission of Contractor, its officers, agents, employees or sub - contractors (or any entity or individual that Contractor shall bear the legal liability thereof) in the performance of professional services under this Agreement. With respect to the design of public improvements, the Contractor shall not be liable for any injuries or property damage resulting from the reuse of the design at a location other than that specified in Exhibit A without the written consent of the Contractor.

(b) Indemnification for Other Than Professional Liability. Contractor shall indemnify defend and hold harmless City, and any and all of its employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings,

administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys' fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Contractor or by any individual or entity for which Contractor is legally liable, including but not limited to officers, agents, employees or sub-contractors of Contractor.

(c) General Indemnification Provisions. Contractor agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this section from each and every sub-contractor or any other person or entity involved by, for, with or on behalf of Contractor in the performance of this Agreement. In the event Contractor fails to obtain such indemnity obligations from others as required here, Contractor agrees to be fully responsible according to the terms of this section. Failure of City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend City as set forth here is binding on the successors, assigns or heirs of Contractor and shall survive the termination of this Agreement or this section.

(d) Indemnity Provisions for Contracts Related to Construction. Without affecting the rights of City under any provision of this Agreement, Contractor shall not be required to indemnify and hold harmless City for liability attributable to the active negligence of City, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where City is shown to have been actively negligent and where City's active negligence accounts for only a percentage of the liability involved, the obligation of Contractor will be for that entire portion or percentage of liability not attributable to the active negligence of City.

13. WARRANTIES

Contractor agrees that it will warrant all work performed and equipment supplied hereunder for a period of one year or, in the case of equipment, for the period of the manufacturer's warranty if such warranty be for a period longer than one year. Contractor shall immediately correct all defective workmanship discovered within one year after acceptance of final payment by it and shall indemnify and defend City against all loss and damage occasioned by any such defect, discovered within said year, even though the damage or loss may not be ascertained until after the expiration thereof. Nothing herein constitutes a waiver of City's rights or any statute of limitations.

14. INSURANCE

Contractor shall maintain prior to the beginning of and for the duration of this Agreement insurance coverage as specified in Exhibit "C" attached to and part of this Agreement.

15. INDEPENDENT CONTRACTOR

(a) Contractor is and shall at all times remain as to City a wholly independent Contractor. The personnel performing the services under this Agreement on behalf of Contractor

shall at all times be under Contractor's exclusive direction and control. Neither City nor any of its officers, employees, or agents shall have control over the conduct of Contractor or any of Contractor's officers, employees, or agents, except as set forth in this Agreement. Contractor shall not at any time or in any manner represent that it or any of its officers, employees, or agents are in any manner officers, employees, or agents of the City. Contractor shall not incur or have the power to incur any debt, obligation, or liability whatever against City, or bind City in any manner.

(b) No employee benefits shall be available to Contractor in connection with the performance of this Agreement. Except for the fees paid to Contractor as provided in the Agreement, City shall not pay salaries, wages, or other compensation to Contractor for performing services hereunder for City. City shall not be liable for compensation or indemnification to Contractor for injury or sickness arising out of performing services hereunder.

(c) Any and all employees or sub-contractors of Contractor under this Agreement, while engaged in the performance of any work or services required by Contractor under this Agreement, shall be considered employees or sub-contractors of Contractor only and not of city. Any and all claims that may arise under the Workers' Compensation Act on behalf of said employees or sub-contractors, while so engaged and all claims made by a third party as a consequence of any negligent act or omission on the part of the Contractor's employees or sub-contractors, while so engaged in any of the work or services provided for or rendered herein shall not be City's obligation.

16. PREVAILING WAGE

The general prevailing wage rates are determined by the Director of Industrial Relations, for the County of Monterey. Current prevailing wage rates can be found in "General Prevailing Wage Determinations made by the Director of Industrial Relations" (wage determinations) at the Division of Labor Statistics and Research, Prevailing Wage Unit, P. O. Box 420603, San Francisco, CA 94142, (415) 703-4774, or at DIRs website at <http://www.dir.ca.gov/>. Changes, if any, to the general prevailing wage rates will be available at the same location.

The Contractor will be required to maintain and distribute certified payroll records in compliance with Section 1776 of the California Labor Code. The Contractor shall register as specified in Labor Code section 1771.1(a). Records shall be made available to the City upon request for inspection or for copies thereof. The project is subject to compliance monitoring and enforcement by the Department of Industrial Relations in accordance with Labor Code sections 1725.5 (contractor registration requirements and criteria), 1771.1 (requirement to register as a condition to bid or work on public works), and 1771.4 (project compliance monitoring).

The labor surcharge, equipment rental rates, and the delay factors for each classification of equipment are listed in the Department of Transportation publication entitled "Labor Surcharge and Equipment Rental Rates."

17. NO BENEFIT TO ARISE TO LOCAL EMPLOYEES

No member, officer, or employee of City, or their designees or agents, and no public official who exercises authority over or responsibilities with respect to the Project during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any agreement or sub-agreement, or the proceeds thereof, for work to be performed in connection with the Project performed under this Agreement.

18. CONFLICT OF INTEREST

Contractor shall at all times avoid conflicts of interest, or the appearance of conflicts of interest, in the performance of this Contract.

Contractor covenants that neither he/she nor any officer or principal of their firm have any interest in, or shall acquire any interest, directly nor indirectly, which will conflict in any manner or degree with the performance of their services hereunder. Contractor further covenants that in the performance of this Agreement, no person having such interest shall be employed by them as an officer, employee, agent, or sub-contractor. Contractor further covenants that Contractor has not contracted with nor is performing any services, directly or indirectly, with any developer(s) and/or property owner(s) and/or firm(s) and/or partnership(s) owning property in the City or the study area and further covenants and agrees that Contractor and/or its sub-contractors shall provide no service or enter into any agreement or agreements with a/any developer(s) and/or property owner(s) and/or firm(s) and/or partnership(s) owning property in the City or the study area prior to the completion of the work under this Agreement.

If City determines Contractor comes within the definition of Contractor under the Political Reform Act (Government Code §87100 et seq.) Contractor shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with City disclosing Contractor's and/or such other person's financial interests.

19. NO WAIVER OF BREACH/TIME

The waiver by City of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement. Time is of the essence in carrying out the duties hereunder.

20. CONFIDENTIAL INFORMATION/RELEASE OF INFORMATION

(a) All information gained by Contractor in performance of this Agreement shall be considered confidential and shall not be released by Contractor without City's prior written authorization. Contractor, its officers, employees, agents, or sub-contractors, shall not without written authorization from the City Manager or unless requested by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories, or other information concerning the work performed under this Agreement or relating to any project

or property located within the City. Response to a subpoena or court order shall not be considered "voluntary" provided Contractor gives City notice of such court order or subpoena.

(b) Contractor shall promptly notify City should Contractor, its officers, employees, agents, or sub-contractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions, or other discovery request, court order, or subpoena from any person or party regarding this Agreement and the work performed there under or with respect to any project or property located within the City. City retains the right, but has no obligation, to represent Contractor and/or be present at any deposition, hearing, or similar proceeding. Contractor agrees to cooperate fully with City and to provide the opportunity to review any response to discovery requests provided by Contractor. However, City's right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

21. NOTICES

Any notices which either party may desire to give to the other party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as but not limited to, Federal Express, which provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at any other address as that party may later designate by notice:

To City:

City of Seaside
440 Harcourt Ave
Seaside, CA 93955
Attention: City Clerk

To Contractor:

Precision Concrete Cutting
335 Beach Rd
Burlingame, CA 94010

22. THIRD PARTY BENEFICIARIES

Nothing contained in this Agreement shall be construed to create, and the parties do not intend to create, any rights in third parties.

23. ASSIGNMENT

Contractor shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of the City. Subject to the foregoing, all terms of the Agreement will be binding upon, enforceable by and inure to the benefit of the parties and their successors and assigns.

24. GOVERNING LAW

City and Contractor understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in Monterey County, or the federal district court with jurisdiction over the City. Contractor agrees not to commence or prosecute any dispute arising out of or in connection with this Agreement other than in the aforementioned courts and irrevocably consents to the exclusive personal jurisdiction and venue of the aforementioned courts.

25. ATTORNEY'S FEES AND COURT VENUE

Should either party to this Agreement bring legal action against the other (formal judicial proceeding, mediation or arbitration) the party prevailing in such action shall be entitled to a reasonable attorney's fee which shall be fixed by the judge, mediator or arbitrator hearing the case, and such fee shall be included in the judgment together with all costs.

26. AUTHORITY TO EXECUTE THIS AGREEMENT

The person or persons executing this Agreement on behalf of Contractor warrants and represents that he/she has the authority to execute this Agreement on behalf of the Contractor and has the authority to bind Contractor to the performance of its obligations hereunder.

27. ENTIRE AGREEMENT

This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

28. AGREEMENT CONTAINS ALL UNDERSTANDINGS: AMENDMENT

(a) This document represents the entire and integrated Agreement between City and Contractor, and supersedes all prior negotiations, representations and agreements, either written or oral.

(b) Any modification or amendment to this Agreement must be in writing.

(c) Neither City nor Contractor shall be deemed to have waived any obligation of the other, or to have agreed to any modification to this Agreement unless it is in writing, and signed by the party giving the waiver.

29. SEVERABILITY

If any term of this Agreement is held invalid by a court of competent jurisdiction or arbitrator the remainder of this Agreement shall remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF SEASIDE

CONTRACTOR

By: _____
Craig Malin, City Manager

By: _____

Date: _____

Date: _____

<u>Attachments:</u>	<u>Exhibit A</u>	<u>Master Services Agreement</u>
	<u>Exhibit B</u>	<u>Trip Hazard Inventory Tracking Procedures</u>
	<u>Exhibit C</u>	<u>Insurance Requirements</u>

EXHIBIT A
MASTER SERVICES AGREEMENT

MASTER SERVICES AGREEMENT

This Master Services Agreement ("AGREEMENT") made as of this date, 1/1/2019, by and between Precision Concrete Cutting ("CONTRACTOR") and The California Joint Powers Insurance Authority ("AUTHORITY").

This AGREEMENT is created for the sole purpose of establishing an agreed-upon set of services and related costs in order to allow California JPIA members ("MEMBER") access to professional sidewalk inspection and maintenance services.

Further, this AGREEMENT creates no obligation or expectation that any work will result from this agreement. The CONTRACTOR's specific services are defined below, and are available to MEMBER on an as-needed basis. The exact terms and conditions of such services are to be arranged between CONTRACTOR and MEMBER. MEMBER is responsible for initiating and requesting any work of CONTRACTOR.

Service Option 1

SIDEWALK ASSESSMENT SERVICES

CONTRACTOR will inspect sidewalks and provide a written inspection report in the format approved by the MEMBER (optional curbs and gutters can be included in the scope of work). The inspection reports shall include the identification, location, and description of each problem and recommended action to be taken. The format and information required may be changed at the request of MEMBER with the agreement of both parties.

Sidewalk Assessment Fee Schedule

Cost Per Sidewalk Mile	Total Sidewalk Miles	Estimated Cost per Day	Estimated Man Days	Total Estimated Assessment Cost
\$386.00	TBD	\$1,000	TBD	\$ TBD

Sample Services and Responsibilities

1. MEMBER shall provide maps of specified areas to CONTRACTOR.
2. CONTRACTOR shall inspect public rights-of-way designated on the maps.
3. CONTRACTOR shall use current ADA and California Building Code standards, as applicable, in determining trip hazards. These hazards shall include, but not be limited to:
 - a) Differential displacement between sidewalk sections 3/8" or greater
 - b) Spall surfaces, holes in surfaces, and cracks above 1" wide or greater
 - c) Deteriorated joints that have an eroded condition and are 1/2" wide or greater
4. CONTRACTOR shall record location of damaged sections in a GPS device.
5. Data entered into the GPS device shall be provided in writing to the MEMBER.
6. CONTRACTOR shall provide written inspection report that shall include, but not be limited to:
 - a) Identification and description of each problem condition
 - b) Physical address and location, including GPS location data
 - c) Size of the hazards in height, length, and square foot

- d) Probable cause of the hazard, if evident
 - e) Pictures of damaged areas
 - f) Priority for repair – high, medium, or low
 - g) Recommended action to be taken
7. CONTRACTOR shall report to the MEMBER the results of the inspection upon completion.

Service Option 2

SIDEWALK TRIP HAZARD REMOVAL

Hazard Class	Small (3/8" to 1/2")	Medium (>1/2" to 1")	Large (>1")	Lineal Foot per Location	Square Foot per Location
Price per Hazard	\$25.75	\$51.75	\$104.25	5 lin. feet	25 sq. ft.
Price per Sq. Ft.	\$1.03	\$2.07	\$4.17	\$5.00	N/A

CONTRACTOR shall be paid a fee for trip hazard repair service on lifted sidewalk with a difference in vertical elevation 3/8" and above to 2 1/2".

The fee paid to CONTRACTOR for trip hazard removal shall be charged on a per hazard class per 5 lineal feet. Removal of a trip hazard greater than 5 lineal feet shall be charged in 5 linear foot increments:

Example: A small hazard (3/8" to 1/2" high) that is 7 lineal feet shall be charged for 10 linear feet = \$26.50 x 2 locations = \$53.00.

Sample Services and Responsibilities

1. CONTRACTOR shall repair sidewalk trip hazards from 3/8" and up to 2 1/2" in designated work areas as determined by the MEMBER.
2. CONTRACTOR shall remove hazards completely, from one end of the raised sidewalk joint to the other, if applicable, leaving a zero point of differential between slabs.
3. CONTRACTOR shall not cause any damage to landscaping, trees, retaining walls, curbs, sprinkler heads, utility covers or other objects adjacent to sidewalks. If CONTRACTOR and/or CONTRACTOR's equipment does cause damage to above, the MEMBER must be notified immediately and damages must be repaired at the CONTRACTOR's expense within 24 hours of the time the damage occurred.
4. CONTRACTOR shall completely and immediately clean up all debris after each hazard is repaired. All costs incurred for disposal of waste material shall be included in unit cost and not paid for separately.
5. CONTRACTOR shall repair each sidewalk trip hazard without damage to adjacent slab(s) or curb(s).
6. CONTRACTOR shall cut dry with dust abatement mechanism. No water-cooling is allowed, which creates slurry and contaminates storm drains or causes excessive environmental impact.
7. CONTRACTOR shall submit an itemized summary of all repaired hazards which includes:
 - a) The specific hazard height – both high side and low side measurement – in 1/8ths of an inch
 - b) The actual length of the repair to the nearest 1/2 foot
 - c) The total width of actual repair to the nearest 1/2 foot
 - d) The square feet of the effective panel from joint to nearest joint or score line
 - e) The calculated unit for measurement shall be the square foot of the affected panel



- f) The physical location (address) of each repair
 - g) Pictures of each repair, as requested
 - h) Itemized cost of each repaired trip hazard
8. CONTRACTOR shall submit a detailed invoice setting forth the services performed, in accordance with the formula for saw-cutting calculations. All invoices must show the cut depth, size, length, width, square feet, address, the number of locations, and the date repaired for each hazard removal. The billing unit for invoice calculation shall be the number of locations where one (1) location is up to 5 lineal feet.
 9. CONTRACTOR shall guarantee specified repair slope (1:12, or based upon the Americans with Disabilities Act and California Building Code) is achieved. If defined slope is not achieved, CONTRACTOR must repair to specification at no additional charge within 24 hours of discovery.
 10. CONTRACTOR shall guarantee that the removed trip hazard will have a uniform appearance and texture. The finished surface shall have a co-efficient of friction of at least 0.6.
 11. Method of trip hazard removal shall entail precise saw-cutting performed with hand-held, electric-powered equipment, using a machined hub and flush-mounted, diamond-tipped blades. Must be capable of cutting at any angle and perform trip hazard removal in hard-to-reach areas, around obstacles, on narrow walkways, and next to fences and retaining walls or buildings.
 12. CONTRACTOR shall make its best effort to notify residents 3 days in advance of any work and schedule the operations so as to cause a minimum of interruption, interference or disturbance to the operation of stores, businesses, office buildings, hotels, churches, etc., and allow access by pedestrians and emergency, delivery and service vehicles at all times. Sidewalk repair equipment and all other items incidental to the work shall not be left or stored on the sidewalk or on private property while not in use.
 13. CONTRACTOR shall take precautions during saw-cutting operations not to disfigure, scar, or impair the health of any tree on public or private property.

Service Option 3

SIDEWALK ASSESSMENT AND TRIP HAZARD REMOVAL

Hazard Class	Small (3/8" to 1/2")	Medium (>1/2" to 1")	Large (>1")	Lineal Foot per Location	Square Foot per Location
Price per Hazard	\$31.00	\$62.00	\$123.00	5 lin. feet	25 sq. ft.
Price per Sq. Ft.	\$1.24	\$2.48	\$4.92	N/A	N/A

See sample services and responsibilities under respective sections in Service Option 1 and Service Option 2.

Service Option 4

FIVE-YEAR MAINTENANCE PROGRAM

Hazard Class	Small (3/8" to 1/2")	Medium (>1/2" to 1")	Large (>1")	Lineal Foot per Location	Square Foot per Location
Price per Hazard	\$31.00	\$62.00	\$123.00	5 lin. feet	25 sq. ft.
Price per Sq. Ft.	\$1.24	\$2.48	\$4.92	N/A	N/A

Sample Sidewalk Survey Services and Responsibilities

1. CONTRACTOR shall perform annual, semi-annual, or quarterly sidewalk inspection as determined by the scope of services to be defined by terms mutually set between the MEMBER and CONTRACTOR.
2. CONTRACTOR shall specify problems and recommend action to be taken.
3. CONTRACTOR shall prioritize the areas and problems to be resolved.
4. CONTRACTOR shall identify repairs to be accomplished by saw cutting.
5. CONTRACTOR shall identify spall surfaces, holes in surfaces, and cracks above 1" wide or greater.
6. CONTRACTOR shall recommend areas to be demolished and replaced.
7. CONTRACTOR shall provide written inspection report that shall include, but not be limited to:
 - a) Identification and description of each problem condition
 - b) Physical address and location, including GPS location data
 - c) Size of the hazards in height, length, and square foot
 - d) Probable cause of the hazard, if evident
 - e) Pictures of damaged areas
 - f) Priority for repair – high, medium, low
 - g) Recommended action to be taken
 - h) CONTRACTOR shall report to the MEMBER the results of the inspection upon completion

Sample Sidewalk Trip Hazard Removal Services and Responsibilities

1. CONTRACTOR shall make repairs and recommendations to achieve the lowest overall cost to the MEMBER.
2. CONTRACTOR shall remove the existing trip hazards by saw cutting changes in elevation between adjacent panels from 3/8" up to 2 1/2" in height as specified in the scope of work defined by mutually set terms between the MEMBER and CONTRACTOR.
3. The MEMBER shall set a fixed budget "not to exceed" per month, per quarter, or per year.
4. CONTRACTOR shall provide in-depth report, audit-able for maintenance and risk management.

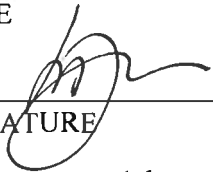
Sample Remove/Replacement Survey Reporting Services and Responsibilities

1. CONTRACTOR shall survey and report all areas not recommended for saw cutting.
2. CONTRACTOR shall identify "remove and replacement" locations to maximize the repair of locations that truly need to be replaced.
3. CONTRACTOR shall provide a written report that identifies the location, length, width, and square foot measurement of the affected panels to be replaced.
4. CONTRACTOR shall provide GPS locations, maps and photographs of areas recommended for removal and replacement.
5. CONTRACTOR shall provide an in-depth report on a monthly basis, audit-able for maintenance and risk management.

FOR AUTHORITY:

Norman Lefmann
NAME

Assistant Executive Officer
TITLE


SIGNATURE

12/5/18
DATE

FOR CONTRACTOR:

Gary Beneduci
NAME

General Manager
TITLE


SIGNATURE

11/26/2018
DATE

EXHIBIT B INVENTORY TRACKING PROCEDURES

Throughout the duration of the Work, CONTRACTOR and its subcontractors shall utilize the web and application based software See, Click, Fix (SCF). SCF will serve as a database identifying the locations of sidewalk that require repair by the CONTRACTOR and act as a work order tracking system. In order to utilize this software, the CONTRACTOR shall provide a valid email address to be assigned an account by the CITY. A CITY representative will provide access to SCF to the CONTRACTOR and a brief training on how to utilize SCF. Work orders will be assigned a priority of High, Normal, or Low. Work orders shall be serviced by the CONTRACTOR in the order or priority first, and creation date second. The CONTRACTOR shall take a picture of the location to be repaired prior to start of work. Once the CONTRACTOR has completed the work, the CONTRACTOR shall close out the work order in SCF by uploading before and after photos of the repair location. The City requires a minimum of 5 business days to review work orders prior to issuing payment. Payment will not be made for work that does not have valid backup and close out in SCF.

EXHIBIT C

INSURANCE

Prior to the beginning of and throughout the duration of the Work, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to AGENCY.

A. CONTRACTOR shall provide the following types and amounts of insurance:

Without limiting CONTRACTOR's indemnification of AGENCY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to AGENCY.

General liability insurance. CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.

Umbrella or excess liability insurance. [Optional depending on limits required] CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general

liability, automobile liability, and employer's liability. Such policy or policies shall include the following terms and conditions:

- A drop-down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
- Pay on behalf of wording as opposed to reimbursement;
- Concurrence of effective dates with primary policies;
- Policies shall "follow form" to the underlying primary policies; and
- Insureds under primary policies shall also be insureds under the umbrella or excess policies.

Workers' compensation insurance. CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to AGENCY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of AGENCY, its officers, agents, employees and volunteers.

Pollution liability insurance. Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form acceptable to AGENCY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Builder's risk insurance. Upon commencement of construction and with approval of AGENCY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the AGENCY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and AGENCY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to AGENCY. The policy shall contain a provision that all proceeds from the builder's risk

policy shall be made payable to the AGENCY. The AGENCY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment, materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to Agency to ensure adequacy of terms and sublimits and shall be submitted to the Agency prior to commencement of construction.

Other provisions or requirements

Proof of insurance. CONTRACTOR shall provide certificates of insurance to AGENCY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by AGENCY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with AGENCY at all times during the term of this contract. AGENCY reserves the right to require complete, certified copies of all required insurance policies, at any time.

Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. AGENCY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.

Primary/noncontributing. Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by AGENCY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall

also apply on a primary and non-contributory basis for the benefit of AGENCY before the AGENCY's own insurance or self-insurance shall be called upon to protect it as a named insured.

Products/completed operations coverage. Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The AGENCY, its officials, officers, agents, and employees, shall be included as additional insureds under the Products and Completed Operations coverage.

Agency's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, AGENCY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by AGENCY will be promptly reimbursed by CONTRACTOR or AGENCY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, AGENCY may cancel this Agreement.

Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the AGENCY's risk manager.

Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against AGENCY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against AGENCY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

Enforcement of contract provisions (non estoppel). CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the AGENCY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the AGENCY nor does it waive any rights hereunder.

Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other

requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the AGENCY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the AGENCY.

Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to AGENCY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.

Additional insured status. General liability policies shall provide or be endorsed to provide that AGENCY and its officers, officials, employees, agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.

Prohibition of undisclosed coverage limitations. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to AGENCY and approved of in writing.

Separation of insureds. A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.

Pass through clause. CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to AGENCY for review.

Agency's right to revise requirements. The AGENCY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such

change. If such change results in substantial additional cost to the CONTRACTOR, the AGENCY and CONTRACTOR may renegotiate CONTRACTOR's compensation.

Self-insured retentions. Any self-insured retentions must be declared to and approved by AGENCY. AGENCY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by AGENCY.

Timely notice of claims. CONTRACTOR shall give AGENCY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

Additional insurance. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.M.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dominique Davis, City Clerk Administrative Assistant

DATE: December 19, 2019

**SUBJECT: ADOPT RESOLUTION CANCELLING JANUARY 2, 2020
MEETING.**

PURPOSE & RECOMMENDATION

Adopt a resolution cancelling the meeting as it is the day after a Federal Holiday.

BACKGROUND

The City Council meets regularly on the first and third Thursdays of each month. Since the first meeting in January would occur the day after a Federal Holiday, it is recommended that the meeting be formally canceled.

FISCAL IMPACT

None.

ATTACHMENTS

1. Draft Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE
APPROVING THE CANCELLATION OF THE CITY COUNCIL REGULAR
MEETING JANUARY 2, 2019**

WHEREAS, The City Council meets regularly on the first and third Thursdays of each month.

WHEREAS, Since the first meeting in January would fall on January 2, being that it is the day after a Federal Holiday, it is recommended that the meeting be formally canceled.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside hereby approves the cancellation of the meetings scheduled for January 2, 2020.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 19th day of December 2019.

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Misty Bradshaw, Associate Engineer
Scott Ottmar, Senior Engineer

DATE: December 19, 2019

**SUBJECT: INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE
MUNICIPAL CODE TITLE 13, CHAPTER 10.080 MUNICIPAL
WATER SYSTEM – PERMITS TO CONNECT, PARAGRAPH G, AND
TITLE 13, SECTION 12 CROSS CONNECTION CONTROL
PROGRAM (FIRST READING - ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Introduce and pass to print the draft ordinance.

BACKGROUND

Chapter 13.12 - Cross-Connection Control Program

The existing Cross Connection Control Program, Chapter 13.12 was adopted in 1988. The proposed edits reflect updates to the California Code of Regulations ("CCR") as they pertain to the types of backflow protection devices necessary to maintain the minimum level of protection for the municipal water supply. The chapter has been revised to clarify the responsibilities of the City are limited to the Seaside Municipal Water System. Lastly, the City Engineer is assigned certain responsibilities and authority as appropriate.

Chapter 13.10 - Municipal Water System

Chapter 13.10 specifies requirements of the City's Municipal Water System. Section 13.10.080.G states "No water pipe on any consumer's premise shall cross-connect the municipal water system with any other source of water supply". Staff recommends

amending Paragraph G to reference the Cross-connection Control Program in Chapter 13.12. This revision will ensure that by reference, the requirements outlined within the Cross-Connection Control Program are applicable to the Seaside Municipal Water System.

The proposed ordinances attached hereto will address the issues noted above by amending the existing Municipal Code Chapter 13.10, Section 10.080.G, and Chapter 13.12 with the proposed language in the attached draft ordinance.

ENVIRONMENTAL COMPLIANCE

The proposed changes to the Ordinance will not result in direct or indirect changes to the environment and do not meet the definition of project under CEQA. (14 CCR 15378(b)) Additionally, any cross-connection activities are categorically exempt from CEQA. (14 CCR 15301(b))

FISCAL IMPACT

There is no fiscal impact associated with the adoption of an amendment to the Municipal Code for the Cross Connection Control Program.

ATTACHMENTS

1. Draft Ordinance Cross Connection Control Program
2. Attachment A - 13.10.080 - SMW Connections
3. Attachment B - Draft Ordinance - 13.12- Cross Connection

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AMENDING SEASIDE MUNICIPAL CODE TITLE 13, CHAPTER 10.080 MUNICIPAL WATER SYSTEM – PERMITS TO CONNECT, PARAGRAPH G, AND TITLE 13, SECTION 12 CROSS CONNECTION CONTROL PROGRAM (FIRST READING - ROLL CALL VOTE)

**THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS
FOLLOWS:**

SECTION 1. GENERAL PURPOSE AND FINDINGS.

The purpose of this Ordinance is to consider the following text amendments to the Seaside Municipal Code:

Proposed text amendments to Seaside Municipal Code Title 13, Chapter 10.080 Municipal Water System – Permits To Connect, Paragraph G, And Title 13, Section 12 Cross Connection Control Program

FINDINGS

WHEREAS the existing Cross Connection Control Program, Chapter 13.12 was adopted in 1988; and

WHEREAS, the California Code of Regulations ("CCR") as they pertain to the types of backflow protection devices necessary to maintain the minimum level of protection for the municipal water supply has been updated and is now out of compliance with the current code; and

WHEREAS, the chapter needs to be revised to clarify the responsibilities of the City are limited to the Seaside Municipal Water System; and

WHEREAS, the City Engineer is assigned certain responsibilities and authority as appropriate and those need to be formally designated.

WHEREAS, Chapter 13.10 specifies requirements of the City's Municipal Water System and Section 13.10.080.G states "No water pipe on any consumer's premise shall cross-connect the municipal water system with any other source of water supply"; and

WHEREAS, amending Paragraph G to reference the Cross-connection Control Program in Chapter 13.1 will ensure that by reference, the requirements outlined within the Cross-Connection Control Program are applicable to the Seaside Municipal Water System.

SECTION 2. ENVIRONMENTAL COMPLIANCE

The proposed changes to the Ordinance will not result in direct or indirect changes to the environment and do not meet the definition of project under CEQA. (14 CCR 15378(b)) Additionally, any cross-connection activities are categorically exempt from CEQA. (14 CCR 15301(b))

SECTION 3. PROPOSED TEXT AMENDMENTS

This ordinance incorporates the attached red lined text amendments into Seaside Municipal Code Section 13.10 and 13.12

SECTION 4. EFFECTIVE DATE

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

INTRODUCED AND PASSED TO PRINT at a regular meeting of the City Council of the City of Seaside, State of California, on the 19th day of December, 2019.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the ____ day of January, 2020, by the following vote:

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

Ian Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

Chapter 13.10 MUNICIPAL WATER SYSTEM

Sections:

[13.10.010 Definitions.](#)

[13.10.020 Water rates and charges.](#)

[13.10.030 Meter tests and adjustments of bills for meter error.](#)

[13.10.040 Billing for and payment of water charges.](#)

[13.10.050 Person responsible for payment to pay security deposits.](#)

[13.10.060 Enforcement measures – Delinquencies.](#)

[13.10.070 Effective date of water charges.](#)

[13.10.080 Connections – Permits to connect.](#)

[13.10.090 Duties of city engineer and water collector.](#)

[13.10.100 Shortage of supply and service interruptions.](#)

[13.10.110 Appeals.](#)

13.10.080 Connections – Permits to connect. [SHARE](#)

A. No person whose premises is not connected with the municipal water system upon the beginning of operation of the system shall connect any premises or cause any premises to be connected with the municipal water system without first obtaining a permit to do so from the city engineer.

B. The city engineer may require any person who applied for any such permit or any consumer to file a statement or affidavit for the guidance of the city engineer, the water collector, and the city council in ascertaining the amount of the monthly water charge payable by such person or consumer under this chapter. Each such statement or affidavit shall contain such information as may required by the city engineer. Failure by any person or consumer to file such statement or affidavit containing such required information constitutes a violation of this chapter. No statement or affidavit shall be conclusive as to the matters therein set forth nor shall the filing of any statement or affidavit preclude the city from collecting from the consumer responsible for payment (as provided in this chapter) by appropriate action such sum as is actually due and payable for water charges under the provisions of this chapter. Each such statement or affidavit, and each of the several items therein contained, shall be subject to verification by the city engineer.

C. Any consumer making any material change in the size, character, or extent of the utilizing equipment or operations for which water is furnished shall immediately give the city engineer written notice of the extent and nature of the change.

D. The city shall require a written contract with any consumer as a condition precedent to service in any case where unusual quantities of water or construction of special facilities is or will be required. No such contract shall exceed a term of three years.

E. The city will furnish and install a service connection of suitable capacity from its water main to the curblineline of the property line of any premises for which a connection to the municipal water system is requested; provided, the premises abuts upon a public street or existing water main right-of-way. For service to any nonabutting premises, the person requesting connection must pay the cost of furnishing and installing that portion of the service connection from the curblineline of nearest street or from the nearest existing water main right-of-way. Only duly authorized employees or agents of the city shall install a service connection from any water main to any consumer's premises.

The city shall collect connection service charges for the connection of new water services, as established in the annual schedule of fees and charges, prior to installation.

F. All meters shall be installed by the city. No rent or other charge shall be paid by the city for any meter or other facilities located on a consumer's premises. All meters shall be sealed by or under the supervision of the city engineer at the time of installation, and no seal shall be altered or broken except by an authorized employee or agent of the city.

G. No water pipe on any consumer's premises shall cross-connect the municipal water system unprotected with any other source of water supply. All connections to the municipal water system shall be in conformance with the SMC Title 13, Section 12 – Cross Connection Control Program.

H. All service connections, meters, and other facilities furnished by the city at its own expense and located wholly or partially upon any premises shall be and remain the property of the city, which shall have the right to repair, replace, and remove the same upon discontinuance of service.

I. The city shall not be responsible for the installation or maintenance of any water pipelines beyond the end of the city's service connection or beyond its meter.

J. The city engineer or any other duly authorized agent of the city shall have at all reasonable times the right of ingress to and egress from any consumer's premises for any purpose properly relating to the furnishing of water to the consumer.

K. The city shall not be responsible for any loss or damage caused by any negligence or unlawful act of any consumer or any other person in installing, maintaining, operating, or using any or all appliances, facilities or equipment for which water or water service is furnished by the city. Each consumer shall be held responsible for damage to the city's meters and other property comprising any part of the municipal water system resulting from the use or operation of any appliances or facilities on such consumer's premises including, without limiting the generality of the foregoing, damage caused by steam, hot water, or chemicals.

L. Change in Size. A change in the size of meter, service pipe or both of any existing service connection is at the expense of the customer. The expense shall be computed on the basis of the actual cost of the new installation less the value of any material salvaged.

M. Change in Location. When a customer requests relocation of an existing meter or service connection for the customer's convenience, the relocation is at the customer's expense on the basis of the actual cost of relocation. When relocation of an existing meter or service connection is done to protect the property of the water system or the city's interest, the city shall pay the cost of it.

N. Charges Payable in Advance. The estimated charge for new service connection or for change in size or location for customer's benefit shall be paid before work is started or material ordered. Upon completion of the work, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded for the customer's account, whichever the case may be.

O. Title to Water Service Connections. Title to the meter, service pipes and appurtenances used in providing a water service connection is in the water system. The charges prescribed in this chapter are for connection, and do not convey any right of title to the facilities. (Ord. [979](#) (Exh. A), 2009; Ord. [646](#), 1983)

13.10.090 Duties of city engineer and water collector.



It shall be the duty of the city engineer to supervise all connections to the municipal water system and to establish and administer such reasonable rules and regulations applicable to connections to and the use and operation of the municipal water system as may be deemed advisable or necessary, including, without limiting the generality of the foregoing, rules and regulations relative to:

A. The furnishing of temporary water service;

B. The establishment and reestablishment of credit and requirements for deposits by applicants for permits to connect with the municipal water system whose service has been previously discontinued and applicants for such permits who are not the owners of the premises for which water service is requested; and

C. Water main extensions, including general or ordinary extensions, to subdivisions or tracts;

provided, that each set of rules and regulations so established shall before becoming effective be approved by a resolution adopted by the city council; and provided further, that no such rules and regulations so established and approved shall be in conflict with any provision of this chapter, and shall at all times be subject to appeal to the city council whose decision shall be final. It shall be the duty of the water collector to collect all water charges. The water collector shall keep an accurate accounting and records showing the source, amount, and disposition of all funds received from water charges. (Ord. [646](#), 1983)

13.10.100 Shortage of supply and service interruptions. SHARE

A. The city shall exercise reasonable diligence to provide continuous and adequate water service to consumers and to avoid any shortage or interruption of delivery of water; provided, that the city shall have the right to suspend water service temporarily to make necessary repairs or improvements to the municipal water system. In each case of temporary suspension of service, the city shall notify the consumers affected as soon as circumstances permit and will prosecute the work of repair or improvements with due diligence and with the least possible inconvenience to consumers.

B. During any period of threatened or actual water shortage, the city shall have the right to apportion its available water supply among consumers in such manner as appears most equitable under the circumstances then prevailing and with due regard to public health and safety.

(Ord. [646](#), 1983)

13.10.110 Appeals. SHARE

A. Any person who has a right to appeal as provided in any section of this chapter or who is dissatisfied with any determination hereafter made under the terms of this chapter by the city engineer or the water collector may, at any time within thirty days after such determination, appeal to the city council by giving written notice to the city engineer or the water collector and to the city clerk, setting forth the determination with which the person is dissatisfied. The city council may at any time upon its own motion appeal from any determination made by the city engineer or the water collector under this chapter. In the event of any such appeal, the city engineer or water

collector shall transmit to the city council a report upon the matter appealed. The city council shall cause notice to be given, at least ten days prior to the time fixed for such hearing, to all persons affected by the appeal, of the time and place fixed by the city council for hearing the appeal. The city council shall direct the city clerk to make a written notice, postage prepaid, to all such persons whose addresses are known to the city council.

B. Pending decision upon any appeal relative to the amount of any charges under this chapter, the person making the appeal shall pay such charge. After the appeal is heard, the city council shall order refunded to the person making the appeal an amount, if any, as the city council shall determine. (Ord. [646](#), 1983)

Chapter 13.12 CROSS-CONNECTION CONTROL PROGRAM

Sections:

- [13.12.010 Title.](#)
- [13.12.020 Purpose.](#)
- [13.12.030 Adoption.](#)
- [13.12.040 Connections with noncity systems prohibited.](#)
- [13.12.050 Definitions.](#)
- [13.12.060 Cross-connection protection requirements designated.](#)
- [13.12.070 Cross-connection protection – General provisions.](#)
- [13.12.080 Where protection is required.](#)
- [13.12.090 Type of protection required.](#)
- [13.12.100 Approved backflow prevention devices.](#)
- [13.12.110 Backflow prevention device installation.](#)
- [13.12.120 Backflow prevention device testing and maintenance.](#)
- [13.12.130 Backflow prevention device removal.](#)
- [13.12.140 User supervisor.](#)
- [13.12.150 Administrative procedures – Water system survey.](#)
- [13.12.160 Customer notification.](#)
- [13.12.170 Water service termination.](#)

13.12.010 Title.

The ordinance codified in this chapter shall be known and cited as the “cross-connection control program to protect the ~~public water system~~Seaside Municipal Water System.” (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.020 Purpose.

The purpose of this chapter is (A) to protect the public water supply against actual or potential contamination through cross-connections by isolating sources of contamination that may occur within a water user’s premises because of some undiscovered or unauthorized cross-connection on the premises; (B) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (C) to eliminate cross-connections between drinking water systems and sources of contamination; (D) to prevent the making of cross-connections in the future. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.030 Adoption.

These regulations are adopted pursuant to the State of California Code of Regulations, Title 17, Public Health, entitled “Regulations Relating to Cross-Connections.” (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.040 Connections with non-city systems prohibited. SHARE

It is unlawful for any person, firm or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes or water fixtures being served with water by the ~~city-water department~~City of Seaside’s Municipal Water System and any other source of water supply or to maintain any sanitary fixture or other appurtenances or fixtures which, by reason of their construction, may cause or allow backflow of water or other substances into the public water supply system of the city and/or the service of water pipes or fixtures of any consumer of the city. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.050 Definitions. SHARE

“Air-gap separation” means a physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.

“Approved backflow prevention device” means devices which have passed laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the California Department of Health Services.

“Approved water supply” means any water supply whose potability is regulated by state or local health agency.

“Auxiliary supply” means any water supply on or available to the premises other than the approved water supply.

“AWWA Standard” means an official standard developed and approved by the American Water Works Association (AWWA).

“Backflow” means a flow condition, caused by a differential in pressure, that causes the flow of water or other liquids, gases, mixtures or substances into the distributing pipes of a potable supply of water from any source or sources other than an approved water supply source. Backsiphonage is one cause of backflow. Back pressure is the other cause.

“Contamination” means a degradation of the quality of the potable water by any foreign substance which creates a hazard to the public health, or which may impair the usefulness or quality of the water.

“Cross-connection,” as used in this chapter, means any unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome and potable. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections.

“Double check valve assembly” means an assembly of at least two independently acting check valves including tightly closing shutoff valves on each side of the check valve assembly and test cocks available for testing the watertightness of each check valve.

“Health agency” means the California Department of Health Services, or the local health agency with respect to a small water system.

“Local health agency” means the county or city health authority.

“Person” means an individual, corporation, company, association, partnership, municipality, public utility or other public body or institution.

“Premises” means any and all areas on a water user’s property which are served or have the potential to be served by the public water system.

“Public water system” means a system for the provision of piped water to the public for human consumption that has five or more service connections or regularly serves an average of twenty-five individuals daily at least sixty days out of the year.

“Reclaimed water” means a wastewater which, as a result of treatment, is suitable for uses other than potable use.

“Reduced pressure principle backflow prevention device” means a device incorporating two or more check valves and an automatically operating differential relief valve located between the two checks, a tightly closing shutoff valve on each side of the check valve assembly, and equipped with necessary test cocks for testing.

“Service connection” refers to the point of connection of a user’s piping to the water supplier’s facilities.

“Water supplier” means the person who owns or operates the approved water supply system.

“Water user” means any person obtaining water from an approved water supply system.
(Ord. [752](#) § 1 (Exh. A), 1988)

13.12.060 Cross-connection protection requirements designated. SHARE

The cross-connection protection requirements are as designated in
SMC [13.12.070](#) through [13.12.090](#). (Ord. [1044](#) § 2 (Att. C), 2017; Ord. [752](#) § 1 (Exh. A), 1988)

13.12.070 Cross-connection protection – General provisions. SHARE

A. Unprotected cross-connections with the public water supply are prohibited.

B. Whenever backflow protection has been found necessary, the city will require the water user to install an approved backflow prevention device by and at ~~his~~ [the water user's](#) expense for continued services or before a new service will be granted.

C. Wherever backflow protection has been found necessary on a water supply line entering a water user’s premises, then any and all water supply lines from the ~~city's~~ [City of Seaside's Municipal Water System's](#) mains entering such premises, buildings or structures shall be protected by an approved backflow prevention device. The type of device to be installed will be in accordance with the requirements of this chapter. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.080 Where protection is required. SHARE

A. Each service connection from the ~~city~~ [Seaside Municipal Water](#) system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system unless the auxiliary water supply is accepted as an additional source by the ~~city~~ [City Engineer](#) and is approved by the public health agency having jurisdiction.

B. Each service connection from the ~~city water system~~ [Seaside Municipal Water System](#) for supplying water to any premises on which any substance is handled in such fashion as may allow its entry into the [public](#) water system shall be protected against backflow of the water from the premises into the public system. This shall include the handling of process waters and waters originating from the ~~city water system~~ [Seaside Municipal Water System](#) which have been subjected to deterioration in sanitary quality.

C. Backflow prevention devices shall be installed on the service connection to any premises having: (1) internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the state or local health department and the city, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.090 Type of protection required. SHARE

A. The type of protection that shall be provided to prevent backflow into the approved water supply shall be commensurate with the degree of hazard that exists on the consumer's premises. The type of protective device that may be required (listing in an increasing level of the type of protection) includes: double check valve assembly (DC), reduced pressure principle backflow prevention device (RP) and air-gap separation (AG). The water user may choose a higher level of protection than required by the city. The minimum types of backflow protection required to protect the approved water supply at the user's water connection to premises with varying degrees of hazard are given in Table 1 [of Title 17 California Code of Regulations, Section 7604, as that section may be revised from time to time](#). Situations which are not covered in Table 1 shall be evaluated on a case-by-case basis and the appropriate backflow protection shall be determined by the [city City Engineer](#) or health agency.

~~Table 1 – Type of Backflow Protection Required~~

- Degree of Hazard	Minimum Type of Backflow Prevention
A. Sewage and Hazardous Substances	- -
- 1. Premises where the public water system is used to supplement the reclaimed water supply.	- AG
- 2. Premises where there are wastewater pumping and/or treatment plants and there is no interconnection with the potable water system. This does not include a single family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by the health agency and the city.	- AG

Table 1 – Type of Backflow Protection Required

- Degree of Hazard	Minimum Type of Backflow Prevention
- 3. Premises where reclaimed water is used and there is no interconnection with the potable water system. A RP may be provided in lieu of an AG if approved by the health agency and the city.	- AG
- 4. Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by the health agency and the city.	- AG
- 5. Premises where there are irrigation systems into which fertilizers, herbicides or pesticides are or can be injected.	- RP
B. Auxiliary Water Supplies	- -
- 1. Premises where there is an unapproved auxiliary water supply which is interconnected with the public water system. A RP or DC may be provided in lieu of an AG if approved by the health agency and the city.	- AG
- 2. Premises where there is an unapproved auxiliary water supply and there are no interconnections with the public water system. A DC may be provided in lieu of a RP if approved by the health agency and city.	- RP
C. Fire Protection Systems	- -
- 1. Premises where the fire system is directly supplied from the public water system and there is an unapproved auxiliary water supply. A RP may be provided in lieu of an AG if approved by the health agency and city.	- AG
- 2. Premises where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply. A RP may be provided in lieu of an AG if approved by the health agency and the city.	- AG
- 3. Premises where the fire system is supplied from the public water system and where either elevated storage tanks or fire pumps which take suction from the private reservoirs or tanks are used.	- DC

Table 1 – Type of Backflow Protection Required

- Degree of Hazard	Minimum Type of Backflow Prevention
D. Dockside Watering Points and Marine Facilities	- -
- 1. Pier hydrants for supplying water to vessels for any purpose.	- RP
- 2. Premises where there are marine facilities.	- RP
E. Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist.	- RP
F. Premises where there is a repeated history of cross-connections being established or reestablished.	- RP

B. Two or more services supplying water from different street mains to the same building, structure or premises through which an inter-street main flow may occur shall have at least a standard check valve on each water service to be located adjacent to and on the property side of the respective meters. Such check valve shall not be considered adequate if backflow protection is deemed necessary to protect the city's Seaside Municipal Water System's mains from pollution or contamination; in such cases the installation of approved backflow devices at such service connections shall be required. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.100 Approved backflow prevention devices.

A. Only backflow prevention devices which have been approved by the city City Engineer shall be acceptable for installation by a water user connected to the city's potable water system.

B. The city will provide, upon request, to any affected customer a list of approved backflow prevention devices. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.110 Backflow prevention device installation.

Backflow prevention devices shall be installed in a manner prescribed in Section 7603, Title [17](#), of the California Administrative Code. Location of the devices should be as close as practical to the user's connection. The City Engineer city shall have the final authority in determining the required location of a backflow prevention device.

A. Air-Gap Separation (AG). The air-gap separation shall be located on the user's side of and as close to the service connection as is practical. All piping from the service connection to the receiving tank shall be above grade and be entirely visible. No water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two pipe diameters of the supply inlet, but in no case less than one inch above the overflow rim of the receiving tank.

B. Reduced Pressure Principle Backflow Prevention Device (RP). The approved reduced pressure principle backflow prevention device shall be installed on the user's side of and as close to the service connection as is practical. The device shall be installed a minimum of twelve inches above grade and not more than thirty-six inches above grade measured from the bottom of the device and with a minimum of twelve inches side clearance. The device shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP device shall be protected in a manner approved by the city.

C. Double Check Valve Assembly (DC). The approved double check valve assembly shall be located as close as practical to the user's connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches between the bottom of the vault and the bottom of the device, so that the top of the device is no more than a maximum of eight inches below grade, so there is a minimum of six inches of clearance between the side of the device with the test cocks and the side of the vault, and so there is a minimum of three inches of clearance between the other side of the device and the side of the vault. Special consideration must be given to double check valve assemblies of the "Y" type. These devices must be installed on their "side" with the test cocks in a vertical position so that either check valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three-inch layer of gravel. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.120 Backflow prevention device testing and maintenance.



A. The owners of any premises on which, or on account of which, backflow prevention devices are installed shall have the devices tested by a person who had demonstrated ~~his~~-[their](#) competency in testing of these devices to the city. Backflow prevention devices must be tested at least annually and immediately after installation, relocation or repair. The ~~city~~-[City Engineer](#) may require a more frequent testing schedule if it is determined to be necessary. No device shall be placed back in service unless it is functioning as required. A report in a form acceptable to the city shall be filed with the city each time a device is tested, relocated or repaired. These devices shall

be serviced, overhauled or replaced whenever they are found to be defective and all costs of testing, repair and maintenance shall be borne by the water user.

B. The city will supply ~~affected water users with~~ a list of [qualified](#) persons ~~acceptable to the city~~ to test backflow prevention devices. The city will notify affected customers by mail when annual testing of a device is needed and also supply users with the necessary forms which must be filled out each time a device is tested or repaired.

C. Upon request the city will test a water user's backflow prevention device to fulfill the requirements of this chapter. The water user will be charged for the test and any maintenance found necessary to keep the device in working order on the next regular water bill. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.130 Backflow prevention device removal.

Approval must be obtained from the city before a backflow prevention device is removed, relocated or replaced.

A. Removal. The use of a device may be discontinued and the device removed from service upon presentation of sufficient evidence to the city to verify that a hazard no longer exists or is not likely to be created in the future.

B. Relocation. A device may be relocated following confirmation by the city that the relocation will continue to provide the required protection and satisfy installation requirements. A retest will be required following the relocation of the device.

C. Repair. A device may be removed for repair; provided the water use is either discontinued until repair is completed and the device is returned to service, or the service connection is equipped with other backflow protection approved by the city. A retest will be required following the repair of the device.

D. Replacement. A device may be removed and replaced; provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the [city City Engineer](#) and must be commensurate with the degree of hazard involved. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.140 User supervisor.

At each premises where it is necessary, in the opinion of the [City Engineer](#), a user supervisor shall be designated by and at the expense of the water user. This user supervisor shall be

responsible for the monitoring of the backflow prevention devices and for avoidance of cross-connections. In the event of contamination or pollution of the drinking water system due to a cross-connection on the premises, the city shall be promptly notified by the user supervisor so that appropriate measures may be taken to overcome the contamination. The water user shall inform the city of the user supervisor's identity on, as a minimum, an annual basis and whenever a change occurs. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.150 Administrative procedures – Water system survey.

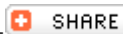


A. The city shall review all requests for new ~~servicesconnections~~ to ~~t~~[The Seaside Municipal Water System to](#) determine if backflow protection is needed. Plans and specifications must be submitted to the city upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the public water system, the required device must be installed before service will be granted.

B. The city may require an on-premises inspection to evaluate cross-connection hazards. The city will transmit a written notice requesting an inspection appointment to each affected water user. Any water user who cannot or will not allow an on-premises inspection of his piping system shall be required to install the backflow prevention device the ~~city~~[City Engineer](#) considers necessary.

C. The city may, at its discretion, require a re-inspection for cross-connection hazards of any premises to which it serves water. The city will transmit a written notice requesting an inspection appointment to each affected water user. Any water user who cannot or will not allow an on-premises inspection of his piping shall be required to install the backflow prevention device the ~~city~~[City Engineer](#) considers necessary. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.160 Customer notification.



A. Device Installation.

1. The city will notify the water user of the survey findings, listing the corrective actions to be taken if any are required. A period of sixty days will be given to complete all corrective actions required, including installation of backflow prevention devices.

2. A second notice will be sent to each water user who does not take the required corrective actions prescribed in the first notice within the sixty-day period allowed. The second notice will give the water user a two-week period to take the required corrective action. If no action is taken within the two-week period, the ~~city may terminate~~ water service to the affected water user may be terminated until the required corrective actions are taken.

B. Testing and Maintenance.

1. The city will notify each affected water user when it is time for the backflow prevention device installed on their service connection to be tested. This written notice shall give the water user thirty days to have the device tested and supply the water user with the necessary form to be completed and resubmitted to the city.
2. A second notice shall be sent to each water user which does not have his/her backflow prevention device tested as prescribed in the first notice within the thirty-day period allowed. The second notice will give the water user a two-week period to have his/her backflow prevention device tested. If no action is taken within the two-week period, the ~~city~~ may terminate water service to the affected water user may be terminated until the subject device is tested. (Ord. [752](#) § 1 (Exh. A), 1988)

13.12.170 Water service termination.

A. General. When the city encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the city shall institute the procedure for discontinuing ~~the city~~ water service from the Seaside Municipal Water System.

B. Basis for Termination. Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items:

1. Refusal to install a required backflow prevention device;
2. Refusal to test a backflow prevention device;
3. Refusal to repair a faulty backflow prevention device;
4. Refusal to replace a faulty backflow prevention device;
5. Direct or indirect connection between the public water system and a sewer line;
6. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants;
7. Unprotected direct or indirect connection between the public water system and an auxiliary water system;
8. A situation which presents an immediate health hazard to the public water system.

C. Water Service Termination Procedures.

1. For conditions designated in subsection (B)(1), (2), (3) or (4) of this section, the city will terminate service to a customer's premises after two written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service may be terminated.

2. For conditions designated in subsection (B)(5), (6), (7) or (8) of this section, the city will take the following steps:

a. Make reasonable effort to advise water user of intent to terminate water service;

b. Terminate water supply and lock service valve. The water service will remain inactive until correction of violations has been approved by the city Engineer.

(Ord. 752 § 1 (Exh. A), 1988)



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner
Sharon Mikesell, Administrative Analyst

DATE: December 19, 2019

**SUBJECT: ADOPTION OF RESOLUTIONS AMENDING THE 2004 SEASIDE
GENERAL PLAN TO INCORPORATE THE 5TH CYCLE (2015-
2023) DRAFT HOUSING ELEMENT TO THE GENERAL PLAN AND
APPROVING CORRESPONDING NEGATIVE DECLARATION.**

PURPOSE & RECOMMENDATION

Receive public testimony on the proposed 5th Cycle 2015-2023 Housing Element Update and adopt a resolution approving a General Plan Amendment for the 5th Cycle 2015-2023 Housing Element Update and resolution approving a Negative Declaration for compliance with the California Environmental Quality Act (CEQA).

BACKGROUND

The Housing Element is one of seven mandated elements of a General Plan per State General Plan Guidelines and must address the existing and projected housing needs for all economic segments of the City. State law requires that Housing Elements be updated every five to seven years based on a schedule set by legislation. State law also prescribes the contents and process of the Housing Element, and mandates review of the Element by the State Department of Housing and Community Development (HCD). The City has retained Veronica Tam and Associates to assist in updating the City's Housing Element for the 5th Cycle 2015-2023 planning period. The City's current Housing Element, which covers the period 2009-2015, was adopted by the City Council on January 27, 2011, and certified by HCD in 2011.

This 5th Cycle Housing Element Update was initially prepared as part of the 2040 Seaside General Plan comprehensive update ("General Plan Update). However, due to scheduling delays in the adoption of the proposed General Plan Update, this Housing Element Update has been requested by the State Housing and Community Development (HCD) to move forward for adoption prior to January 1, 2020. The Housing Element Update has been revised to maintain consistency with both the existing 2004 Seaside General Plan and proposed General Plan Update. The Draft 2015-2023 Housing Element (Housing Element Update) as submitted to HCD on September 19, 2019 is viewable at the following web link

<https://www.ci.seaside.ca.us/DocumentCenter/View/10088/Draft-Housing-Element-October-2019>; and the Technical Appendices are viewable at <https://www.ci.seaside.ca.us/DocumentCenter/View/10089/Draft-Housing-Technical-Appendix-October-2019>

The Housing Element Update has been reviewed for consistency with other General Plan elements. Specifically, key housing-related policies in the Land Use Element of the 2004 General Plan, and the Land Use and Community Design Element and Healthy and Sustainable Community Element of the proposed General Plan Update have been reflected in the Housing Element Update.

The 2004 General Plan is viewable at the following web link:

<http://www.ci.seaside.ca.us/269/Seaside-General-Plan>.

The General Plan Update information is viewable at following web link: seaside2040.com. Upon the adoption of the Seaside 2040 General Plan, references to the 2004 General Plan in this Housing Element Update would become void. As individual General Plan elements are amended over time, the City will review the Housing Element to ensure internal consistency with the General Plan.

New statutory requirements became effective on January 1, 2018, causing additional revisions to be made in the submission of the Housing Element Update. The HCD Findings letter dated October 24, 2019 indicating that the Housing Element Update is compliant with State law is provided as Attachment 3. As part of the September submittal, the City noted its commitment to working closely with HCD to obtain a finding that the Housing Element Update adopted by the City is consistent with updated regulations in State law. The next steps are for the City to complete the local approval process.

The Housing Element Update must include a public participation effort to solicit input from the community, with special emphasis on persons with special needs and low and moderate income households. The following public workshops/General Plan Taskforce meetings and public meetings have been conducted on the Draft Housing Element Update:

December 5, 2016 General Plan Workshop
February 27, 2017 General Plan Workshop
May 23, 2017 General Plan Task Force
August 23, 2017 Planning Commission Study Session
January 24, 2018 Joint Planning Commission/City Council meeting

Planning Commission Review

On December 4, 2019, the Planning Commission considered the Housing Element Update and the associated environmental review document. The Initial Study and Negative Declaration prepared for the Housing Element Update are viewable at the following web link: http://www.ci.seaside.ca.us/DocumentCenter/View/10004/Seaside-Housing-Element-Initial-Study-Negative-Declaration_October-2019. With the adoption of Resolution No. 19-20 and 19-21, the Planning Commission recommended that the City Council approve the Housing Element Update and Negative Declaration. The web link to the Planning Commission Staff Report is viewable at the following web link <https://seasideca.civicclerk.com/Web/GenFile.aspx?ar=4955>

Housing Element Update 2019 Schedule

Upon City Council approval of the Resolution provided as Attachment 2 for the 5th Cycle 2015-2023 Housing Element Update, City staff will submit the Housing Element to HCD for review and certification.

STAFF ANALYSIS AND FINDINGS

The Housing Element Update is the City's current effort to adopt a revised 2015-2023 Housing Element (fifth cycle), in compliance with State Housing Law. The State of California mandates that all cities and counties prepare a Housing Element as part of the comprehensive General Plan. The Housing Element update provides the City with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all within the Seaside community.

The Housing Element Update includes:

1. Housing Policy and Goals Plan
2. Technical Appendices
 - a. Housing Needs
 - b. Housing Constraints
 - c. Housing Resources
 - d. Evaluation of Housing Element
 - e. Community Engagement

In response to HCD direction received in 2017 on its preliminary review of the draft Housing Element, the City amended the Zoning Code in February of 2018 to include an Emergency Shelter Overlay Map and Zoning standards to allow shelters as a permitted use. The following specific edits have been made to clarify language in response to questions/comments and ensure consistency changing statutes in State Law:

Short-Term Rentals

To preserve and enhance housing affordability, the Zoning Code has been amended to add Section 17.52.252 which regulates the limit of short-term rentals in the City and receive a transient occupancy tax (TOT). 50% of the TOT collected annually would be used for affordable housing.

Continuum of care for the homeless

The policy has been amended to include safe parking guidelines. A safe parking license may be issued by the City Council to providers, following guidelines to promote safety for participants, while maintaining the character of the neighborhood.

Adequate sites for Regional Housing Needs Assessment

Pursuant to Assembly Bill 1397, amend the Zoning Code by the end of 2020 to establish an overlay on non-vacant parcels (Sites C, P, U, and W and library site as identified in Tables APP-44 and APP-45 of the Housing Element Appendix) to permit residential use by right for housing developments in which at least 20 percent of units are affordable to lower income households.

In 2021, conduct an analysis of development applications to assess average density by zone proposed by developers compared to density assumptions in the Housing Element.

Replacement Housing

The City of Seaside will require replacement housing units subject to the requirements of Government Code Section 65915, Subdivision (c) (3) on sites identified in the sites inventory of the Housing Element Update when any new development (residential, mixed use, or non-residential) occurs on a site that has been occupied by or restricted for use of lower income households at any time during the previous five years.

Lot Consolidation

To facilitate future development, the City will modify the lot consolidation program to remove the requirements undeveloped parcel(s) and substandard lot size, and to develop mechanisms and incentives to encourage lot consolidation. Incentives to be considered may include increased density or Floor Area Ratio, height limit, reduced parking requirements, and/or streamlined processing of lot consolidation applications.

Accessory Dwelling Units (ADU)

The City of Seaside will complete following tasks by end of 2020:

1. Conduct an ADU study session with Planning Commission; and
2. Update the City website by 2020 to provide ADU information to public.

Affordable Housing Development

By the end of 2020 and as part of the comprehensive to the Zoning Ordinance, establish objective standards to accommodate Senate Bill 35 streamlining of affordable housing projects.

Transitional and Supportive Housing

Pursuant to new State Law (AB 2162), the Zoning Ordinance will be amended to permit supportive housing by right where multi-family housing (including the Mobile Home Park zoning) is permitted.

Low Barrier Navigation Center (LBNC)

A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy (Government Code 65660). AB 101 requires that LBNC be a use by right in areas zoned for mixed use and nonresidential permitting multi-family uses if it meets specified requirements, including: 1) access to permanent housing; 2) use of a coordinated entry system (i.e., the Homeless Management Information m); and 3) use of Housing First according to Welfare and Institutions Code 8255.

Fair Housing Services

Implement the recommendations as follows:

1. Annually, allocate CDBG funds to public and supportive service programs that benefit the geographically underserved communities.
2. Implement the Economic Development policies of the General Plan to promote economic development activities to improve employment skills and create high-paying jobs throughout the County.
3. Work with Monterey-Salinas Transit to expand transit services in areas with limited public transit services, especially the frequency of services.
4. Annually promote the portability of Housing Choice Vouchers (HCV) to help tenants move to communities of opportunity. (HACM)
5. Annually, promote the benefits of the HCV program to landlords to expand the inventory of rental properties accepting HCVs. (HACM)
6. Through the fair housing service providers, connect residents with financial literacy and homebuyer education.
7. Annually, monitor lending patterns and potentially discriminatory practices and

- work with lenders to address identified issues.
8. Ongoing, provide information of State and Federal homeownership assistance programs.
 9. Ongoing, provide and/or pursue funding for homebuyer assistance as well as housing rehabilitation assistance.
 10. Ongoing, provide fair housing outreach and education to newspapers, listing agencies, real estate associations, apartment owners/managers associations, and homeowners association, etc.
 11. By 2021, convene a regional planning group to implement the plans of actions outlined in various regional planning efforts, to identify emergency trends, and to explore potential solutions/actions.

Environmental Review

In accordance with Section 15070 of the California Environmental Quality Act (CEQA) Guidelines, an Initial Study/Negative Declaration (IS/ND) has been prepared for the Housing Element Update to the General Plan. The IS/ND is provided as Exhibit A to Draft Resolution provided as Attachment 1 recommending the adoption of a Negative Declaration for the Housing Element Update. The Initial Study/Negative Declaration document was available for public review between October 1 and November 15, 2019.

Required notification to responsible agencies for this meeting was completed via mailings to the State Clearinghouse (Attachment 4), several community and regional interest groups and a notice in the Monterey County Weekly in English and Spanish. (Attachments 5 and 6) and posted at the Monterey County Clerk (Attachment 7). No comments were received during the 30-day public review period or in response to the legal notice that was published in the Monterey Weekly on November 21, 2019.

PUBLIC COMMENTS

In response to the public noticing for the Planning Commission Meeting, comment letter was received from the Monterey Bay Economic Partnership (MBEP) organization (See Attachment 8).

FISCAL IMPACT

Adoption of the Housing Element will qualify the City of Seaside will meet State requirements and enable the City to receive possible SB2 funding.

ATTACHMENTS

1. Draft Resolution
 2. Attachment 1 - Exhibit A - Draft Housing Element Update (October 2019)
 3. Attachment 1 - Exhibit B - Draft Housing Element Technical Appendices (October 2019)
 4. Attachment 2 - Negative Declaration City Council Resolution
 5. Attachment 2 - Exhibit A - Seaside Housing Element Update Initial Study/Negative Declaration October 2019
 6. Attachment 3 - HCD Findings or Determination Letter
 7. Attachment 4- Seaside Housing Element Notice of Completion
 8. Attachment 5 -Notice of Intent to adopt a Negative Declaration for Housing Element Update (English)
 9. Attachment 6 - Notice of Intent to adopt a Negative Declaration for Housing Element Update (Spanish)
 10. Attachment 7 -Notice posted with County Clerk
 11. Attachment 8 - MBEP Comment Letter Seaside Housing Element
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ADOPTING GENERAL PLAN AMENDMENT FOR THE 5TH CYCLE
(2015-2023) HOUSING ELEMENT.**

WHEREAS, the State of California requires Cities and Counties adopt a comprehensive, long-term General Plan for the physical development of the city; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, the Housing Element Update must include a public participation effort to solicit input from the community, with special emphasis on persons with special needs and low and moderate income households. The following public workshops/General Plan Taskforce meetings and public meetings have been conducted on the Draft Housing Element Update:

December 5, 2016 General Plan Workshop
February 27, 2017 General Plan Workshop
May 23, 2017 General Plan Task Force
August 23, 2017 Planning Commission Study Session
January 24, 2018 Joint Planning Commission/City Council meeting

WHEREAS, the 5th Cycle (2015-2023) Draft Housing Element was submitted to State Department of Housing and Community Development (HCD) for a streamlined review process; and

WHEREAS, on October 24, 2019, HCD issued a letter with findings of determination that the revised draft Housing Element meets the requirements of the State Housing Element Law; and

WHEREAS, the revised draft element meets the statutory requirements described in HCD's October 24, 2019 review as well as new statutory requirements effective January 1, 2018. The Housing Element will comply with state Housing Element law (Article 10.6 of the Government Code) when it is adopted, submitted to and approved by HCD, in accordance with Gov. Code section 65585, subdivision (g).; and

WHEREAS, Several federal, state, and regional funding programs consider Housing Element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable

Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and the SB 2 Planning Grants as well as ongoing SB 2 funding consider Housing Element compliance and/or annual reporting requirements pursuant to Gov. Code section 65400. With a compliant Housing Element, Seaside meets Housing Element requirements for these funding sources.

WHEREAS, the California Environmental Quality Act (CEQA), together with State Guidelines require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City prepared an Initial Study and Negative Declaration dated October 2019 for the 5th Cycle (2015-2023) Draft Housing Element which reflects the City's independent judgement and analysis of the potential environmental impacts of the Project; and

WHEREAS, following a duly noticed public hearing on December 4, 2019, the Seaside Planning Commission considered oral comments and written information concerning the proposed 5th Cycle (2015-2023) Draft Housing Element and Initial Study/Negative Declaration and adopted Planning Commission Resolutions 19-20 and 19-21 recommending the adoption of a Negative Declaration and General Plan Amendment for the 5th Cycle (2015-2023) Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on December 19, 2019, to hear and consider the Negative Declaration and General Plan Amendment for the 5th Cycle (2015-2023) Housing Element Update; and

WHEREAS, on December 19, 2019 the City Council did hear and consider the following evidence and materials:

- a. The staff report, dated December 19, 2019, which along with attachments, are incorporated herein by reference as though fully set forth herein, as are staff reports and presentations prepared for related study sessions, which occurred during the life of the project.
- b. Additional public comment and information submitted during the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED, that the City of Seaside City Council does hereby adopt a General Plan Amendment for the 2015-2023 Housing Element, as set forth in Exhibit A and Technical Appendices, as set forth as Exhibit B, and incorporated by reference,

and finds that the amendment is in the public interest; will not have an adverse effect on health or safety or be detrimental to the public welfare; will not be injurious to property or public improvements; and, as amended, the Seaside General Plan will remain internally consistent.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 19th day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

5. Housing Element

The State of California has identified “the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.” The Housing element serves as a strategy to address both the community’s short-term and long-term housing needs across the economic and social spectrum including the needs of extremely low-income households, and targeted groups.

This Housing Element details the policies and housing program to address a growing and changing demand for housing. It includes a detailed technical analysis of housing needs, resources, and constraints and a review of the current Housing Element goals, policies, and programs, which were used to develop new policies and implementation programs. The technical analysis chapter is provided as a technical appendix to the General Plan.

Statutory Requirements

This Housing Element has been prepared to meet State General Plan law and the Base Reuse Plan.

General Plan

State law requires the preparation of a Housing Element as part of a jurisdiction's General Plan (*Government Code* §65302(c)). It is the primary planning guide for local jurisdictions to identify and prioritize the housing needs of the city and determine ways to best meet these needs, while balancing community objectives and resources.

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.

Unlike other General Plan elements, however, the Housing Element must be updated periodically according to the statutory schedule. This Housing Element for the City of Seaside represents the fifth cycle update and covers the planning period of December 15, 2015 through December 15, 2023.

This Housing Element was originally prepared as part of the comprehensive update to the City's General Plan. However, due to delays in the adoption of the new General Plan, this Housing Element has been revised to maintain consistency with both the existing and proposed General Plans. The Housing Element has been reviewed for consistency with other General Plan elements. Specifically, key housing-related policies in the Land Use Element of the 2004 General Plan, and the Land Use and Community Design Element and Healthy and Sustainable Community Element of the proposed Seaside 2040 General Plan have been reflected in this Housing Element. Upon adoption of the Seaside 2040 General Plan, references to the 2004 General Plan in this Housing Element would become void. As individual General Plan elements are amended over time, the City will review the Housing Element to ensure internal consistency.

Fort Ord Base Reuse Plan

The Housing Element is also consistent with the Fort Ord Reuse Authority's (FORA's) Base Reuse Plan (BRP). The General Plan addresses and incorporates objectives and policies from the Seaside Land Use Element of the BRP, containing specific residential land use policies and program actions.

Setting the Scene

Incorporated in 1954, Seaside is one of seven cities on the Monterey Peninsula. Nearby cities include Marina, Del Rey Oaks, Monterey, and Carmel-by-the-Sea. Over-looking Monterey Bay, the City was developed as a primarily single family community in the 1950s and 1960s. Seaside's proximity to the former Fort Ord, climate, and range of housing options have made the community a desirable place to live. Many people who were attracted to the area for employment and other opportunities related to the military base chose to remain in the City even after the closure of the Fort Ord Military Reservation. Additional growth and rising housing prices throughout the Peninsula, as well as the opening and expansion of the California State University at Monterey Bay, have placed additional demands on the City's housing stock.

The Fort Ord military base was expanded between 1968 and 1978 during the height of the Vietnam War, and, subsequently, the mobilization of the Seventh Infantry Division. This expansion created a great demand for housing, particularly for the non-commissioned officers and enlisted personnel who were unable to secure housing on base. Seaside and Marina, as the adjoining cities, developed during that time to meet this housing demand. As a result, Seaside produced a significant amount of low-cost housing for military personnel. This housing demand was eased somewhat when the Army built more on-base housing in the late 1980s. However, workers in the hospitality and other service industries replaced the military personnel in Seaside, where the majority of affordable housing on the Monterey Peninsula could be found. Even with the base closure of Fort Ord, Seaside continues to provide the bulk of affordable housing on the Monterey Peninsula. The closure of Fort Ord and continuing expansion of California State University Monterey Bay (CSUMB), and decrease in available land have brought new opportunities and challenges for Seaside.

Key Issues and Opportunities

- Several **demographic shifts in the City's population and household compositions** have implications on housing demand. These include an increased number of young adults (18-24) due to increased enrollment at CSUMB; decreased number of adults in the family-forming age (25-44) due to rising housing costs and limited employment opportunities; increased senior population (65+); and increased single households, including seniors living alone. These trends typically lead an increased demand for smaller housing units, alternative housing options, and options for rental housing.
- The City has several **housing problems relating to housing age, cost burden and overcrowding**. At least 75 percent of the housing stock is more than 30 years old, the age when rehabilitation or substantial repairs may be needed. About 75 percent of the housing stock is comprised of single family homes, with 41 percent of the households being owner-households. This implies a significant portion of the City's single family homes are being used as rentals. Prevalence of absentee landlords may present issues with deferred maintenance. While both home prices and rents are increasing, renter-households are disproportionately impacted by housing problems such as cost burden (paying more than 30 percent of income on housing) and overcrowding (with more than one person per room). Approximately 57 percent of the renter-households vs. 36 percent of the owner-households are experiencing a housing cost burden. Overcrowding is also more prevalent among renter-households at 19 percent compared to four percent of overcrowded owner-households.
- The Seaside **housing market does not provide sufficient housing that is affordable to lower income households**, including for those with service/hospitality/restaurant occupation jobs and/or CSUMB students, staff, and recent graduates. The primarily single family housing stock also does not offer a variety of housing types to accommodate the community's increasingly diverse housing needs.
- Between 2000 and 2015, the City's **housing stock contracted by 92 units**. The combined effects of the water shortage, housing market downturn between 2008 and 2012, and a slow recovery have led to a virtual standstill in residential development in recent years. However, the City is beginning to see revived interest in residential development and re-investment.
- The Monterey Peninsula has long faced **water supply challenges** that have hindered new residential development opportunities. Seaside has a remaining water allocation balance, a majority of which is appropriated for proposed economic development projects, which include mixed use projects. The City's development strategy is to focus on mixed-use developments to promote balanced jobs and housing growth.
- This **General Plan update offers an opportunity** to reexamine the City's land use policy and seek strategies for preserving and improving the City's single family neighborhoods, while increasing residential development potential in focus areas. Areas with residential development potential include:
 - o Parcels within the **West Broadway Urban Village Specific Plan**, which are designated for a range of residential densities. Up to 60 units per acre is allowed and mixed use projects must have a minimum density of 30 units per acre.

- o Mixed use opportunities along **East Broadway Boulevard (Between Fremont Boulevard and Noche Buena Boulevard)** and **Fremont Boulevard (Between Del Monte Boulevard and Canyon Del Rey Boulevard)** .
- o The **Long Range Property Management Plan** of the Seaside Successor Agency to the Redevelopment Agency identifies a number of agency-owned properties that may be disposed for development in the future. Six of those properties are identified as potential sites with residential/mixed use development potential.
- o **Seaside East future growth area** and **future specific plan area** offer long-range residential growth potential for a variety of single-family detached, townhomes, rowhouses, and multifamily dwelling units.

Housing Plan

The Housing Plan's goals, policies, and implementation programs are built upon the 2007-2014 Housing Element, updated to reflect existing and projected housing needs. The Housing Plan addresses key housing constraints, builds upon housing resources, and emphasizes successful local programs. The Housing Plan is organized into two sections: Goals and Policies, and Housing Programs. Each section is organized by the following topics:

- Maintenance and Preservation of Housing and Neighborhoods
- Housing Production, Diversity, and Opportunities
- Housing Affordability and Protections
- Housing Opportunities for Special Needs Residents
- Public/Private Partnerships and Regional Collaboration
- Community Involvement

Goals and Policies

Maintenance and Preservation of Housing and Neighborhoods

Goal H-1: Well-maintained neighborhoods and housing conditions support an improved quality of life.

Intent: The City of Seaside has an aging housing stock and deferred maintenance affects neighborhoods in the City. This goal seeks to improve the quality of existing housing in the community, encourage safe housing, and promote natural resource conservation and efficiency in the City's existing housing.

Policies:

- **Improvement of existing housing.** Promote the repair, improvement, and rehabilitation of the City's housing stock and properties in order to enhance quality of life in the City and promote community identity and pride.
- **Neighborhood involvement.** Support neighborhood associations, commissions, and other community groups that instill a sense of community, enhance neighborhood identities, and encourage grassroots efforts to address nuisances and eliminate blight.
- **Adequate and decent housing.** Explore options for City policies and programs to reduce overcrowding and promote safe, affordable housing.
- **Residential hazards.** Promote the mitigation of residential hazards and safety issues (such as lead-based paint, molding, Dilapidated Structures, etc.)
- **Sustainability.** Promote sustainability through the use of green building techniques and materials for new construction and substantial rehabilitation of residential development.
- **Resource conservation.** Offer incentives to promote the use of energy-efficient and water-conserving features and materials for residential rehabilitation projects.
- **Enforcement.** City Code Enforcement, Building officials, Fire officials, and others, including the Neighborhood Improvement Commission, work together on code compliance issues throughout the City.

Housing Production, Diversity, and Opportunities

Goal H-2: Neighborhoods with a range of housing opportunities to meet the existing and projected needs of all socioeconomic segments of the community.

Intent: A diverse housing inventory is needed to meet the changing socio and economic needs of the community. Demographics shifts in the last two decades and expected changes in the future require a range of housing options that can give residents choice of housing options and the ability to age-in-place as their housing needs evolve over time. Anticipated economic growth also demands new housing to be constructed in order to improve the jobs-housing balance. Furthermore, the City has an obligation under State law to accommodate a share of the region's projected housing needs.

Policies:

- **Variety of housing.** Provide a variety of housing types, sizes, and prices throughout the City to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing.
- **Affordability by design.** Encourage the creation of smaller and more affordable residential units that are affordable by design – units that are physically smaller and more efficiently designed.
- **Aging in place.** Support the concept of “aging in place” by offering a range of housing types and sizes that allows people to remain in the community as their housing needs change.
- **Innovative housing options.** Encourage the development of innovative housing options, including micro units and co-housing arrangements, to provide affordable housing options for seniors and single households.
- **De-concentration of affordable units.** Promote a geographic dispersal of units affordable to extremely low, very low, low, and moderate-income households throughout the City.
- **Accessory dwelling units.** Allow the development of accessory dwelling units in existing residential neighborhoods as an affordable alternative.

Goal H-3: Ample new housing affordable available to extremely low, very low, low, and moderate-income households in Seaside.

Intent: While Seaside has more affordable housing inventory compared to other communities in the Monterey Peninsula, rising costs in recent years have compelled many, especially those with lower incomes, to live in inadequate housing. Expanding affordable housing opportunities will benefit many, including young professionals looking to remain or relocate to Seaside, first-time buyers, or seniors looking to downsize, among others.

Policies:

- **Multifamily housing construction.** Encourage the construction of high-quality, well-designed multifamily housing and residential mixed-use projects along Broadway Avenue, Fremont Boulevard, the City’s existing multifamily neighborhoods, and the Campus Town and Seaside East Specific Plan Areas.
- **Density bonus.** Implement the State density bonus program to provide incentives for additional affordable housing and maximizing available land on in-fill development sites.
- **Acquisition and rehabilitation.** Partner with non-profit housing developers to acquire and maintain property as affordable housing, actively pursuing local, State, and federal funding programs or mechanisms for affordable housing.
- **Allocation of water and sewer services.** In compliance with State law, prioritize in-fill development sites to accommodate the allocation of water and sewer services for affordable housing.

Goal H-4: A streamlined development process to encourage housing production and reduce the costs of development.

Intent: A lengthy development process can add to the costs of housing development, costs which are ultimately passed through to the consumers. To facilitate housing production, the City will streamline a process to encourage housing production and offer a land use strategy that allocates adequate land resources and establishes appropriate development standards to accommodate future housing.

Policies:

- **Adequate sites for RHNA.** Identify adequate sites with appropriate zoning and development standards to facilitate and encourage housing production commensurate with the projected housing needs of the City, including the City's share of regional housing needs.
- **Parcel consolidation.** Offer incentives and/or regulatory reliefs to encourage lot consolidation of small parcels for development and lot mergers of contiguous substandard lots with common ownership.
- **Development standards and procedures.** Regularly review the City's development standards and procedures to identify potential constraints to the production, maintenance, and development of housing, and to develop appropriate measures to mitigate constraints.

Housing Affordability and Protections

Goal H-5: A City that preserves and enhances housing affordability in the community, with an emphasis on promoting affordable housing for extremely low, low, and moderate income households.

Intent: Rising construction materials and labor costs, and energy costs, along with diminishing public funds for affordable housing, have made it increasingly difficult to create new affordable housing. Therefore it is critical for the City to explore diverse avenues to expand affordable housing opportunities and to preserve and enhance affordability of the existing housing stock.

Policies:

- **Incentives.** Facilitate the development and provision of affordable housing through regulatory incentives, density bonuses, and other financial assistance (as funding permits, use of pre-fabricated materials).
- **Long-term affordability.** Ensure that units produced for extremely low, very low, low and moderate-income households are maintained as long-term affordable units by adopting deed restrictions and other reasonable mechanisms/deed restrictions to maintain the affordability for subsequent owners/renters of below market-rate housing.
- **Monitor affordable housing.** Monitor affordable housing programs to ensure continued availability of below market rate housing in Seaside.
- **Short-term rentals.** The Seaside Municipal Code 17.52.252 regulates Short Term Rentals in Seaside. Rather than setting a limit on the number of short-term rentals,

the Council chose to identify the number of non-hosted units existed prior to April 2018 and allowed those to apply for an STR license. Hosted units may apply for an STR license regardless of when they began operating. All units must pass inspection, and uphold certain criteria established to help maintain the character of the neighborhood. Council will review the number of licenses and various enforcement efforts at least annually. The STRs must pay TOT (transient occupancy tax) and it is kept in a separate fund. The Council requested that 50 percent of the funds to be used for affordable housing in Seaside.

Goal H-6: A City that protects Seaside households from the risks of displacement.

Intent: Rising housing costs, particularly rental rates, have resulted in the displacement of existing residents. While the City has limited influence over the market, the City will work to preserve and expand its rental housing inventory.

Policies:

- **No net loss.** Require no net loss in the number of residential units during reconstruction or renovation in multifamily and mixed-use neighborhoods.
- **First right of refusal.** During housing redevelopment, provide displaced households with the first right to return to replacement units.
- **Condominium conversion.** Monitor the condominium conversion trends and devise appropriate actions to ensure a stable rental housing inventory.

Housing Opportunities for Special Needs Residents

Goal H-7: A diverse housing stock that meets the unique housing needs of special needs groups in Seaside, including seniors, persons with disabilities, homeless, at-risk youth, and veterans, among others.

Intent: Certain households have unique housing needs. This goal seeks to provide a diverse housing inventory that offers a spectrum of options to accommodate the varied and changing needs of its residents, including special needs housing, support services for special needs residents, and incentives for new development.

Policies:

- **Special needs housing.** Encourage the development of housing that is accessible to special needs residents, especially seniors, disabled veterans, homeless, and transitional foster youth through transitional and supportive housing, ensuring reasonable accommodation, and provision of emergency shelters.
- **Incentives for housing for seniors and disabled.** Provide incentives to support senior housing, assisted living facilities, and housing for persons with disabilities (including persons with developmental disabilities) on sites within proximity to supportive services, community facilities, and public transportation.
- **Continuum of care for the homeless.** Support a continuum of housing options for the homeless, ranging from rapid re-housing, emergency shelters, transitional housing, and permanent supportive housing, and safe parking for homeless individuals and families.

(The City established a safe parking license that may be issued to proper providers, following guidelines to promote safety for participants, while maintaining the character of a neighborhood.)

- **Supportive services for the homeless.** Provide a range of supportive services for the homeless with an emphasis on homeless prevention.
- **Universal design.** Encourage universal design of housing products and environments, making them usable by a wide range of people with different physical and mental abilities.
- **Access to transportation and services.** Integrate special needs housing in close proximity to transit and public services.
- **Equal housing opportunity.** Work to ensure equal housing opportunities for all, including those special groups protected by State and federal fair housing laws.

Public/Private Partnerships and Regional Collaboration

Goal H-8: The City of Seaside is a leader seeking regional solutions to housing issues in the Monterey Bay area.

Intent: Many housing issues, such as affordable housing, jobs-housing balance, and homelessness, are regional issues that require regional solutions. This goal sets a framework for supporting Seaside's continued work and leadership around regional housing issues.

Policies:

- **Collaborative partnerships.** Participate in collaborative partnerships of neighboring jurisdictions, non-profit organizations, affordable and for-profit housing developers, and major employers in the production of a variety of affordable housing opportunities in Seaside.
- **Collaboration with FORA and Post-FORA Agencies.** The former Ford Ord area remains a significant resource for future housing opportunities such as Campus Town Specific Plan area and Seaside East Future Growth area. The City will work closely with neighboring jurisdictions and FORA, as well as other post-FORA agencies in the planning for these areas.
- **Regional planning.** Participate in regional planning efforts to address regional housing issues, such as the Sustainable Communities Strategy, a jobs-housing balance, and homelessness prevention.
- **Fair Housing.** Participate in regional efforts to address fair housing issues and disparities in access to opportunities through the Regional Analysis of Impediments (AI) to Fair Housing Choice process.

Community Involvement

Goal H-9: An open process that facilitates community involvement in the development of housing policies and programs and enhance accountability.

Intent: The City values the opinions and contributions of its residents in trying to address the community's housing issues. This goal seeks to maintain open channels of communication and engage in collaborative planning efforts with the community and developers.

Policies:

- **Accountability in implementation.** Maintain City leadership in helping attain the objectives of the City's Housing Element by following through on the prescribed actions in a timely manner and monitoring progress annually.
- **Collaborative planning.** Encourage and support early public participation in the development and review of City housing policy from all economic and demographic segments of the community, including the encouragement of neighborhood-level planning and working with community groups and other interest groups.
- **Community engagement by developers.** Encourage developers of any major project to have neighborhood meetings with residents early in the process to undertake early problem solving and facilitate a more informed, efficient, and constructive development review process.

Housing Programs

Maintenance and Preservation of Housing and Neighborhoods

1. **Code Enforcement/Neighborhood Improvement Commission (NIC):** The City has developed a comprehensive code enforcement team of representatives from Planning, Public Works, Building, Police, Fire, and the County Health Departments to ensure safe and decent living environments for all Seaside residents. City Staff responds to complaints regarding substandard housing, property maintenance, overgrown vegetation, trash and debris, improper occupancy, and other nuisance and building code complaints, including compliance with the National Standard for Accessible and Usable Buildings and Facilities. In order to bring together all aspects of housing, inspection, code enforcement and implementation efforts, the City has established a coordinated program among various departments. This program ties code enforcement efforts with fire prevention, neighborhood policing, and related neighborhood improvement activities.

Timeframe and Objectives:

- Continue to implement the Neighborhood Improvement Commission and focus code enforcement efforts in the target areas with concentrated issues of code violations.
- Conduct periodic housing conditions surveys in targeted neighborhoods.

- Promote the app, SeeClickFix that allows anyone to report problems to the City for resolution via their smartphone.

- Pursue funding available at the state and federal levels to assist in code corrections and residential rehabilitation (see also Program 3). Ensure Code Enforcement Officers provide information on resources available for making code corrections.

Financing: General Fund

Responsible Agencies: Community Development/Building and Code Enforcement Division; Public Works and Engineering Department; Police Department; Fire Department; Monterey County Health department; Neighborhood Associations; and NIC

- 2. Abandoned Residential Property Registration:** In 2011, the City adopted Ordinance No. 996 to establish an abandoned residential property registration program as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance, voided building permits, and security of abandoned properties. The program requires mortgage lenders to inspect defaulted properties to confirm occupancy. If a property is found to be vacant, the ordinance requires that the lender exercise the abandonment clause within their mortgage contract, register the property with the City and immediately begin to secure and maintain the property to the "neighborhood standard." In cases of voided building permits, the Building Official shall seek construction schedule from property owner to complete the construction activity. Where a voided building permit has been deemed to constitute a visual blight and attractive nuisance, the Building Official may initiate legal proceedings for the demolition of the structure(s) or improvements to protect the health, safety, and general welfare of the community.

Timeframe and Objectives:

- Continue to implement program and utilize the Code Enforcement team to ensure compliance with the ordinance.

Financing: General funds

Responsible Agencies: Community Development, Building, Fire Department, and Code Enforcement

Acquisition/Rehabilitation: Approximately 77 percent of the City's housing stock was built prior to 1980, making the majority of the housing units older than 35 years. Many require some major upgrades or rehabilitation. While there is a significant need for housing rehabilitation assistance, both in the rental and ownership housing inventories, the City currently lacks sufficient financial and administrative resources to provide assistance to households in need.

Timeframe and Objectives:

- Partner with nonprofits to acquire and rehabilitate deteriorating multifamily housing units with the goal of rehabilitating five units between 2018 and 2023. Also, deed-restrict affordable housing for lower income households and persons with special needs.
- Annually explore and if appropriate, pursue funding resources available at the State and federal levels to assist in rehabilitation of rental and ownership housing.

Financing: State and federal housing funds as available

Responsible Agencies: Community Development/Planning Division

- 3. Resource Conservation:** The City will promote resource conservation in residential construction and rehabilitation.

Timeframe and Objectives:

- Review proposed developments for solar access, site design techniques, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
- Provide information on energy conservation and financial incentives (e.g., tax credit, utility rebates, etc.) on the City's web site.

Financing: None required

Responsible Agency: Community Development/Planning Division and Building and Code Enforcement Division

Housing Production, Diversity, and Opportunities

- 4. Adequate Sites for RHNA:** The existing and proposed Land Use Elements provide for a variety of residential types and densities, ranging from lower intensity single family homes, to moderate density condominiums and townhomes, to higher density apartments and mixed-use developments. Under both existing and proposed Land Use policies adequate sites are available to meet the City's share of regional housing needs of 393 units for the 2015-2023 planning period.

Timeframe and Objectives:

- Monitor and update the City's residential sites inventory annually to ensure that adequate capacity is available to accommodate the City's remaining RHNA of 143 units for this planning period (95 very low income, 46 low income, and 2 moderate income units).
- Provide the residential sites inventory to interested developers.
- Pursue adoption of the Campus Town Specific Plan by end of 2019 and adoption of the 2040 General Plan by 2020.
- Pursuant to AB 1397, amend the Zoning Code by the end of 2020 to establish an overlay on non-vacant parcels (Sites C, P, U, and W, and Library Site as identified in Tables App-44 and APP-45 of the Housing Element Appendix) to permit residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households.
- Pursue development of future growth areas and future specific plan areas through specific or master planning techniques. Ensure that residential development is considered in these areas to accommodate the appropriate mix of future housing needs in the community.

- Develop guidelines for working with FORA and post-FORA agencies in the planning of former Fort Ord areas.
- In 2021, conduct an analysis of development applications to assess average density by zone proposed by developers compared to the density assumptions used in the Housing Element.

Financing: General fund

Responsible Agency: Community Development/Planning Division

5. Replacement Housing: Seaside will require replacement housing units subject to the requirements of Government Code, section 65915, subdivision (c)(3) on sites identified in the sites inventory of this Housing Element when any new development (residential, mixed-use or non-residential) occurs on a site that has been occupied by or restricted for the use of lower income households at any time during the previous five years.

This requirement applies to:

- Non-vacant sites
- Vacant sites with previous residential uses that have been vacated or demolished

Timeframe and Objectives:

- In order to mitigate the loss of affordable housing units, require new housing developments to replace all affordable housing units lost due to new development. the replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.

Financing: General Funds

Responsible Agency: Community Development/Planning Division

6. Monitoring of Residential Capacity (No Net Loss): Future residential development in Seaside will occur primarily along mixed-use corridors, with the redevelopment of existing multifamily buildings, and in new growth areas. The City will monitor the development of residential and mixed use sites included in the inventory to ensure an adequate inventory continues to be available to meet the City's RHNA obligations by income level, consistent with the No Net Loss requirements in Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining RHNA by income level, the City will ensure adequate capacity is provided in existing Seaside neighborhoods, Main Gate Specific Plan areas, the future growth areas, and/or future specific plan areas to accommodate the RHNA.

Timeframe and Objectives:

- Beginning in 2018, comply with new State law requirements (AB 35 and AB 879) on annual reporting to the State Department of Housing and Community Development (HCD) for housing units constructed and housing applications/approvals by income level.
- If additional sites (such as through master planning in the future growth areas or future specific plan areas) are required to replenish the sites inventory for meeting the RHNA shortfall, the sites shall be rezoned within 180 days.

Financing: General fund

Responsible Agency: Community Development/Planning Division

- 7. Lot Consolidation:** Most of the City's vacant and underutilized sites available for residential or mixed development in the near term are smaller and require lot consolidation/merger to facilitate developments with quality design and on-site amenities.

Currently, the City has provisions in the Zoning Ordinance to facilitate improvement on health and safety conditions and future development potential - two or more contiguous parcels may be merged by the City Council when the parcels are held by the same owner if:

- One of the parcels is undeveloped with structures, and
- At least one of the parcels is considered substandard due to size (less than 5,000 square feet), inconsistency with General Plan or applicable specific plan, or contains health and safety hazards.

To facilitate future development, the City will modify the lot consolidation program to remove the requirements for undeveloped parcel(s) and substandard lot size, and to develop mechanisms and incentives to encourage lot consolidation. Incentives to be considered may include increased density or Floor Area Ratio, height limit, reduced parking requirements, and/or streamlined processing of lot consolidation applications, etc.

Timeframe and Objectives:

- Encourage lot consolidation by assisting interested developers in identifying sites with consolidation potential.
- By the end of 2020, as part of the comprehensive update to the Zoning Ordinance to implement the General Plan, modify the lot consolidation requirements and establish incentives for consolidation.
- Promote lot consolidation incentives to property owners and developers with the goal of achieving three developments involving lot consolidation over five years.
- Require the merger of contiguous substandard lots of record when a property is developed or redeveloped.
- In 2021, assess the effectiveness of incentives and actions in promoting the consolidation and development of small parcels, and make appropriate adjustments to facilitate lot consolidation.

Financing: General fund

Responsible Agency: Community Development/Planning Division

- 8. Accessory Dwelling Units (ADU):** Recognizing the potential of accessory dwelling units as an affordable housing option, the State has recently passed several changes to the Second Unit law (now renamed to Accessory Dwelling Unit law) to ease restrictions on these units. The City currently adheres to the State laws concerning ADUs.

Timeframe and Objectives:

- Conduct an ADU study session with the Planning Commission in 2019.
- Update the City website by 2020 to provide ADU information for the public.
- By the end of 2020 and as part of the comprehensive update to the Zoning Ordinance, address the provision of ADUs consistent with State law. The City anticipates development ten accessory units during this planning period.

Financing: General fund

Responsible Agency: Community Development/Planning Division and Housing Program Manager

Housing Affordability and Protections

- 9. Homebuyer Assistance:** With the dissolution of the redevelopment agency, the City has suspended its First-Time Homebuyer Program. However, the City recognizes the value its residents place on homeownership opportunities. The following homebuyer assistance programs offered by the California Housing Finance Agency (CalHFA) are available to Seaside residents:

- **Mortgage Credit Certificates:** The MCC Tax Credit is a federal credit that can reduce potential federal income tax liability, creating additional net spendable income, which borrowers may use toward their monthly mortgage payment.
- **CalHFA Conventional Loan Program:** This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalPLUS Conventional is fixed throughout the 30-year term.
- **CalPLUS Conventional Loan Program:** This program is conventional first mortgage with a slightly higher fixed interest rate than our standard conventional program. This loan is fully amortized for a 30-year term and is combined with the CalHFA Zero Interest Program (ZIP) for closing costs.
- **MyHome Assistance Program:** This program offers a deferred-payment junior loan for an amount up to the lesser of: 3.5 percent of the purchase price or appraised value to assist with downpayment and/or closing costs.

Seaside residents can apply for CalHFA programs through local loan officers who have completed training for these programs. CalHFA maintains a hotline and website to help residents identify local loan officers. First-time homebuyers must attend a homebuyer education course either online or in-person through NeighborWorks America or any HUD-approved housing counseling agencies.

Timeframe and Objectives:

- By 2019, establish links to CalHFA programs on City website promoting resources available to first-time homebuyers.

Financing: None required

Responsible Agencies: Community Development/Planning Division

- 10. Housing Choice Voucher Program:** The Housing Choice Voucher (HCV) program provides rental subsidies to extremely low and very low income families and elderly households who spend more than 30 percent of their gross income on housing. The Housing Authority of Monterey County (HAMC) administers the Housing Choice Voucher Program for Seaside. As of May 2017, 124 very low income households in Seaside are receiving HCVs and 666 households are on the waiting list.

Timeframe and Objectives:

- Support HAMC's efforts to pursue additional funds and petition for higher payment standards.
- By 2019, link to the HAMC program on the City's website.

Financing: Section 8

Responsible Agencies: Community Development/Planning Division; HAMC

- 11. Preservation of Publicly Assisted Low Income Housing:** One affordable housing project in Seaside – Hannon Sea View Apartments – is considered at potential risk of converting to market-rate housing. This 133-unit project was funded with LIHTC and maintains a project-based Section 8 contract for 85 of the units. The LIHTC requires the project to be deed restricted as low income housing for a minimum of 15 years until 2019, with the Section 8 contract due to expire in 2022.

Timeframe and Objectives:

- **Monitor Units at Risk:** The City will keep in regular contact with the owner of Hannon Sea View Apartments to determine the status of that building. The City will also ensure that no affordable rental unit is allowed to convert to a condominium without meeting the requirements of the City's adopted condominium conversion ordinance in Chapter 17.42 of the Zoning Ordinance.
- **Provide Tenant Education:** If the owner of Hannon Sea View Apartments files a Notice of Intent to opt out of affordability covenants, the City will work with tenants to inform them of their rights under federal and State regulations, including receiving proper noticing.
- **Work with Potential Priority Purchasers:** Maintain regular contact with the Housing Authority of Monterey County and other non-profit agencies with the capacity to purchase and maintain at-risk units.

Financing: None required.

Responsible Agencies: Community Development/Planning Division; HAMC

12. Affordable Housing Development: The new General Plan introduces higher density mixed use development opportunities in the community. To implement the City's new General Plan and West Broadway Urban Village Specific Plan, and to promote a jobs-housing balance in the community, the City will pursue mixed use and residential developments in strategic areas.

Timeframe and Objectives:

- By the end of 2020 and as part of the comprehensive update to the Zoning Ordinance, establish appropriate development standards and incentives to facilitate mixed use developments and residential development in mixed use neighborhoods. Specifically, in addition to the State-mandated density bonus, the City may consider other incentives and concessions, such as:
 - Increased lot coverage,
 - Reduced setback requirements,
 - Reduced parking requirements,
 - Increased permissible building heights,
 - Increased FAR, and
 - Reduced impact fees.

● By the end of 2020 and as part of the comprehensive update to the Zoning Ordinance, establish objective standards to accommodate SB 35 streamlining of affordable housing projects.

- Annually contact affordable housing developers to promote new opportunities and incentives for affordable housing development in the City.
- Facilitate the development of 50 affordable housing units for lower income households, including extremely low income.

Financing: Inclusionary Housing In-lieu Fee

Responsible Agencies: Community Development/Planning Division

13. Density Bonus Ordinance: The City's Density Bonus Ordinance works with the City's Inclusionary Housing Program to facilitate affordable housing development. However, the Density Bonus Ordinance has not yet been updated to reflect recent changes in State law.

Timeframe and Objectives:

- By the end of 2020 and as part of the comprehensive update to the Zoning Ordinance, the City will update its density bonus provisions to be consistent with State law.

Financing: General fund

Responsible Agencies: Community Development/Planning Division

14. Inclusionary Housing Program: Inclusionary housing is an important tool in the City to facilitate the development of affordable housing for very low, low, and moderate income

households. To ensure that the City flexibly responds to the market conditions, the City reviews development applications on a case-by-case basis to assess the obligations under the City's Inclusionary Housing Program and determines the necessary incentives and/or concessions required to enhance project feasibility and design. If appropriate, payment of an in-lieu fee is offered as an option of fulfilling the inclusionary housing requirement.

Timeframe and Objectives:

- Continue to implement the Inclusionary Housing program.
- Review the Inclusionary Housing Program with the Density Bonus Ordinance (Program 13) to ensure consistency with State law. If inconsistencies are identified, initiate Zoning Ordinance revisions within six months.
- Annually monitor development trends and market conditions to assess the effectiveness of the Inclusionary Housing program.

Financing: General fund

Responsible Agencies: Community Development/Planning Division

Remove Potential Constraints

- 15. Multifamily and Mixed Use Design Guidelines:** Multifamily and mixed use construction in the City is required to undergo architectural review. However, the City has no established design guidelines to provide guidance to developers and to ensure consistency of review.

Timeframe and Objectives:

- By the end of 2020, establish design guidelines on site planning, massing and scale, and architecture features for multifamily and mixed use development.

Financing: General fund

Responsible Agencies: Community Development/Planning Division

- 16. Affordable Attached Single Family Unit:** Currently the City permits attached single family homes in all residential zones, but affordable single family homes are only permitted in the RS and RM zones. Given the typically small lots in the City, attached units on small lots offer additional opportunities for affordable housing.

Timeframe and Objectives:

- By the end of 2020 and as part of the comprehensive update to the Zoning Ordinance, provide consistent treatment for market-rate and affordable attached single family homes.

Financing: General fund

Responsible Agencies: Community Development/Planning Division

- 17. Adequate Water Supply for the Development of New Housing:** There is currently an inadequate supply of water on the Monterey Peninsula for new development to occur. While the City has rights to a certain amount of water in the next five years, it does not currently have access to that water due to the cease and desist order. To facilitate

development of the remaining RHNA of 166 units, the City is working with other jurisdictions and agencies to maintain and augment the existing water supply.

Timeframe and Objectives:

- Support efforts by the MPWMD to expand the water supply with new water sources being earmarked for development.
- Continue to work to have the MPWMD and MCWD reverse its policy decision of prohibiting the transfer of water credits from one property to another.
- Continue to work with MPWMD and MCWD to develop water conservation methods (e.g., low flow fixtures, instant hot water heaters, cisterns/rain gardens) to augment water for new development projects.
- Seek to provide water for affordable housing within larger, mixed use developments and larger residential subdivisions and provide water as an incentive for development which includes additional affordable housing as a density bonus request.
- Upon adoption of the Housing Element, provide a copy of the Element to MPWMD and MCWD for greater awareness of affordable housing priorities and collaboration, in compliance with AB 1087.
- Pursue various strategies to secure water for Seaside's future development, starting in 2019, including:
 - o Private water;
 - o In-Lieu Storage and Recovery Program;
 - o Diverting potable water used at the Bayonet and Black Horse Golf Course;
 - o Pure Water Monterey; and
 - o California American Water Desalination Project.

Financing: None required.

Responsible Agencies: Community Development/Planning Division; MPWMD and MCWD.

Housing Opportunities for Special Needs Residents

18. Housing for Extremely Low Income and Special Needs Households: The Zoning Ordinance is the primary implementation tool for the Land Use Element and can be used to encourage the development of housing for extremely low income and special needs households (including persons with developmental disabilities).

Timeframe and Objectives: By the end of 2020 and as part of the comprehensive update to the Zoning Ordinance, address the following housing-related code amendments:

- **Transitional and Supportive Housing:** Transitional housing is defined in Government Code Section 65582(h) as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Supportive housing means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Target population means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, other chronic health conditions, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people (California Government Code Sections 65582(f) and (g)).

The City will amend the Zoning Ordinance to define transitional and supportive housing pursuant to California Government Code and to permit such housing in all zones where residential uses are permitted, subject to the same development standards and permitting processes as the same type of housing in the same zone.

Pursuant to new State law (AB 2162), the Zoning Ordinance will be amended to permit supportive housing by right where multi-family housing (including the Mobile Home Park zoning) is permitted. Other specific provisions include:

- The City is required to notify the developer whether the application is complete within 30 days of receipt of an application to develop supportive housing.
- After the application is complete, the City shall complete its review of the application within 60 days for smaller projects (50 or fewer units) and 120 days for larger projects (more than 50 units).
- The City shall not impose any minimum parking requirements for units occupied by supportive housing residents if the development is located within ½ mile of a public transit stop.
- **Reasonable Accommodations:** The City of Seaside currently processes requests for reasonable accommodation for disabled persons via a variance. This procedure of requiring a variance is considered potentially constraining to housing for persons with disabilities as the public hearing process adds time and costs to disabled applicants. The City will amend the reasonable accommodation procedure to provide flexibility in the planning application and development regulations for disabled residents via an administrative procedure. The procedure will specify eligibility, standards and regulations covered by the reasonable accommodation procedure, and extent of relaxation provided.
- **Single-Room Occupancy (SRO):** SRO units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit,

in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many modern SROs have one or the other. Currently, the City's Zoning Ordinance does not contain provisions for SRO housing. The City will amend the Zoning Ordinance to conditionally permit SRO housing in the Commercial Mixed Use (CMX) zone.

- **Employee Housing:** The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted. However, the City has no agricultural zones and no zones permit commercial agricultural activities. The City will amend the Zoning Ordinance by the [end of 2020](#) to include provisions for housing for six or fewer employees.

- **Low Barrier Navigation Center (LBNC):** A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy (Government Code §65660). AB 101 requires that a LBNC be a use by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses if it meets specified requirements, including: 1) access to permanent housing; 2) use of a coordinated entry system (i.e., the Homeless Management Information System); and 3) use of Housing First according to Welfare and Institutions Code §8255.

Financing: General fund

Responsible Agencies: Community Development/Planning Division

- 19. Fair Housing Services:** The City will continue to disseminate information to the public in English and Spanish regarding fair housing services, rights, illegal practices, and agencies that are available to assist in resolving housing discrimination issues. The City [collaborated with](#) other CDBG entitlement jurisdictions in the County to conduct a regional [Analysis of Impediments \(AI\) to Fair Housing Choice. The Regional AI was completed in June 2019.](#)

Timeframe and Objectives:

- Coordinate with the HAMC to provide brochures and other pertinent fair housing materials in English and Spanish at City Hall, the library, the Post Office, Oldemeyer Center, and at the public counter.
- [Implement the AI recommendations as follows:](#)
 - o [Annually](#), allocate CDBG funds to public and supportive service programs that benefit the geographically underserved communities.
 - o [Implement the Economic Development policies of the General Plan to promote economic development activities to improve employment skills and create high-paying jobs throughout the County.](#)
 - o [Work with Monterey-Salinas Transit to expand transit services in areas with limited public transit services, especially the frequency of services.](#)

- o Annually promote the portability of Housing Choice Vouchers (HCV) to help tenants move to communities of opportunity. (HACM)
- o Annually promote the benefits of the HCV program to landlords to expand the inventory of rental properties accepting HCVs. (HACM)
- o Through the fair housing service providers, connect residents with financial literacy and homebuyer education.
- o Annually monitor lending patterns and potentially discriminatory practices and work with lenders to address identified issues.
- o Ongoing provide information of State and Federal homeownership assistance programs.
- o Ongoing provide and/or pursue funding for homebuyer assistance as well as housing rehabilitation assistance.
- o Ongoing provide fair housing outreach and education to newspapers, listing agencies, real estate associations, apartment owners/managers associations, and homeowners association, etc.
- o By 2021 convene a regional planning group to implement the plans of actions outlined in various regional planning efforts, to identify emergency trends, and to explore potential solutions/actions.

Financing: CDBG

Responsible Agencies: Community Development; Fair Housing Service Providers; and HAMC

Quantified Objectives

The following table summarizes the City's quantified housing objectives for the 2015-2023 planning period.

Table 1: Quantified Objectives for 2015-2023

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Units to be Constructed	10	20	20	100	200	350
Units to be Rehabilitated	1	2	2	0	0	5
Units to be Conserved	66	67	--	--	--	133

CITY OF SEASIDE

2015-2023 HOUSING ELEMENT TECHNICAL APPENDIX

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Organization

This Housing Element provides detailed background information that was used to develop the policies and programs for the 2015-2023 planning period. This Housing Element technical appendix consists of the following sections:

- *Introduction* (Section 1): Provides an overview of the Housing Element requirements and summarizes key issues to be addressed in the Element.
- *Housing Needs* (Section 2): Describes the City's population characteristics, housing characteristics, and existing housing needs;
- *Housing Constraints* (Section 3): Assesses potential market, governmental, and environmental constraints to the development, maintenance, and improvement of housing;
- *Housing Resources* (Section 4): Evaluates land, financial, and administrative resources to address housing needs in the community;
- *Evaluation of Adopted Housing Element* (Section 5), which reviews and analyzes progress made in achieving housing goals in the last Housing Element.
- *Community Engagement* (Section 6)

Additionally, the Housing Plan sets forth goals, policies, implementing actions, and objectives for the planning period.

Section 1: Introduction

Incorporated in 1954, Seaside is one of seven cities on the Monterey Peninsula. Near-by cities include Marina, Del Rey Oaks, Monterey, and Carmel-by-the-Sea. Over-looking Monterey Bay, the City was developed as a primarily single-family community in the 1950s and 1960s. Seaside's proximity to the former Fort Ord, climate, and range of housing options has made the community a very desirable place to live. Many people who were attracted to the area for employment and other opportunities related to the former Fort Ord military base chose to remain in the City even after the closure of Fort Ord in 1994. Additional growth and rising housing prices throughout the Peninsula, as well as the opening and expansion of the California State University at Monterey Bay, have placed additional demands on the City's housing stock.

The Fort Ord military base was expanded between 1968 and 1978 during the height of the Vietnam War, and, subsequently, the mobilization of the Seventh Infantry Division. This expansion created a great demand for housing, particularly for the non-commissioned officers and enlisted personnel who were unable to secure housing on base. Seaside and Marina, as the adjoining cities, faced an increased rate of development during that time to meet this housing demand of an expanding military base. As a result, Seaside produced a significant amount of low-cost housing for the military personnel. This housing demand was eased somewhat when the Army built more housing on base in the late 1980s. However, the workers in the hospitality and other service industries have replaced the military personnel in Seaside where the majority of the affordable housing on the Monterey Peninsula could be found. Even with the base closure at Fort Ord, Seaside continues to provide the bulk of the most affordable housing on the Monterey Peninsula. The closure of Fort Ord and the continuing growth of California State University Monterey Bay (CSUMB), as well as the decrease in available land, have brought new opportunities and challenges for Seaside.

Key Issues and Opportunities

- **Demographic shifts.** Several shifts in the City's population and household compositions have implications on housing demand (see Section 2, Housing Needs, of this Housing Technical Appendix). Specifically:
 - o Increased young adults (18-24) due to increased enrollment at the CSUMB;
 - o Decreased adults in the family-forming age (25-44) due to the rising housing costs and limited employment opportunities;
 - o Increased senior population (65+); and
 - o Increased single households, including seniors living alone.

These trends typically lead to the demand for smaller housing units, alternative housing options, and options for rental housing.

- **Housing problems relating to housing age, cost burden and overcrowding.**
 - o At least 75 percent of the housing stock is more than 30 years old, the age when rehabilitation or substantial repairs may be needed.

- o About 75 percent of the housing stock is comprised of single-family homes, with 41 percent of the households being owner-households. This implies a significant portion of the City's single-family homes are being used as rentals. Prevalence of absentee landlords may present issues with deferred maintenance.
- o While both home prices and rents are increasing, renter-households are disproportionately impacted by housing problems such as cost burden (paying more than 30 percent of income on housing) and overcrowding (with more than one person per room). Approximately 54 percent of the renter-households vs. 43 percent of the owner-households are experiencing housing cost burden. Overcrowding is also more prevalent among renter-households at 19 percent compared to four percent of overcrowded owner-households.
- **Mismatch between housing preferences and available housing types.** The Seaside housing market does not provide sufficient housing that is affordable to lower income households such as those with service occupation jobs or CSUMB students, staff, and recent graduates. The primarily single-family housing stock also does not offer a variety of housing types to accommodate the community's increasingly diverse housing needs.
- **Recent residential growth.** Between 2000 and 2015, the City's housing stock actually contracted by 92 units. The combined effects of the water shortage, housing market downturn between 2008 and 2012, and a slow recovery have led to a virtual standstill in residential development in recent years. However, the City is beginning to see revived interests in residential development and an increase in property values.
- **Water supply.** The Monterey Peninsula has long faced water supply challenges that have hindered new residential development opportunities. Seaside has a remaining water allocation balance of 43 acre-feet (in the former FORA), a majority of which is appropriated for proposed economic development projects, which include mixed use projects. The City's development strategy is to focus on mixed-use developments to promote balanced jobs and housing growth within the built-out urban areas of Seaside proper.
- **Future Residential Development.** This General Plan update offers an opportunity to reexamine the City's land use policies and seek strategies for preserving and improving the City's low and medium density single-family neighborhoods on the one hand and increasing the potential of infill residential development in medium to high density focus areas. Areas with residential development potential include:
 - o Parcels within the **West Broadway Urban Village Specific Plan** are designated for a range of residential densities. Up to 60 units per acre is allowed and mixed use project must have a minimum density of 30 units per acre.
 - o Mixed use opportunities along **East Broadway Boulevard corridor** and **Fremont Boulevard corridor**.
 - o The **Long Range Property Management Plan** of the Seaside Successor Agency identifies a number of agency-owned properties that may be disposed for development in the future (discussed further later). Six of those properties are identified as potential sites with residential/mixed use development potential. One has already been acquired by a developer to construct an 80-unit apartment project.
 - o **Seaside East future growth area** and **future specific plan area** offer long-range residential growth potential for single-family, multifamily, and mixed use housing.

Section 2: Housing Needs

This section analyzes population and housing characteristics to identify the City's specific housing needs. Programs to address these needs are contained in the Housing Element.

Population Trends and Characteristics

Population characteristics affect the type and extent of housing need. Population growth, age profile, race/ethnicity, employment, household income, and other factors influence the type of housing needed and ability to afford housing.

1. Population and Age Characteristics

Seaside's population trends and age characteristics are closely tied to the City's links with two major institutions – the former Fort Ord and the California State University at Monterey Bay (CSUMB). Overlooking Monterey Bay, the City was developed as a primarily single-family community in the 1950s and 1960s. Since incorporation of the City in 1954, Seaside's proximity to the former Fort Ord, climate, and range of housing options have attracted a variety of residents to the community. For example, population growth and age characteristics during the 1960s and 1970s were closely tied to expansion and mobilization of Seventh Infantry training at Fort Ord. Although the closure of the base in 1993 led to a reduction in overall population in the community, many people who were attracted to the area for employment and other opportunities related to the military base chose to remain in the City even after the base closure. Later, regional growth and rising housing prices throughout the Peninsula, as well as the opening and expansion of CSUMB, have attracted additional residents to Seaside due to its more affordable housing market. Evaluating these historic and recent population and age trends in Seaside provides a basis for understanding and addressing future housing needs.

The closure of the Fort Ord Military Base contributed to Seaside's population decline in the 1990s. One way to analyze the impact of the base closure on population trends is to look at the change in the population living in group quarters and the age of residents. The population living in group quarters dropped from 5,913 in 1990 to 103 by 2000, mirroring a 60-percent decline in the 18 to 24 age group in Seaside. This trend has been somewhat moderated by the influx of students to CSUMB since 1995. By 2010, the population in group quarters had climbed back up to 1,127 persons, and adults in the 18 to 24 age group have increased by 26 percent since 2000. The 2010-2014 American Community Survey (ACS) estimates a group quarters population of 1,324 persons in Seaside.

Seaside continues to be the most populated city (34,071 residents) on the Monterey Peninsula with a 7.5-percent increase in population from 2000 to 2016. [Table App-1](#) summarizes population growth from 2000 to 2016 for cities on the Peninsula and the County. While the

County's overall population increased almost nine percent during last 16 years, the population of a few Peninsula cities actually declined during this period, with small gains beginning to show since 2010.

Table App-1: Population Growth

Jurisdiction	2000 Census	2010 Census	2016 DOF	Percent Change	
				2000-2010	2010-2016
Carmel	4,081	3,722	3,833	-8.8%	3.0%
Del Rey Oaks	1,650	1,624	1,666	-1.6%	2.6%
Monterey	29,674	27,810	28,610	-6.3%	2.9%
Pacific Grove	15,522	15,041	15,352	-3.1%	2.1%
Sand City	261	334	381	28.0%	14.1%
Seaside	31,696	33,025	34,071	4.2%	3.2%
Total Peninsula Cities	82,884	81,556	83,913	-1.6%	2.9%
County of Monterey	401,762	415,057	437,178	3.3%	5.3%

Sources: Bureau of the Census, 1990, and 2010; State Department of Finance, 2016 Population Estimates.

The base closure also impacted the age characteristics of the population in Seaside. During the 1990s, adults aged 25 to 34 and 35 to 44 decreased in number by 27 percent and five percent, respectively. These age groups have continued to decrease, by ten and two percent, respectively, between 2000 and 2010, but are beginning to increase again in recent years, according to the 2010-2014 ACS. These changes affect the housing market because typically, younger adults (age 25 to 34) are at a stage just entering the job market and are looking for affordable apartments or smaller homes, while adults aged 35 to 44 are more settled and may seek improved housing opportunities for their families.

Middle-aged adults between 45 and 64 are typically at the peak of their careers, earning higher wages and seeking to purchase higher end, larger single-family homes. Between 2000 and 2010, the proportion of middle-aged adults continued to increase (by 33 percent) in the City. Specifically, adults between the ages of 45 to 54 increased by 21 percent, and adults aged 55 to 64 increased by 55 percent, the highest increase recorded of all age groups in the City between 2000 and 2010 ([Table App-2](#)).

Seniors aged 65 and older generally need assistance with daily needs, transportation, health care, as well as accessible housing. As of the 2010 Census, seniors comprised approximately nine percent of Seaside's population. Reduced incomes and increasing health care costs also make affordability a key issue for senior housing. Seaside's senior population grew both numerically and proportionally between 1990 and 2010. The 75-and-older age group, in particular, grew by 60 percent from 653 persons in 1990 to 1,042 in 2000, and then to 1,432 persons in 2010 (an additional 37 percent increase).

In general, the City's population continues to age, with median age rising by close to two years over the last 14 years. The 2010-2014 ACS estimates an age profile for the City that reflects the continual maturing of the population and slowed growth in the number of children under the age of 18 and reduced number in young adults between 18 and 24, resulting in a rising median age since 2000.

Table App-2: Age Characteristics

Age Group	2000 Census		2010 Census		2014 ACS		Percent Change	
	Number of Persons	Percent of Total	Number of Persons	Percent of Total	Number of Persons	Percent of Total	2000-2010	2010-2014
< 18	9,575	30.2%	8,923	27.0%	9,043	26.8%	-6.8%	1.3%
18 - 24	3,508	11.1%	4,428	13.4%	4,127	12.2%	26.2%	-6.8%
25 - 34	6,141	19.4%	5,501	16.7%	5,553	16.5%	-10.4%	0.9%
35 - 44	4,776	15.1%	4,653	14.1%	5,414	16.1%	-2.6%	16.4%
45- 54	3,198	10.1%	3,858	11.7%	3,809	11.3%	20.6%	-1.3%
55 - 64	1,814	5.7%	2,817	8.5%	2,824	8.4%	55.3%	0.2%
65 - 74	1,642	5.2%	1,413	4.3%	1,609	4.8%	-13.9%	13.9%
75+	1,042	3.3%	1,432	4.3%	1,351	4.4%	37.4%	-5.7%
Total	31,696	100%	33,025	100%	33,729	100%	4.2%	2.1%
Median Age	29.5		30.6		31.6		3.7%	2.1%

Sources: Bureau of the Census, 1990, and 2010; and American Community Survey, 2010-2014 Estimates.

2. Race and Ethnicity

Demographic changes and the Fort Ord base closure have impacted the City's racial-ethnic distribution. Racial-ethnic changes may have important implications for housing needs because different groups may have different household characteristics and income levels that affect expectations for housing. Thus, understanding changes in the racial-ethnic composition of Seaside residents provides a basis for addressing housing needs. For example, research has shown that Hispanic/Latino households often have lower incomes than other racial-ethnic groups and tend to have greater household expenses due to a larger average family size. Thus, Hispanics may have more difficulty finding adequately sized and affordable housing and may be at greater risk of overpayment and/or overcrowding than other racial-ethnic groups.

The 2000 Census was the first year that respondents could label themselves as two or more races. It is not clear to what extent this has had an effect on the change within traditional racial/ethnic categories. Nevertheless, all Seaside racial-ethnic groups recorded in 1990 declined numerically by 2000, with the exception of Hispanics. The Hispanic or Latino population increased 61 percent from 6,787 persons to 10,929 persons during the 1990s.

By 2000, Hispanics comprised 35 percent of Seaside's population while Whites made up 36 percent of the population. A nearly identical increase in the Hispanic population also occurred throughout Monterey County (61 percent), suggesting a regional demographic shift. By 2010, Hispanics made up 43 percent of the population in Seaside, surpassing the White population (33 percent) as the predominant racial-ethnic group. Between 2000 and 2010, the City's Black population experienced the largest proportional decline (32 percent) while the Asian population declined by 12 percent.

Census data regarding race by employment status from the 2000 Census sheds some light on the extent the Fort Ord base closure has affected the racial composition in Seaside. In 1990, of 8,655 persons were employed in the Armed Services in Seaside - 5,436 (63 percent) White, 2,235 (26 percent) Black, 400 Asians, and 152 individuals of "Other" races. Assuming the

proportion of residents employed in the Armed Forces by race/ethnicity was relatively unchanged, it can be inferred from Table App-3 that the decline among White, Black, Asian, and residents of Other races in Seaside is largely attributable to the Fort Ord Base Closure, as those employed in the Armed Services dropped by approximately 7,000 people to 1,446 persons in 2000. As those employed in the military left Seaside, so did their families, which further reduced the overall numbers of some populations in Seaside.

The City's population continues to diversify. According to the 2010-2014 ACS, the Asian, Black, and "other" race groups increased in number and proportion in the City, while the White population continues to contract, although at a much slower rate than the previous decades.

Table App-3: Race and Ethnicity								
Race/ Ethnicity	2000 Census		2010 Census		2014 ACS		% Change	
	Persons	Percent	Persons	Percent	Persons	Percent	2000-2010	2010-2014
White	11,526	36.4%	10,725	32.5%	10,532	31.2%	-7.0%	-1.8%
Hispanic	10,929	34.5%	14,347	43.4%	14,509	43.0%	+31.3%	1.1%
Asian	3,521	11.1%	3,100	9.4%	3,385	10.0%	-12.0%	9.2%
Black	3,836	12.1%	2,603	7.9%	2,730	8.1%	-32.1%	4.9%
All Other	296	0.9%	665	2.0%	710	2.1%	+124.7%	6.8%
Two or more races*	1,588	5.0%	1,585	4.8%	1,650	4.9%	-0.2%	4.1%
Total	31,696	100%	33,025	100%	33,729	100%	+4.2%	2.1%

Note: The 2000 and 2010 Census (unlike other years) allowed respondents to identify themselves under more than one racial group.

Source: Bureau of the Census, 2000 and 2010; and American Community Survey, 2010-2014 Estimates.

Employment Market

The closure of the Fort Ord military base undoubtedly contributed to a decline in the overall employment level in Seaside from 1990 to 2010. In 1990, 22,617 people were in the labor force with an unemployment rate of about four percent. By 2000, the labor force had declined to 14,970 persons with an unemployment rate of about five percent. Seaside continued to see a decline in its labor force during the 2000s. According to the 2010-2014 American Community Survey (ACS), Seaside's labor force was comprised of 14,561 persons with an unemployment rate of about 10 percent.

The Census reported that the number of people employed in the Armed Forces in Seaside declined by 7,209 persons from 1990 to 2000, roughly equivalent to the overall decline in the City's labor force during that time period. According to the ACS, between 2010 and 2014, the number of Seaside residents in the Armed Forces had declined to just 1,180 persons. In August 2016, the State Employment Development Department estimated Seaside's unemployment rate at approximately six percent—an improvement from the unemployment rate estimated by the 2010-2014 ACS.

Table App-4 summarizes the occupations held by Seaside residents between 2010 and 2014. Approximately 41 percent of residents were employed in service occupations, while another 24 percent held management, professional, sales and office occupations. The proportion of

residents holding service occupations in Seaside was double the proportion for Monterey County as a whole. However, the County did have a significantly larger portion of residents employed in Farming/Fishing/Forestry occupations.

Table App-4: Occupations		
Occupation	Percent of City Employed Civilian Population	Percent of County Employed Civilian Population
Management/Professional	24.4%	27.7%
Service	40.7%	20.4%
Sales/Office	21.6%	21.7%
Farming/Fishing/Forestry	0.8%	12.0%
Construction/Extraction/Maintenance	5.9%	7.2%
Production/Transportation	6.6%	11.0%
Total	100.0%	100.0%

Source: American Community Survey, 2010-2014.

Table App-5 lists the average salary by occupation as reported by the California State Employment Development Department for the Salinas Metropolitan Statistical Area (MSA). According to these figures, a construction worker in a four person household and with no other source of income is considered a low income. Additionally, a family of four employed in service occupations (e.g., cashiers, retail sales, building and ground maintenance) with only one source of income is considered to be a very low income family (Table App-7).

Table App-5: Average Yearly Salary by Occupation, Salinas MSA	
Occupations	Average Salary
Management	\$107,626
Healthcare Practitioners and Technical	\$97,138
Computer and Mathematical Operations	\$93,759
Legal	\$92,704
Architecture and Engineering	\$87,054
Life, Physical and Social Science	\$85,491
Business and Financial Operations	\$81,725
Firefighters	\$67,751
Education, Training, and Library	\$65,029
Protective Service	\$64,641
Construction and Extraction	\$54,214
Installation, Maintenance, and Repair	\$53,682
Community and Social Service Occupations	\$48,371
Average of All Occupations	\$46,335
Arts, Design, Entertainment, Sports	\$44,435
Office and Administrative Support	\$39,634
Transportation and Material Moving	\$38,019
Sales	\$35,795
Building and Grounds Cleaning and Maintenance	\$33,060
Personal Care and Service	\$28,899
Food Preparation and Serving	\$28,573
Retail Salespersons	\$28,557
Cashier	\$25,666
Farming, Fishing, and Forestry	\$24,210

Source: State Employment Development Department, 2016.

Household Type and Characteristics

In addition to population characteristics, household characteristics affect the type and quantity of housing needed in Seaside. For instance, different families (e.g., according to type, age, and size) require different types of housing to meet their needs, while a household's income and assets determine the type of housing that can be afforded.

1. Household Income

Along with housing costs, household income is the most important variable that affects housing opportunity in a community. It determines a family's ability to balance housing costs with other important living expenses. This section analyzes household income data from the 1990, and 2000 Census, as well as the 2010-2014 ACS.

In 2000, the median income of Seaside households was \$41,393 versus \$48,165 for Monterey County as a whole. Seaside's median income was the third lowest among the County's ten

cities in 2000. By 2014, the City's median income (\$52,538) had slightly risen; however, in inflation-adjusted terms, its median income has actually decreased nearly eight percent since 2000 (Table App-6).

Table App-6: Median Household Income							
City	1990 Census		2000 Census		2014 ACS	Percent Increase 1990-2000	Percent Increase 2000-2014
	Unadjusted 1990	Inflation Adjusted to 2014	Unadjusted 2000	Inflation Adjusted to 2014			
King City	\$27,386	\$49,604	\$34,398	\$47,289	\$40,500	-4.7%	-14.4%
Greenfield	\$29,712	\$53,817	\$37,602	\$51,694	\$52,374	-3.9%	1.3%
Seaside	\$28,655	\$51,902	\$41,393	\$56,906	\$52,538	9.6%	-7.7%
Gonzales	\$25,458	\$46,112	\$42,602	\$58,568	\$51,178	27.0%	-12.6%
Soledad	\$27,078	\$49,046	\$43,000	\$59,115	\$46,010	20.5%	-22.2%
Marina	\$29,043	\$52,605	\$43,720	\$60,105	\$53,828	14.3%	-10.4%
Salinas	\$31,271	\$56,641	\$43,720	\$60,105	\$49,728	6.1%	-17.3%
Monterey	\$34,727	\$62,901	\$49,109	\$67,514	\$64,772	7.3%	-4.1%
Pacific Grove	\$33,385	\$60,470	\$50,254	\$69,088	\$70,230	14.3%	1.7%
Carmel-by-the-Sea	\$36,804	\$66,663	\$58,163	\$79,961	\$62,460	19.9%	-21.9%
Monterey County	\$33,520	\$60,715	\$48,165	\$66,216	\$58,582	9.1%	-11.5%

Source: Bureau of the Census, 1990 and 2000; American Community Survey, 2010-2014.

For the purposes of the Housing Element, the State Department of Housing and Community Development (HCD) has established five income groups based on Area Median Income (AMI):¹

- Extremely Low Income: up to 30 percent of AMI
- Very Low Income: 31-50 percent of AMI
- Low Income: 51-80 percent of AMI
- Moderate Income: 81- 120 percent AMI
- Above Moderate Income: >120 percent AMI

Pursuant to state and federal regulations, the AMI refers to the median income for the Metropolitan Statistical Area. For the City of Seaside, this area refers to Monterey County.

The U.S. Department of Housing and Urban Development (HUD) periodically receives "custom tabulations" of Census data from the Census Bureau that are largely not available through standard Census products. The most recent estimates are derived from the 2009-2013 ACS. This dataset, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrates the extent of housing problems and housing needs, particularly for lower income households. According to the CHAS data (Table App-7), extremely low and very low income households comprised close to 22 percent of all households in Seaside. About

¹ State income definitions are different than federal income definitions. For federal housing programs, eligibility is established for households with incomes up to only 80 percent of the AMI. These households, under the federal definition, are considered moderate income. For housing plans that are required by federal regulations, such as the Consolidated Plan and Analysis of Impediments to Fair Housing Choice, the federal income definitions are used.

another 20 percent were within the low income (51 to 80 percent AMI) category. The majority of the City's households (59 percent) were within the moderate/above moderate income category (greater than 80 percent AMI). The proportion of moderate/above moderate income households in the City was similar as the County as a whole.

Table App-7: Distribution by Income Group (2009-2013)					
Jurisdiction	Total Households	Extremely Low Income (0-30%)	Very Low Income (31-50%)	Low Income (51-80%)	Moderate/ Above Moderate Income (80%+)
City of Seaside	10,425	10.1%	11.6%	19.6%	58.7%
Monterey County	125,425	10.3%	11.7%	17.0%	61.0%

Note: Data presented in this table is based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% count due to the need to extrapolate sample data out to total households. Interpretations of this data should focus on the proportion of households in need of assistance rather than on precise numbers. Furthermore, because HUD programs do not cover households with incomes above 80 percent of the County Area Median Income (AMI), CHAS data does not provide any breakdown of income groups above 80 percent AMI.

Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2009-2013

2. Household Types

According to the 2010 Census, 10,093 households resided in Seaside, with an average household size of 3.2 persons. The number of households increased slightly by less than one percent by 2014. According to the 2010-2014 ACS, while married-couple families comprised the majority of households, they are gradually declining in number and in proportion. The married-couple family category is divided into couples with children (28 percent) and those without children (22 percent). Other families comprised 23 percent of all households, and included single-parent households with children and other related family members living together. Non-family households comprise the remainder of households (28 percent) (Table App-8).

As displayed in Table App-8, the City's household composition has continued to shift. Between 2000 and 2014, the proportion of married couples with children declined consistently while the proportion of non-family households increased steadily. The decrease in married couple family households is likely related to the closure of the military base, while the proportional increase in non-family households may be related to the opening and operation of the CSUMB campus, whose student population has grown from 654 students in 1995 to 7,102 students in 2015. Despite the departure of many family households with children, the average household size in Seaside has remained fairly consistent at about 3.2 persons per household.

Table App-8: Changes in Household Type

Household Type	2000 Census		2010 Census		2014 ACS		Percentage Change	
	# of Households	% of Total	# of Households	% of Total	# of Households	% of Total	2000-2010	2010-2014
All Households	9,833	100%	10,093	100%	10,185	100%	2.6%	0.9%
Family Households								
Married w/ Children	3,088	31.4%	2,812	27.9%	2,813	27.6%	-8.9%	0.0%
Married No Children	2,298	23.4%	2,420	24.0%	2,224	21.8%	5.3%	-8.1%
Other Families	2,013	20.5%	2,141	21.2%	2,315	22.7%	6.4%	8.1%
Non-Families								
Single	1,780	18.1%	1,927	19.1%	2,129	20.9%	8.3%	10.5%
Seniors Living Alone	670	6.8%	697	6.9%	713	7.0%	4.0%	2.3%
Other Non-Families	644	6.5%	793	7.8%	704	6.9%	23.1%	-11.2%
Average Household Size	3.2		3.2		3.2		--	--

Source: Bureau of the Census, 2000 and 2010; American Community Survey, 2010-2014 Estimates

Housing Stock Characteristics

This section of the Housing Element addresses various housing characteristics and conditions that affect the wellbeing of Seaside residents. Factors evaluated in this section include the following: housing stock characteristics, tenure and vacancy rates, housing age and condition, housing costs and affordability among others.

1. Housing Stock

The number of housing units in Seaside has decreased very slightly (less than one percent) over the past 16 years. According to the Census Bureau and the California Department of Finance, Seaside's units decreased from 11,005 units in 2000 to 10,914 units in 2016. Between 2000 and 2016 the number of multifamily units increased by three percent, while the number of single-family units decreased by four percent. Despite a decline in single-family units, the number of detached single-family units increased by over 11 percent (Table App-9).

In 2016, approximately 74 percent of the City's housing stock was composed of single-family units (detached and attached units), as shown in Table App-9. While about 13 percent of the City's units were within complexes of five or more units.

Table App-9: Housing Stock Growth					
Unit Type	Number of Units			Percent Change 2000 to 2010	Percent Change 2010 to 2016
	2000 Census	2010 Census	2016 DOF		
Single Family	8,386	8,044	8,080	-4.1%	0.4%
Detached	6,107	6,779	6,809	11.0%	0.4%
Attached	2,279	1,265	1,271	-44.5%	0.5%
Multifamily	2,187	2,245	2,251	2.7%	0.3%
2-4 Units	929	877	883	-5.6%	0.7%
5 or more	1,258	1,368	1,368	8.7%	0.0%
All Others	432	583	583	35.0%	0.0%
Total Units	11,005	10,872	10,914	-1.2%	0.4%

Note: Significant decrease in the number of single-family attached units between 2000 and 2010 was most likely due to a change in the way the Census categorized such units.

Sources:

1. Bureau of the Census, 2000 and 2010.
2. 2016 State Department of Finance (DOF), Housing and Population Estimates

2. Unit Type and Size

Studio and one-bedroom units made up about 20 percent of the City's rental market. Seaside's larger housing units (three or more bedrooms) were primarily ownership housing units. Additional housing units are available in mobile homes located in three mobile home parks in the City.

Table App-10: Unit Size by Tenure (2010-2014) – City of Seaside						
Unit Size	Owner-Occupied		Renter-Occupied		Total Occupied Housing Units	
	Units	Percent	Units	Percent	Units	Percent
Studio	14	0.4%	204	3.2%	218	2.1%
1 bedroom	114	2.9%	1,035	16.4%	1,149	11.3%
2 bedrooms	825	21.2%	2,117	33.6%	2,942	28.9%
3 bedrooms	2,368	61.0%	2,442	38.8%	4,810	47.2%
4 bedrooms	541	13.9%	404	6.4%	945	9.3%
5 or more bedrooms	22	0.6%	99	1.6%	121	1.2%
Total	3,884	100%	6,301	100%	10,185	100%

Source: American Community Survey, 2010-2014

3. Age of Housing Units

Maintaining the quality of housing in the community is an important goal for Seaside. Like any other asset, housing is subject to a gradual deterioration over time. If not repaired or maintained, housing deterioration can depress neighboring property values, discourage reinvestment, and eventually impact the quality of life of neighborhood residents.



Rental Unit Apartments in Seaside.

Seaside is a mature community; the majority of its housing stock is more than 30 years old (Table App-11) according to the 2010-2014 ACS estimates. Approximately 77 percent of units in the City were built before 1980, including 38 percent that were built before 1960.

Table App-11: Housing Age		
Year Built	Number	Percent
Built 2010 or later	224	2.2%
2000 to 2009	884	8.7%
1990 to 1999	486	4.8%
1980 to 1989	760	7.5%
1970 to 1979	1,628	16.0%
1960 to 1969	2,356	23.1%
1950 to 1959	2,791	27.4%
1940 to 1949	759	7.4%
1939 or earlier	297	2.9%
Total	10,185	100%

Source: American Community Survey, 2010-2014

4. Housing Conditions

Housing is considered substandard when conditions are found to be below the minimum standard of living conditions defined in Section 1001 of the Uniform Housing Code. Households living in substandard conditions are considered to be in need of housing assistance, even if they are not seeking alternative housing arrangements, due to the threat to health and safety.

In addition to structural deficiencies and standards, the lack of infrastructure and utilities often serves as an indicator for substandard conditions. Typically, housing over 30 years of age is likely to have rehabilitation needs that may include new plumbing, roof repairs, and other repairs. According to the 2010-2014 ACS, 24 occupied units in Seaside lacked complete kitchen facilities (Table App-12). Specifically 16 of the units were owner-occupied and eight of the units were renter occupied. No occupied units in the City lacked plumbing facilities. It should be noted that there may be some overlap in the number of substandard housing units, as some units may lack both complete plumbing and kitchen facilities. However, the Census typically undercounts substandard housing conditions as it is not able to report on other more subtle housing problems, such as inadequate wiring, leaks, or inadequate or lack of heating.

Table App-12: Units Lacking Plumbing or Complete Kitchen Facilities (2014)			
Units	Owner Occupied	Renter Occupied	Total
Lacking plumbing facilities	0	0	0
Lacking complete kitchen facilities	16	8	24

Source: ACS 2010-2014

5. Code Enforcement Activities

The City's Code Enforcement Division estimates that a substantial percentage of the City's housing stock is in need of substantial rehabilitation or replacement.

Table App-13: Summary of Neighborhood Conditions				
Neighborhood	Code Violations	Substantial Repair	Paint	Property Maintenance
Cabrillo	Accessory structures, junk, parking of other than passenger vehicles, and temporary lighting	<5%	5%	30%
Terrace	Junk, parking of other than passenger vehicles, and temporary lighting	5%	20%	40%
Noche Buena	Junk, parking of other than passenger vehicles, temporary lighting, and fence height	<5%	10%	30%
Olympia			30%	
Ord Grove	Parking of other than passenger vehicles	<5%	<5%	
Hannon			20%	

Note: Shading indicates conditions not applicable in neighborhood.

6. Housing Tenure and Vacancy

Housing tenure and vacancy rates are important indicators of the supply and cost of housing. Housing tenure refers to whether a unit is owned or rented. Vacancies are an important housing market indicator because the vacancy rate often influences the cost of housing and reflects the match between housing demand and availability.

Table App-14 illustrates tenure and vacancy rates from 2000 to 2014. In 2000, 44 percent of Seaside residents owned the units they occupied, while 56 percent rented. By 2010, the homeownership rate decreased modestly to 41 percent, while the percentage of renter-households increased to 59 percent. According to the 2010-2014 ACS, the City's tenure breakdown continued to shift toward a renter market, with homeownership rate sliding to 38 percent by 2014. Seaside's homeownership rate was significantly lower than countywide average at 50 percent according to ACS.

A certain number of vacant units are needed to moderate the cost of housing, allow sufficient choice for residents, and provide an incentive for unit upkeep and repair. Specifically, vacancy rates of five to six percent for rental housing and 1.5 percent to two percent for ownership housing are considered necessary to balance the supply and demand for housing.

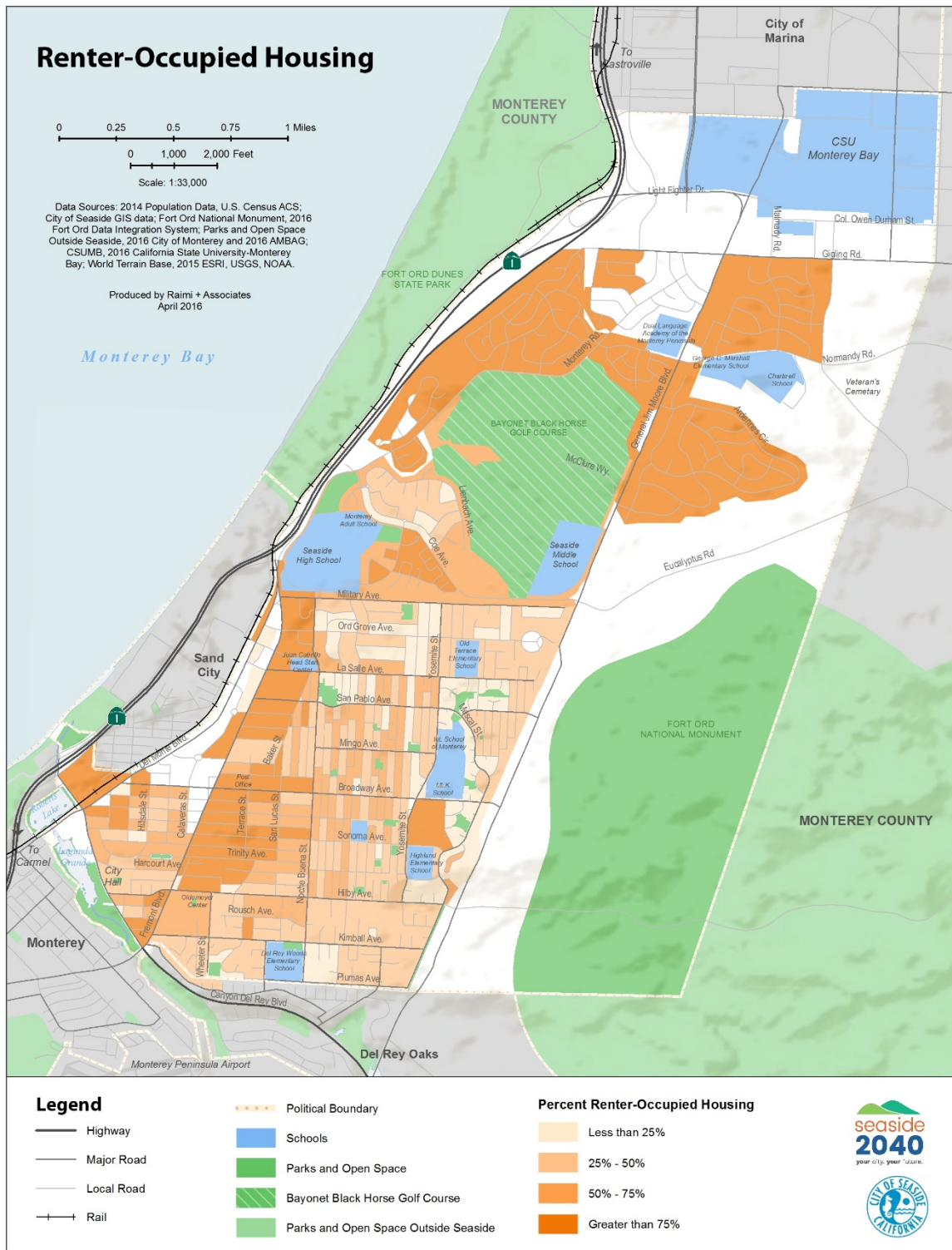
The overall vacancy rate in Seaside was 6.4 percent in according to the 2010-2014 ACS. However, a significant portion (22 percent) of these vacant units were classified as "Other Vacant", referring to units held vacant by owners for other unspecified reasons, including being held for occupancy by caretakers. This means that the actual vacancy rate in the City is considerably lower than the overall recorded vacancy rate. Units considered vacant due to seasonal uses represented less than one percent of all housing units in Seaside.

Historically, vacancy rates in Seaside have also been significantly lower. Table App-14 shows that in 2000 the vacancy rate for rental housing units dipped to well below optimal level, suggesting pent up demand for housing as well as potential price escalation among available rental units. Since lower income households disproportionately live in multifamily rental housing, the City's sub-optimal rental vacancy rate during this period led to price escalation, increasing overpayment and overcrowding for renter-households. By 2010, rental vacancy rates in the City had risen to more ideal levels.

Table App-14: Tenure and Vacancy Rates			
	2000 Census	2010 Census	2014 ACS
Tenure			
Owner	44.0%	41.4%	38.1%
Renter	56.0%	58.6%	61.9%
Vacancy			
Owner	2.9%	2.2%	0.4%
Renter	1.5%	4.9%	5.6%

Sources: Bureau of the Census, 2000 and 2010; American Community Survey, 2010-2014 Estimates.

Figure App-1: Renter-Occupied Housing



Housing Market

Information on current rental rates in Seaside was obtained through a review of advertisements on Craigslist, as well as rent data from the Housing Watch published by the Coalition of Homeless Service Providers. In addition, the CoreLogic real estate database was used to obtain sales data for homes and condominiums.

1. Home Prices

According to the CoreLogic real estate database, as summarized in Table App-15, home prices in Seaside have gradually recovered from the recession, rising about 11 percent between November 2014 and November 2016. Other nearby cities, such as Gonzales, Marina, and King City experienced even larger increases in median sales prices during the same period, exceeding the countywide median. In the past, homes in Seaside were generally more affordable compared to other nearby cities and the County. However, as shown in Table App-15, median price in Seaside was increasing at only a slightly lower rate than the countywide median.

Table App-15: Median Home Price – November 2014 to November 2016				
Jurisdiction	Median Price			2014-2016 % Change
	November 2014	November 2015	November 2016	
Carmel	\$1,385,750	\$1,450,000	\$1,300,000	-6.2%
Gonzales	\$232,500	\$320,000	\$385,000	65.6%
Greenfield	\$250,000	\$232,500	\$262,500	5.0%
King City	\$241,000	\$280,000	\$290,000	20.3%
Marina	\$450,000	\$523,500	\$578,000	28.4%
Monterey	\$557,500	\$602,500	\$662,000	18.7%
Pacific Grove	\$839,000	\$757,500	\$808,500	-3.6%
Salinas	\$350,000	\$415,000	\$414,000	18.3%
Seaside	\$395,000	\$438,750	\$437,500	10.8%
Monterey County	\$444,500	\$500,000	\$500,000	12.5%

Source: CoreLogic, California Home Sale Activity by City, Home sales Recorded in November 2016. Accessed January 31, 2017.

Additional sources were consulted in an effort to better understand the home sale market in Seaside. Trulia.com² listed 78 homes for sale on January 31, 2017. According to Trulia's most recent real estate data, the median sales price for a home in Seaside was \$447,500 with a range of \$225,000 to \$1,300,000. From the information obtained on Trulia, the home median sales price for the City of Seaside has continually increased over the past five years. Seaside market trends indicate an increase of \$33,000 (eight percent) in median home sales over the past year.

Unlike the CoreLogic real estate data, data obtained via newspaper and internet provides information on the size of the units (based on the number of bedrooms). Table App-16 displays the housing data by type and number of bedrooms as provided by Realtor.com. A

² Seaside Real Estate Market Overview, https://www.trulia.com/real_estate/Seaside-California/; Accessed January 31, 2017

large portion of the units for sale consisted of three-bedroom homes, with a median asking price of \$465,000. Overall, median asking price of all units was \$469,500 in October 2016, consistent with the recent median sales price of \$437,500 reported in November 2016.

Table App-16: Home Listing Prices in Seaside

Number of Bedrooms	Number of Units	Average Asking Price	Median Asking Price	Range
Single Family				
1 Bedroom	2	\$299,450	\$299,450	\$299,000-\$299,900
2 Bedrooms	7	\$420,128	\$429,900	\$279,999-\$515,000
3 Bedrooms	31	\$480,006	\$465,000	\$349,900-\$749,000
4 Bedrooms	14	\$660,129	\$627,000	\$430,000-\$949,000
5 Bedrooms	3	\$732,333	\$699,000	\$599,000-\$899,000
Townhomes				
2 Bedrooms	1	\$319,900	\$319,900	---
Mobile Homes				
2 Bedrooms	1	\$137,000	\$137,000	---
3 Bedrooms	3	\$183,000	\$225,000	\$85,000-\$239,000
Total	62	\$497,818	\$469,500	\$85,000-\$949,000

Source: Realtor.com, accessed October 26, 2016.

2. Rental Rates

The rental housing market in Seaside includes apartments, townhomes, condominiums, and single-family homes. During the month of January 2017, 38 units were listed as available for rent. As shown in Table App-17, of the 38 advertised units, most were single-family homes, townhomes or condominiums. Few apartments were listed for rent in the City of Seaside.

Of the 13 apartment listings found during the internet rent survey, the average monthly rent was \$1,946 with a range of \$850 to \$2,600 per month. Comparatively, rental homes were more abundant in Seaside. Rental homes are priced higher than apartments and most are not affordable to lower income families. The average price for a rental home in Seaside was \$2,267. Most of the homes available for rent were two-bedroom and three-bedroom homes. Two-bedroom homes ranged from \$1,586 to \$2,600 per month with a median rent of \$1,716. Three-bedroom homes ranged from \$1,673 to \$2,800 a month with a median rent of \$2,500.

Mobile home parks provide an affordable option for many very low income, low income, and senior households in Seaside. Three mobile home parks are located in Seaside: the Trailer Terrace Mobile Home Park; the Green Parrot Mobile Home Park; and the Seaside Mobile Home Estates. Information was obtained in 2016 from the mobile home park operators regarding rent levels. Trailer Terrace Mobile Home Park was charging \$525 a month for space rental but reported that they have not had a space opening in 20 years. The Seaside Mobile Home Estates was charging \$655 a month, while the Green Parrot was charging \$500 a month.

Table App-17: Rental Rates				
Apartment Rental Rates	Studio	1 Bedroom	2 Bedrooms	3+ Bedrooms
Number of Units Listed	2	7	3	1
Average Rent	\$869	\$1,319	\$1,326	\$1,734
Median Rent	\$1,156	\$1,450	\$1,600	\$2,600
Home Rental Rates	1 Bedroom	2 Bedrooms	3 Bedrooms	4+ Bedrooms
Number of Units Listed	3	6	10	5
Average Rent	\$1,300	\$1,923	\$2,471	\$2,729
Median Rent	\$1,300	\$1,716	\$2,500	\$2,800

Sources: Craigslist.org, Accessed January 31, 2017

3. Housing Affordability

Housing affordability can be determined by comparing home sales prices and rents to household income. This information can help answer which households can afford to rent or own without overcrowding or overpayment problems.

Table App-18 depicts the typical annual income for extremely low, very low, low and moderate income households and calculates what each household can afford to pay for ownership and rental housing. It is generally accepted that extremely low, very low and low income households can spend up to 30 percent of their gross income toward housing expenses without overpayment. Moderate income households can usually apply 35 percent of their income towards homeownership without incurring a housing cost burden. The table shows the highest monthly rent and the maximum purchase price for an individual or family at the top end of the income categories. The calculations are expanded to include five household sizes within each income category. For renters, housing cost is defined as rent and utilities. For purchasers, housing cost includes mortgage, utilities, property tax, insurance, and homeowner's association fees as applicable.

Extremely Low Income Households

Extremely low income households have incomes that do not exceed 30 percent of the Area Median Income (AMI), as adjusted for household size. The maximum affordable home price for an extremely low income household ranges from \$19,317 to \$24,757, well below the median home price in Seaside.

An extremely low income household can also only afford to pay \$242 (one-person household) to \$394 (five-person household) in rent. The data available on rental housing shows that there are no available units for rent within this range. Therefore, a one-person very low income household could not afford to rent a one-bedroom, and a small or large family (even at the top of the income range) could not afford an adequately sized apartment without some level of overpayment.

Very Low Income Households

Very low income households earning between 30 and 50 percent of the AMI have household incomes ranging from \$26,650 to \$41,100. These households cannot purchase homes over \$68,628, putting single-family and condominium homeownership out of reach. Mobile home

ownership is a possibility, but only one mobile home was listed for sale in January 2017. Rental housing is also out of the reach of very low income households. With rents in Seaside starting at \$869 per month, very low income households cannot afford to rent in Seaside without subsidies.

Low Income Households

Low income households earn between \$28,854 and \$44,518 and can afford rents ranging from \$563 to \$796 per month. Low income households would find it difficult to find affordable rental units in Seaside, and home prices in the City were well beyond what low income households could afford (\$86,117 to \$109,613).

Moderate Income Households

Moderate income households earn more than the county median with annual incomes ranging from \$52,899 to \$81,616. They can afford rents ranging from \$1,192 to \$1,819 per month and homes priced from \$192,210 and \$273,299. Moderate income households cannot afford the median priced home in Seaside, but they may be able to afford some of the City's smaller and lower priced homes or mobile homes. Generally, these households will be able to comfortably afford market-rate rents in Seaside.

Based on the affordability information derived, housing affordability is a problem for nearly all lower income households and a significant proportion of moderate income households looking to purchase a home in Seaside.

Table App-18: Housing Affordability by Income Level

Size	Annual Income	Affordable Monthly Housing Cost		Utilities		Taxes and Insurance	Affordable Housing Payment	
		Rent	Purchase	Rent	Purchase		Rent	Purchase Price
Extremely Low Income Households (0-30% AMI)								
1-Person	\$16,000	\$400	\$400	\$158	\$177	\$140	\$242	\$19,317
2-Person	\$18,300	\$458	\$458	\$169	\$191	\$160	\$289	\$24,757
3-Person	\$20,600	\$515	\$515	\$209	\$242	\$180	\$306	\$21,586
4-Person	\$24,300	\$608	\$608	\$262	\$305	\$213	\$346	\$20,917
5-Person	\$28,440	\$711	\$711	\$317	\$373	\$249	\$394	\$20,748
Very Low Income Households (30-50% AMI)								
1-Person	\$26,650	\$666	\$666	\$158	\$177	\$233	\$508	\$59,595
2-Person	\$30,450	\$761	\$761	\$169	\$191	\$266	\$592	\$70,708
3-Person	\$34,250	\$856	\$856	\$209	\$242	\$300	\$647	\$73,210
4-Person	\$38,050	\$951	\$951	\$262	\$305	\$333	\$689	\$72,919
5-Person	\$41,100	\$1,028	\$1,028	\$317	\$373	\$360	\$711	\$68,628
Low Income Households (50-80% AMI)								
1-Person	\$42,650	\$721	\$842	\$158	\$177	\$295	\$563	\$86,117
2-Person	\$48,750	\$824	\$962	\$169	\$191	\$337	\$655	\$101,046
3-Person	\$54,850	\$927	\$1,082	\$209	\$242	\$379	\$718	\$107,364
4-Person	\$60,900	\$1,031	\$1,202	\$262	\$305	\$421	\$769	\$110,889
5-Person	\$65,800	\$1,113	\$1,298	\$317	\$373	\$454	\$796	\$109,613
Moderate Income Households (80 – 120% AMI)								
1-Person	\$57,700	\$1,322	\$1,543	\$158	\$177	\$540	\$1,164	\$192,210
2-Person	\$65,950	\$1,511	\$1,763	\$169	\$191	\$617	\$1,342	\$222,295
3-Person	\$74,200	\$1,700	\$1,984	\$209	\$242	\$694	\$1,491	\$243,769
4-Person	\$82,450	\$1,889	\$2,204	\$262	\$305	\$771	\$1,627	\$262,451
5-Person	\$89,050	\$2,040	\$2,380	\$317	\$373	\$833	\$1,723	\$273,299

Source: Veronica Tam and Associates, 2017 and State Department of Housing and Community Development 2016 Income Limits.

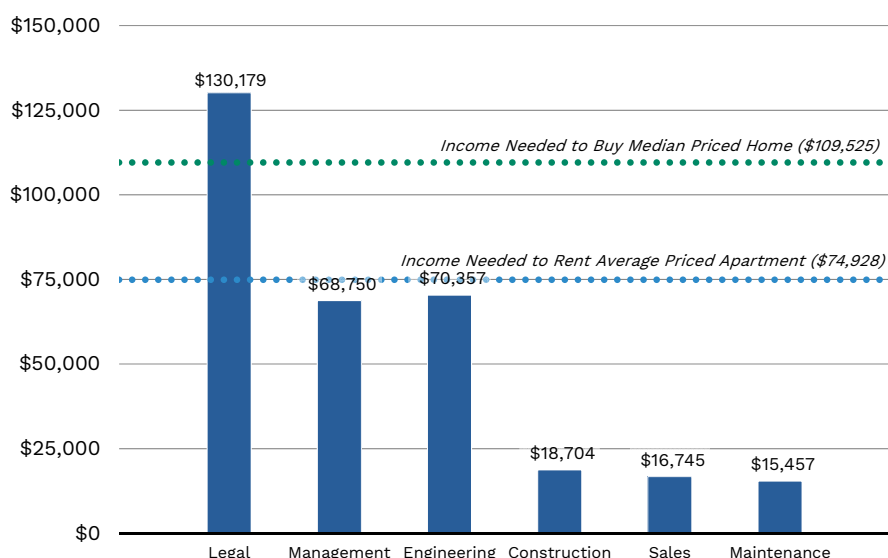
Assumptions: 2016 HCD Income limits; Health and Safety code definition of affordable housing costs (between 30 and 35% of household income depending on tenure and income level); HUD utility allowance; 10% of monthly affordable costs for tax and insurance; 10% down payment; and 4% interest rate for a 30- year fixed rate mortgage loan.

Note: Taxes and insurance apply to owner costs only. Renters do not usually pay taxes and insurance.

Often, California housing prices mean that more than one wage earner is required to sustain housing. Based on median earnings from the State Department of Economic Development (Labor Statistics) and housing costs in Seaside, housing is not affordable to low-paying occupations such as retail sales and maintenance. In Seaside, the average wage-earner per household was 1.43, according to the 2010-2014 ACS. Even for households with two or more wage-earners, if they are employed at the low-paying jobs, they would still not be able to

afford the median rents or median priced homes in Seaside. These households are usually impacted by housing cost burden and are most vulnerable to sudden changes in economic conditions such as loss of employment. Table App-4 indicates that over 40 percent of the workers in Seaside are employed in the service sector.

Figure App-2: Earnings by Occupation and Housing Costs



*Sources: American Community Survey, 2010-2014;
Affordable housing cost calculations by Veronica Tam and Associates, Inc.*

Housing Issues

A continuing priority of Seaside is enhancing or maintaining the quality of life in the community. A key measure of quality of life in a community is the extent of “housing issues” faced by residents. These include housing overcrowding (defined as more than one person per habitable room) and overpayment (defined as paying more than 30 percent of income toward housing costs). This section describes the nature and extent of housing problems in Seaside.

1. Overcrowding

Overcrowding is an indicator of housing affordability. Unit overcrowding is often caused by the combined effect of lower incomes and high housing costs in a community and reflects the inability of households to buy or rent housing that provides reasonable privacy for their residents. An overcrowded household is defined as one with more than one person per habitable room, excluding bathrooms, kitchens, hallways, and porches. A severely overcrowded household is defined as one with more than 1.5 persons per habitable room.

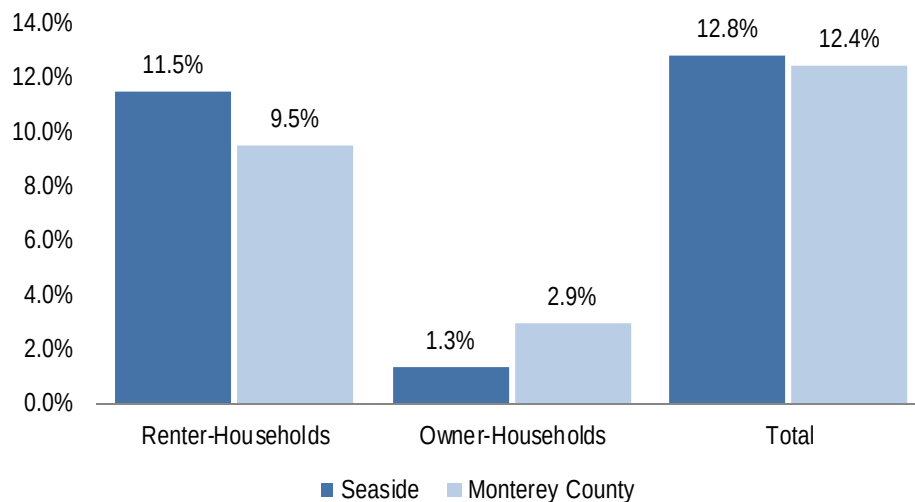
According to the 2010-2014 ACS, 13 percent of Seaside households lived in overcrowded conditions. Renter-households made up a larger proportion of overcrowded households than owners (Table App-19). About 12 percent of renter-households in Seaside were overcrowded compared to less than two percent of owner households. Renter households were also more susceptible to severe overcrowding.

Table App-19: Overcrowded Housing						
Household Income	Renters		Owners		Total Households	
	#	%	#	%	#	%
Overcrowded Households (1.01-1.5 persons per room)	829	8.1%	85	0.8%	914	9.0%
Severely Overcrowded (1.5+ persons per room)	339	3.3%	51	0.5%	390	3.8%
All Overcrowded Households	1,168	11.5%	136	1.3%	1,304	12.8%
All Households	6,301	61.9%	3,884	38.1%	10,185	100%

Source: American Community Survey, 2010-2014

A similar proportion of Monterey County residents (12 percent) lived in overcrowded conditions; and, like Seaside, renters in Monterey County were more affected by overcrowding than homeowners.

Figure App-3: Overcrowded Housing by Tenure



Source: American Community Survey, 2010-2014.

2. Cost Burden

Housing cost burden is generally defined as paying more than 30 percent of income toward housing expenses. Cost burden is disproportionately concentrated among the most vulnerable members of Seaside.

Table App-20 shows that housing cost burden was more likely to affect renter-households than owner-households in Seaside, particularly among those households within the lowest income levels. This may largely be due to the fact that households at these income levels rarely owned their homes or have owned their homes for a long time and generally have lower housing payments. In contrast, the extent of cost burden was similar amongst moderate income homeowners and renters.

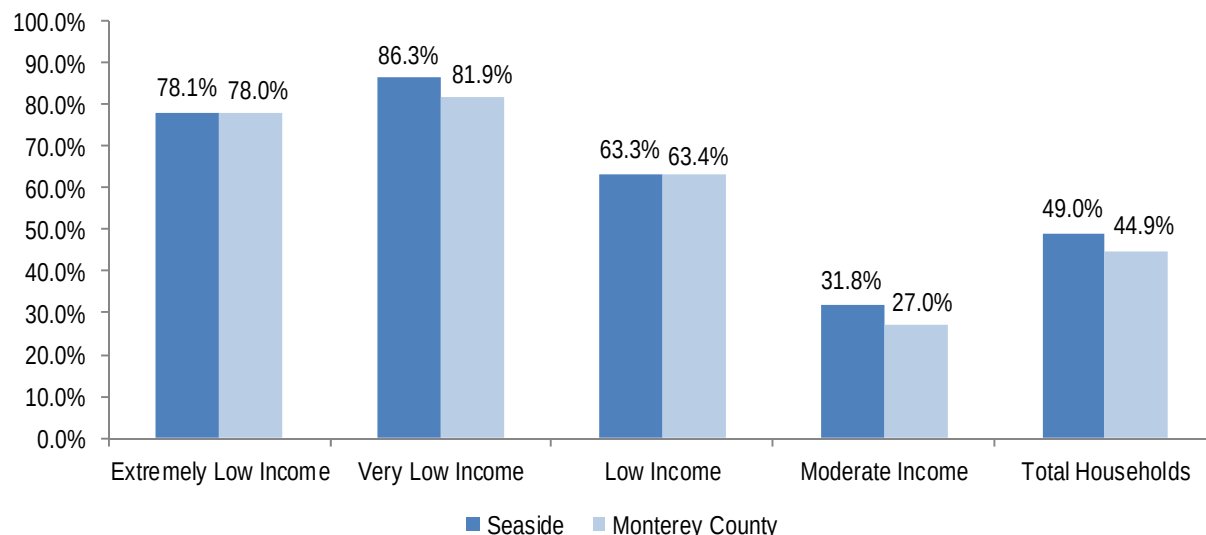
Table App-20: Housing Overpayment			
	Renters	Owners	All Households
Total Households	57.2%	36.3%	49.0%
By Income Level			
Extremely Low Income	83.1%	59.6%	78.1%
Very Low Income	93.0%	53.7%	86.3%
Low Income	65.6%	57.3%	63.3%
Moderate Income	33.9%	29.8%	31.8%

AMI = Area Median Income

Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2009-2013.

Figure App-4 compares housing cost burden in Seaside to Monterey County as a whole. Overall, Seaside households (49 percent) are slightly more affected by housing cost burden than County households (45 percent).

Figure App-4: Housing Cost Burden by Income Level and Tenure



Source: HUD Comprehensive Affordability Strategy (CHAS) Data, 2009-2013.

Special Needs Groups

Certain groups in Seaside have greater difficulty finding decent, affordable housing due to special circumstances. Special circumstances may be related to one's age, family characteristics, disability, or employment among others. Thus, certain segments of Seaside's population may experience a higher prevalence of overpayment, overcrowding, or other housing problem.

State Housing Element law defines the following groups as having special housing needs: senior households, persons with disabilities, large households, female-headed households, homeless people, and farmworkers. Local jurisdictions may also identify additional special needs groups based on local conditions. In recognition that people in different walks of life

have different housing needs, State and federal housing laws are designed to encourage the provision of a full continuum of housing so that no group is excluded from living in Seaside.

Table App-21 summarizes the various types of special needs groups residing in the City. Where available, data from the 2010 Census is used. However, in other cases, estimates were derived from other governmental agencies or reliable survey sources. This section also contains a detailed discussion of the housing needs facing each particular group as well as City programs and services available to address their housing needs.

Table App-21: Special Needs Groups				
Special Needs Group	# of Persons/ Households	# of Owners	# of Renters	% of Total Persons/ Households
Households w/ Members Age 65+	2,176	--	--	21.6%
Senior Headed Households	1,819	1,354 (13.4%)	465 (4.6%)	18.0%
Senior Living Alone	697	462 (4.6%)	235 (2.3%)	6.9%
Disabled Persons	2,899	--	--	8.9%
Large Households (5+)	2,094	660 (6.5%)	1,434 (14.2%)	20.7%
Female-Headed Households	3,736	--	--	37.0%
Female-Headed households with Children*	720	--	--	7.1%
Farmworkers	123	--	--	0.8%
Residents Living Below Poverty	6,111	--	--	18.8%
Homeless	259	--	--	11% of the County homeless
Military Personnel	1,180	--	--	3.5%
Students (Total enrolled, Undergraduate and Graduate Level)	3,972	--	--	12.6%

*Notes: *No spouse present*

Sources:

Bureau of the Census, 2010.

American Community Survey, 2010-2014.

2015 Monterey County Homeless Point-in-Time Census and Survey.

Enrollment Fast Facts for Fall 2015, Cal State Monterey Bay.

1. Seniors

Despite their high levels of homeownership, seniors are considered a special needs group. Most seniors have limited incomes, high health care costs, and disabilities; finding and maintaining suitable and affordable housing may be difficult. A significant portion of seniors also have a self-care or mobility limitation, defined as a condition lasting over six months that makes it difficult to go outside the home alone or take care of one's personal needs.

Because of the limited supply of affordable housing, senior households have housing cost burden. The extent of cost burden typically varies according to tenure with senior renters often being more susceptible than senior homeowners. According to the 2010 Census, the City of Seaside was home to 2,845 seniors and 2,176 households in the City had at least one

senior member. Furthermore, 1,819 households were headed by seniors, representing 18 percent of all households in Seaside. The majority of the City's senior-headed households owned their homes.

Various programs can assist seniors with their housing needs, including: congregate care, shared housing, rental subsidies, and housing rehabilitation assistance. For frail seniors, or those with disabilities, housing with architectural features that accommodate disabilities can help ensure continued independent living. Seniors with disabilities also benefit from transportation alternatives or assisted housing with supportive services.

Resources

Regarding housing services for seniors, one housing development in Seaside – Villa del Monte – has 80 rental units that are restricted for seniors (Table App-28). In addition to this senior housing development, seniors in the City are also served by three licensed care facilities (Table App-22).

Table App-22: Licensed Community Care Facilities		
Type of Facility	Facilities	Capacity (beds/persons)
Adult Residential Care Facility	1	22
Residential Care for the Elderly	2	50
Total	3	72

Source: California Department of Social Services(CDSS), February 2, 2017.

Senior Programs offered through Seaside's Recreation Services Department (located at the Oldemeyer Center) provide a variety of recreational activities for seniors of Seaside and surrounding communities. These include excursions, leisure activities, support services and a nutrition program.

Monterey-Salinas Transit (MST) has established a Taxi Scrip Program that provides taxi vouchers to qualifying seniors (65 years or older and residents of participating Cities). An elderly resident may obtain up to 4 vouchers per calendar month; one voucher is good for a single one-way trip up to the value of \$17.00 (a rider is responsible for anything over the \$17.00 metered amount and a \$3.00 copayment). These taxi vouchers are valid The taxi voucher trip must originate and terminate within only one of these two areas:

Area 1: Anywhere within the city limits of Salinas; Area 2: Anywhere within the city limits of Carmel, Del Rey Oaks, Marina, Monterey, Pacific Grove, Sand City, or Seaside.

2. Persons with Disabilities

The Americans with Disabilities Act defines a disability as a physical or mental impairment that substantially limits one or more major life activities. Persons with disabilities have special needs because many earn very low incomes, have higher health care costs, and are often dependent on supportive services. Federal laws define a person with a disability as "any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment." In general, a physical or mental impairment includes hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex, and mental retardation that substantially limits one or more major life activities. Major life activities

include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself. ³

The U.S. Census Bureau classifies disabilities into the following categories:

- Hearing difficulty: Deaf or having serious difficulty hearing
- Vision difficulty: Blind or having serious difficulty seeing, even when wearing glasses
- Cognitive difficulty: Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions
- Ambulatory difficulty: Having serious difficulty walking or climbing stairs
- Self-care difficulty: Having difficulty bathing or dressing
- Independent living difficulty: Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor's office or shopping

According to the 2010-2014 ACS, the City had an estimated 2,899 persons living with a range of disabilities. Table App-23 shows the types of disabilities affecting Seaside residents. According to the ACS, ambulatory and cognitive disabilities were the most common among all age groups, though the City's elderly population was the most affected by disabilities.

Table App-23: Disabilities					
Type of Disability	Age 5-15	Age 16-64	Age 65+	Total Disabilities	% of Total Disabilities
With a hearing difficulty	0	303	422	725	13.1%
With a vision difficulty	8	213	126	347	6.3%
With a cognitive difficulty	89	730	293	1,112	20.1%
With an ambulatory difficulty	28	740	802	1,570	28.3%
With a self-care difficulty	51	302	295	648	11.7%
With an independent living difficulty	--	569	575	1,144	20.6%
Total	176	2,857	2,513	5,546	100%

-- " indicates that the category did not exist in the Census.

Note: A person can have multiple disabilities and therefore the number of disabilities tallied exceeds the number of persons with disabilities.

Source: American Community Survey, 2010-2014

The type and severity of one's disability often determines the type of living arrangement that best accommodates the needs of the individual. Many persons with disabilities live at home independently or with family members. To maintain independent living, some may need housing assistance or supportive services. Services can include modifying housing design features, providing income support for those not able to work, and in-home services for persons with medical conditions. Services can be provided by public or private agencies.

³ U.S. Department of Housing and Urban Development. "Disability Rights in Housing." [http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunities/inhousing](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunities/disabilities/inhousing). Accessed January 13, 2016.

Persons with Developmental Disabilities

As defined by State law, “developmental disability” means a severe, chronic disability of an individual who:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 18⁴;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency; and
- Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census does not record developmental disabilities. According to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5 percent. This equates to about 495 persons in the City of Seaside based on the 2010 Census population. According to data provided by the State Department of Developmental Services, 176 Seaside residents were served by the San Andreas Regional Center that serves the counties of Monterey, San Benito, Santa Clara, and Santa Cruz. Among the 176 residents, 96 were under 18 years of age. In terms of living arrangements, most (162 persons) were living with parents or guardians, 11 were living independently, and the remaining three were in foster homes. The adult residents with developmental disabilities but living with family or guardians may require independent living in the future.

Resources

Special housing needs for persons with disabilities fall into two general categories: physical design to address mobility impairments and in-home social, educational, and medical support to address developmental and mental impairments. The California Department of Social Services, Community Care Licensing Division reports that in Seaside there are two State-licensed care facilities: two residential care facilities for the elderly, and one adult residential facility.

The San Andreas Regional Center (SARC) is a community-based, private nonprofit corporation funded by the State of California to serve people with developmental disabilities as required by the Lanterman Developmental Disabilities Services Act (aka Lanterman Act). The Lanterman Act is part of California law that sets out the rights and responsibilities of persons with developmental disabilities. SARC is one of 21 regional centers throughout California and serves individuals and their families who reside within Monterey, San Benito, Santa Clara, and Santa Cruz Counties. The Regional Center provides diagnosis and assessment of eligibility and helps plan, access, coordinate, and monitor the services and supports that are needed because of a developmental disability. As of August 2016, the Regional Center had about 165

⁴ The State of California defines developmental disabilities slightly differently than federal law. The main difference is at the manifestation age, where federal definition established that threshold at age 22.

clients living in the City of Seaside, about six percent of all clients in Monterey County. Among these clients, approximately 92 percent were residing at home with other family members or guardians. Only about seven percent were living independently and less than one percent was residing in a community care facility, in a foster/family home or in another type of residence.

3. Large Households

Large households are defined as those with five or more members. Large households are considered a special needs group in most communities because of a lack of affordable housing that can adequately accommodate large families. For lower income large families, the housing shortage can be particularly acute and result in a greater prevalence and severity of overcrowding and overpayment.

According to the 2010 Census, large households comprised about 21 percent of all Seaside households (see Table App-24). Of these large households, 68 percent were renters and 32 percent owned their homes. According to the 2010-2014 ACS, a total of 5,876 housing units with three or more bedrooms (generally accepted as the minimum number of bedrooms needed for large households to avoid overcrowded living conditions) were located in Seaside— more than two times the number of large households living in the City. While the data suggests that the City has an adequate supply of larger housing units to accommodate needs, the affordability of these units is unknown. Given the level of overcrowding in the City, a mismatch between housing needs and affordability still exists.

Table App-24: Large Households by Tenure (2010) – City of Seaside			
Number of Persons in Unit	Owner-Occupied	Renter-Occupied	Total
Five	303	700	1,003
Six	161	345	506
Seven or more	196	389	585
Total Large Households	660	1,434	2,094
Total Households	4,183	5,910	10,093
Percent of Total Households	15.8%	24.3%	20.7%

Source: U.S. Census 2010 QT-H2

Resources

Large households in Seaside can benefit from general programs and services for lower and moderate income persons, including the Housing Authority of the County of Monterey Housing Choice Voucher program, and various community and social services provided by non-profit organizations in the region.

4. Single-Parent Female-Headed Families

Single-parent families often require special consideration or assistance as a result of their generally lower household incomes, high costs of childcare, and increased need for supportive services and affordable housing. As a result, many single-parent families are faced with limited housing choices. Single-parent households accounted for 11 percent of Seaside households in 2010. The majority of these households were female-headed.

Female-headed single-parent families often face a number of additional obstacles. According to the 2010-2014 ACS, nearly half (49 percent) of all female-headed single-parent households were living in poverty. Single-parent families must also allocate a portion of their incomes towards childcare costs as reliable child care is often necessary in order to retain stable employment. Compounded with housing costs, child care costs reduce the ability of these households to pay for other necessities, such as food and medical care.

Table App-25: Households by Type

Household Type	Number	Percent
Married Couple Households	7,373	73.1%
With Children Under 18 Years Old	2,812	27.9%
With No Children	4,561	45.2%
Female Householder*	1,433	14.2%
With Children	720	7.1%
With No Children	713	7.1%
Male Householder*	708	7.0%
With Children	352	3.5%
With No Children	356	3.5%
Non-Family Households	2,720	26.9%
Total Households	10,093	100.0%

Source: Bureau of the Census, 2010.

**No spouse present*

Resources

Limited household income constrains the ability of single-parent households to afford adequate housing, childcare, health care, and other necessities. The City of Seaside offers various programs for families with children. The City of Seaside's Youth Programs include the Tiny Tot University Preschool Programs, K-5th Grade Programs/Camps, Teen Programs, Sports Programs, and variety of classes and activities. The K-5th Grade Programs offered in Seaside include a daily afterschool program (including homework assistance and recreational activities), and a number of seasonal camps that include Full-Day, Sports, and Cheer Camp options.

The City of Seaside's B.J. Dolan Youth & Education Teen Center, at 1136 Wheeler Street, offers a variety of recreational opportunities for teens including cultural events, dances, movie nights, field trips, and volunteer opportunities through its Volunteer Team in Practice (VIP) program.

Single-parent households in Seaside can also benefit from general programs and services for lower and moderate-income persons, including the Housing Authority of the County of Monterey (HACM) Housing Choice Voucher program, and various community and social services provided by nonprofit organizations in the region.

5. Homeless

The member agencies of the Monterey County Coalition of Homeless Service Providers (CHSP) has worked together to conduct the **2019** Monterey County Point-in-Time Homeless Census

and Survey. HUD's definition of homelessness for Point-in-Time counts was used. The definition includes:

- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements; or
- With a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

The 2019 Monterey County Point-in-Time Homeless Census represents a complete enumeration of all sheltered and unsheltered persons experiencing homelessness. It consisted of two primary components:

- **General Street Count:** An early morning count of unsheltered homeless individuals and families on January 31, 2019. This included those sleeping outdoors on the street; at bus and train stations; in parks, tents, and makeshift shelters; and in vehicles and abandoned properties.
- **General Shelter Count:** A nighttime count of homeless individuals and families staying at publicly and privately-operated shelters on January 30, 2019. This included those who occupied emergency shelters, transitional housing, and safe havens.

The Point-in-Time Census also included the following supplemental and important components:

- **Targeted Street Count of Unaccompanied Children and Young Adults:** An afternoon count of unsheltered unaccompanied children under 18 and unaccompanied youth 18-24 years old on January 31, 2019.
- **Targeted County Office of Education (COE) Street Count of K-12 Students and Their Families:** A count of unsheltered homeless students and their families reported by the Monterey County Office of Education for the night of January 30, 2019.
- **Homeless Survey:** An in-person interview of sheltered and unsheltered individuals conducted by peer surveyors in the weeks following the general street count. Data from the survey were used to refine the Point-in-Time Census estimates.

The 2019 Monterey County Homeless Census and Survey resulted in a total count of 2,422 persons: 1,830 unsheltered homeless people on streets countywide (76 percent) and 592 sheltered homeless people in emergency shelters, transitional housing and domestic violence shelters. About eight percent (or 182 persons) of these homeless persons were found in the City of Seaside — a 24 percent decrease from the survey conducted in 2013. Approximately 69 percent of Seaside's homeless population (126 persons) was unsheltered.

Table App-26: Homeless Population, Monterey County

Jurisdiction	Unsheltered*		Sheltered		Total		% of Total		% Change 2013-2019
	2013	2019	2013	2019	2013	2019	2013	2019	
Carmel	0	6	0	0	0	6	0.0%	0.2%	---
Del Rey Oaks	0	0	0	0	0	0	0.0%	0.0%	---
Greenfield	0	14	0	0	0	14	0.0%	0.6%	---
King City	6	27	0	0	6	27	0.3%	1.1%	350.0%
Marina	117	98	302	261	419	357	17.7%	14.7%	-14.8%
Monterey	510	167	32	37	542	204	22.9%	8.4%	-62.4%
Pacific Grove	6	14	0	0	6	14	0.3%	0.6%	133.3%
Salinas	404	876	128	206	532	1,182	22.5%	48.8%	122.2%
Sand City	38	8	0	0	38	8	1.6%	0.3%	-78.9%
Seaside	171	126	68	56	239	182	10.1%	7.5%	-23.8%
Soledad	0	35	0	0	0	35	0.0%	1.4%	---
Unincorporated	495	338	91	32	586	370	24.7%	15.3%	-36.9%
Monterey County	1,747	1,830	621	582	2,368	2,422	100%	100.0%	2.3%

Source: 2019 Monterey County Point-In-Time Homeless Census and Survey.

Note: *The unsheltered population includes homeless people counted on the streets, in vehicles, in makeshift shelters (such as tents) and encampments.

The data results also included a demographic survey of 450 individuals. Of the 450 surveys, 93 percent reported they were over the age of 25, seven percent were between 18-24 years of age, and zero percent were under the age of 18. When asked about their ethnicity 61 percent of homeless survey respondents reported they were not Hispanic or Latino. In regards to race, 52 percent identified as White, 16 percent Black or African-American, two percent Hawaiian or Pacific Islander, two percent Asian, one percent American Indian or Alaskan Native and 28 percent reported "other" or multi-racial. The majority of survey respondents (63 percent) identified as male, 36 percent female, and one percent as transgender.

When questioned about usual sleeping arrangements, nearly half of survey respondents reported currently living outdoors, either on the streets, in parks or encampment areas (40 percent). About 24 percent reported staying in a public shelter (emergency shelter, transitional housing facility or alternative shelter environment). Nineteen percent of survey respondents reported that they lived in vehicles (camper, car, van or RV). Nine percent of respondents reported they were sleeping in structures and indoor areas (such as foyers, hallways or other indoor areas) not meant for human habitation.

About 63 percent of survey respondents reported they had been homeless for a year or more, a slight decrease from 2013 (65 percent). Three percent had been homeless for less than one month, same as in 2013 (three percent). Another two percent of respondents had been homeless seven days or less. Approximately 82 percent of the homeless were unemployed at the time of the survey.

Resources

Generally, three types of facilities provide shelter for homeless individuals and families: emergency shelters, transitional housing, and permanent supportive housing. In Seaside, two

types of these facilities are available (described below). Services available in Seaside are presented in Table App-27.

Emergency Shelter: Provides overnight shelter and fulfills a client's basic needs (i.e. food, clothing, and medical care) either on-site or through off-site services.

Transitional Housing: a residence that provides housing for up to two years. Residents of transitional housing are usually connected to rehabilitative services.

Table App-27: Homeless Service Providers in Seaside		
Shelters and Clients	Population Served	Beds and/or Services
Homeless Drop-In Center/Outreach		
Salvation Army/Good Samaritan	Anyone in need	Provides food, shelter, clothing, counsel, medication, advocacy and referrals as necessary
Community Human Services – Family Services Centers	Anyone in need	Mental health counseling for individuals on an outpatient basis. Bi-lingual, both English and Spanish. Medi-Cal accepted.
Emergency Shelter		
Community Homeless Solutions/Shelter Outreach Plus – Seaside Women's Shelter	Single women and women with children, victims of domestic violence	Shelter with ongoing support including counseling and case management. Assistance available: 16 beds, 6 cribs
YWCA Monterey County	Victims of domestic violence (women and children only)	Emergency shelter, 24-hr confidential crisis hotlines, domestic violence restraining orders, civil harassment restraining orders, child custody, and divorce.
Salvation Army – Frederiksen House	Emergency shelter for men and women with children	Shelter available for up to 90-days in the program facility. The Salvation Army also provides case management, information & referral services.
Transitional Housing		
Salvation Army – Casa de Las Palmas	Families with children	Family transitional housing provides residential care for a time period not to exceed 24 months. 9 units, 36 beds
Community Human Services – Genesis House	Men, women, and women with children	State licensed residential recovery program for 36 men and women seeking recovery from substance abuse. Co-ed program 28 beds – 3 to 6 months Perinatal program: 8 beds – 6 to 10 months; Children ages 0 to 5 may live with their mothers in treatment.

Table App-27: Homeless Service Providers in Seaside		
Shelters and Clients	Population Served	Beds and/or Services
Rental Support Services		
Catholic Charities	Anyone in need	Family supportive services program provides eviction prevention assistance, financial education, nutrition education, as well as assistance with Covered California and CalFresh application process.
Army Community Service	Soldiers and referrals for veterans	Interest free loans for paying rent, medical costs, or utility bills. They can also provide grants in some cases for expenses, such as car repairs, security deposits or travel expenses. The aid is administered in partnership with the Red Cross.
Housing Advocacy Council of Monterey County	Persons at risk of homelessness	Provides deposit assistance, information, and referrals
Monterey County Department of Social Services - Community Benefits Branch	Families with children	Families eligible for CalWorks may receive help with the cost of a motel and a deposit for an apartment. Program offers 16 consecutive days of temporary assistance in a motel. A once-in-a-lifetime benefit. Apply at DSS offices in Salinas, Seaside, and King City.

Source: Monterey County Homeless Services Resource Guide, 2016.

6. Farmworkers

Farm workers are a special needs group due to the lower wages associated with their occupations. Many farmworkers also face language barriers and have difficulty finding affordable housing. There is little consensus among the available data on the number of farmworkers working or living in Monterey County. Data collected from the Census has found that Seaside's small population of farmworkers has steadily declined over time. The 1990 Census reported that 594 residents of Seaside were employed in farming, fishing and forestry occupations. By 2000, the number of residents employed in these occupations declined 46 percent to only 320. Based on the proximity of Seaside to commercial fishing companies operating in the Monterey Bay, a safe assumption is that a significant proportion of the City's farmworkers are fishermen. The 2010-2014 ACS recorded the number of farmworkers in Seaside at only 123 persons.

Resources

Due to the limited number of farmworkers in Seaside and the likelihood that most of the agricultural population is employed in the fishing industry, the City's affordable housing programs generally address the needs of farm laborers in Seaside.

7. Military Personnel

Lower incomes and an uncertain length of residency affect the housing needs of military personnel. The City of Seaside was home to the former U.S. Army base Fort Ord, which was deactivated in 1993. In 1990, there were 8,655 people employed in the Armed Forces in Seaside. With the base closure, this figure dropped to 1,446 military personnel in 2000, roughly six percent of the population over 16 years of age. This number dropped even further—to five percent (1,180 military personnel)—by the 2010-2014 ACS.

Resources

The Army contracted with a private development team to replace and/or renovate all of the housing units reserved for military personnel at Ford Ord. This was part of the Army's Residential Communities Initiative (RCI) program and the overall plan was to demolish the original 1,588 military housing units within Seaside city limits and replace them with 1,384 new homes. Thus far, this has resulted in approximately 300 replacement military residential units.⁵

8. College Students

When Congress decided on the closure of Fort Ord, the local community proposed the base be converted into a university. In June 1994, a plan was approved ultimately leading to the establishment of Cal State University Monterey Bay (CSUMB), parts of which are located within north Seaside.

The region's college student population is another significant factor affecting housing demand. Full time equivalent enrollment (FTE) at CSUMB reached 6,731 (7,102 headcount) by the 2015-2016 school year.⁶ According to CSUMB, in 2016, 45 percent (roughly about 3,200 CSUMB students) lived in campus apartments or residence halls, and approximately 55 percent (about 3,900 students) were living off campus, in Seaside and other nearby communities. A large presence of college students poses pressure on the local rental housing market due to their transient housing needs.

Over 1,300 acres of land and a large existing inventory of buildings, many of them residential, have allowed CSUMB to adopt a strong residential campus policy. The campus presently has the capacity to accommodate 3,254 beds for students on the Main and East Campuses (including 475 units available in East Campus apartments) and 742 units for faculty and staff in a variety of single-family, multifamily, and dormitory-type units. The campus currently offers co-ed dorms, apartments for single and married students and suites as well as special needs housing for disabled students and international students.

In 2016, CSUMB initiated a process to update the 2007 campus master plan. The new 2016 CSUMB Campus Master Plan envisions the future of the university campus as it grows over the next 15 years. In order to accommodate an expanding California population, CSUMB is planning to move forward with an established growth target of 12,700 FTE students, nearly doubling the size of their current community. This growth not only means an increase in students, but the facilities that support them, including academic buildings, residence halls, recreation facilities, student services, and faculty offices. The currently available Draft 2016 Master Plan, outlines the space and facility needs for the university's functions – including

⁵ <http://www.fora.org/Projects.html>, Fort Ord Reuse Authority. Accessed January 18, 2016.

⁶ 2015-2016 CSUMB University Fact Book,

the needs to support planned growth to 12,700 FTE, with housing for 60 percent of students (a total of 7,260 beds) and 65 percent of faculty and staff (a total of 970 units). New residential units are planned will help meet the new capacity needs.⁷

Resources

CSUMB offers a variety of housing options for their students, including eight residence halls, suites, and apartment-style housing, including housing for students with families in their East Campus Apartments. Additionally, to accommodate an increasing need for student housing, CSUMB's Promontory apartments were recently opened in the fall of 2015 and offer upper-division students 176 two- to four-bedroom units of single occupancy and double occupancy rooms (up to 723 new student beds).

Publicly Assisted Rental Housing

1. Tenant-Based Housing Choice Vouchers

The Housing Choice Voucher program is the federal government's major program for assisting extremely low and very low income households, the elderly, and the disabled with finding decent, safe, and sanitary housing in the private market. Since the rental assistance is provided on behalf of the family or individual, participants are able to find and lease privately owned housing, including single-family homes, townhouses and apartments from landlords who accept vouchers. The Housing Authority of the County of Monterey (HACM) coordinates and administers Section 8 rental assistance on behalf of the City of Seaside.

2. Project-Based Rental Housing Assistance

Housing units developed with public subsidies are an important source of affordable housing to lower income households. Preserving the long-term affordability of such housing units is usually the most cost-effective means to providing decent and affordable housing to the lower income households in a community. Recognizing this important resource, State Housing Element law requires that a jurisdiction examine the potential loss of publicly subsidized multifamily rental housing for lower income households due to expiration of deed restrictions, affordability covenants, and/or subsidy contracts. This section evaluates the publicly assisted multifamily rental housing in Seaside that is at risk of converting to market-rate housing and the cost to preserve or replace the at-risk units. Resources and programs for preservation or replacement are discussed in later sections.

Table App-28 is an inventory of publicly assisted rental housing projects in Seaside. A total of 447 assisted units are provided in five developments, utilizing a variety of federal and local programs. These programs include HUD Section 8 and Section 202 Programs, as well as the City's own Inclusionary Housing and Density Bonus provisions.

Del Monte Manor, the City's largest affordable housing complex, will be receiving \$20 million worth of upgrades. The City has provided Del Monte Manor with a bridge loan for this effort. Upgrades are expected to begin in 2020. With the additional funding for improvements, the long-term use of this development as affordable housing is guaranteed.

⁷ Draft 2016 CSU Monterey Bay Campus Master Plan, February 2017.

Table App-28: Inventory of Assisted Rental Housing

Development Name	Total Units	Household Type	Funding Source	Expiration of Affordability
Hannon Assembled Apartments	133	Family	LIHTC	12/17/2019
			Section 8 (85 units)	3/31/2022
Del Monte Manor	192	Family	Section 8 (98 units)	9/30/2031
5200 Coe Avenue	36	Family	Inclusionary Housing Requirement	9/2063
Villa Del Monte	80	Senior	Section 202	9/1/2019
1491 Contra Costa Street	6	Formerly Homeless	Inclusionary Housing and Density Bonus	Perpetuity
Total	447			

Sources: City of Seaside; HUD Multifamily Housing databases (www.huduser.org), 2017.

3. Units at Risk of Converting to Market Rate

State law requires that the City identify, analyze, and propose programs to preserve existing multifamily rental units which are eligible to convert to non-low-income housing uses due to termination of subsidy contract, mortgage prepayment, or expiring use restrictions during a ten-year period commencing on the statutory deadline of the Housing Element update. Thus, this at-risk housing analysis covers from December 15, 2015 through December 15, 2025.

Villa Del Monte is a nonprofit-owned development for seniors, with its Section 202 loan maturing in 2019. With the loan to be paid off shortly, the financial stability of this project would improve. Furthermore, because of its nonprofit ownership with a mission to provide affordable housing, this project is identified by the California Housing Partnership as at no risk of converting to market-rate housing.

During this ten-year analysis period, one project is at potential risk of converting to market-rate housing – Hannon Apartments. This 133-unit project was funded with LIHTC and maintains a project-based Section 8 contract for 85 of the units. The LIHTC requires that project to be deed restricted as low income housing for a minimum of 15 years until 2019, with the Section 8 contract due to expire in 2022. By 2019, the owner of Hannon Apartments may opt out by requesting that the State Housing Finance Agency find a “qualified contract” purchaser to buy the property during the 14th year of the initial 15-year compliance period. If no purchaser is found, the owner may exit the LIHTC program. This project is therefore identified by the California Housing Partnership as at moderate risk of converting to market-rate housing.

Preservation Costs

Preservation options typically include: 1) transfer of projects to non-profit ownership; and 2) provision of rental assistance to tenants.

- **Transferring Ownership:** Pursuant to the LIHTC regulations, a qualified contract purchaser has first right of refusal. The estimated market value of the project is \$26 million. This estimate is provided for the purpose of comparison and understanding the magnitude of costs involved, and does not represent the precise market value of this project.

- Rental Assistance:** Rental subsidies can be used to maintain affordability of the 131 affordable units at Hannon Apartments. These rent subsidies could be structured to mirror the federal Section 8 program. Under Section 8, HUD pays the difference between what tenants can pay (defined as 30 percent of household income) and what HUD estimates as fair market rent (FMR) on the unit. Table App-30 provides a general estimate only, assuming all households are in the very low income level. The total estimated cost of subsidizing the rents of all 131 affordable units at risk is estimated at around \$150,000 per month or \$1.8 million annually. Providing this level of subsidies for at least 55 years would require approximately \$106 million, assuming an average inflation rate of 2.5 percent.

Table App-29: Estimated Market Value of At-Risk Project	
Hannon Apartments	Estimated Costs
1-bedroom	16
2-bedroom	36
3-bedroom	39
4-bedroom	40
Managers' Unit	2
Annual Operation Costs	\$675,750
Gross Annual Income	\$2,854,044
Net Annual Income	\$2,178,294
Market Value	\$26,139,528

Market value is estimated with the following assumptions:

- Unit size distribution based on HUD LIHTC database; however unit size information is missing for 12 units. These are added to the 4-bd category for worst-case scenario estimate*
- Average rent based on Fair Market Rents (2017) established by HUD: 1-bd = \$1,133; 2-bd = \$1,417; 3-bd = \$2,063; 4-bd = \$2,206*
- Average unit size: 1-bd = 750 sf; 2-bd = 900 sf; 3-bd = 1,050 sf; 4-bd = 1,200 sf*
- Annual operating expense estimated at \$5 per square foot*
- Market value = Annual net income * multiplication factor*
- Multiplication factor for a building in good condition is 12*

Table App-30: Rent Subsidies Required				
Unit/Household Size	No. of Units	Affordable Monthly Rent	Per Unit Monthly Subsidy	Total Monthly Subsidy
1-bedroom/2-person	16	\$592	\$541	\$8,656
2-bedroom/3-person	36	\$647	\$770	\$27,720
3-bedroom/4-person	39	\$689	\$1,374	\$53,586
4-bedroom/5-person	40	\$711	\$1,495	\$59,800
Total Monthly Subsidy				\$149,762
Total Annual Subsidy				\$1,797,144

Assumptions:

- Average rent based on Fair Market Rents (2017) established by HUD: 1-bd = \$1,133; 2-bd = \$1,417; 3-bd = \$2,063; 4-bd = \$2,206*
- Affordable housing cost for very low income household by household size – see Table App-18*

Construction of Replacement Units

Based on proformas for several affordable housing projects in the Monterey Bay area, an average cost of development a new affordable unit is approximately \$280,000 - \$300,000, including land cost. Based on this estimate, the cost to construct 133 replacement units is about \$39.9 million.

Cost Comparison

Overall, transferring ownership of the existing units to a qualified contract purchaser would be most cost-efficient in preserving the affordable units in the event of a conversion to market-rate housing.

Estimates of Existing Housing Need

The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in Seaside. The latest detailed CHAS data, based on the 2009-2013 ACS, is displayed in Table App-31. Housing issues considered by CHAS include:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burden, including utilities, exceeding 30 percent of gross income; or
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income.

The types of housing problems experienced by Seaside households varied according to household income, type and tenure. Major problems identified include:

- In Seaside, renter-households have higher rates of housing problems than owner households (67 percent versus 38 percent).
- All (100 percent) extremely low income large family renter households have housing problems.
- The majority (70 percent) of elderly renters had a housing problem.

Table App-31: Estimating Housing Needs									
Household by Type, Income & Housing Problem	Renters				Owners				Total Households
	Elderly	Small Families	Large Families	Total Renters	Elderly	Small Families	Large Families	Total Owners	
Ext. Low Income (0-30% AMI)	155	360	30	830	95	45	45	225	1,055
with any housing problems	93.5%	93.1%	100.0%	85.5%	57.9%	77.8%	33.3%	57.8%	79.6%
with cost burden > 30%	93.5%	90.3%	66.7%	83.1%	62.1%	77.8%	33.3%	59.6%	78.1%
with cost burden > 50%	74.2%	84.7%	66.7%	75.9%	57.9%	55.6%	33.3%	53.3%	71.1%
Very Low Income (31-50% AMI)	155	495	175	1,000	155	30	0	205	1,205
with any housing problems	87.1%	100.0%	82.9%	94.5%	48.4%	66.7%	0.0%	53.7%	87.6%
with cost burden > 30%	83.9%	100.0%	80.0%	93.0%	48.4%	66.7%	0.0%	53.7%	86.3%
with cost burden > 50%	45.2%	75.8%	74.3%	71.0%	32.3%	66.7%	0.0%	41.5%	66.0%
Low Income (51-80% AMI)	135	845	340	1,495	255	140	90	550	2,045
with any housing problems	51.9%	76.9%	100.0%	80.6%	29.4%	82.1%	72.2%	58.2%	74.6%
with cost burden > 30%	51.9%	62.7%	70.6%	65.6%	29.4%	82.1%	66.7%	57.3%	63.3%
with cost burden > 50%	33.3%	23.1%	32.4%	26.1%	19.6%	50.0%	33.3%	37.3%	29.1%
Moderate/Above Moderate Income (81% + AMI)	180	1,515	520	3,005	895	1,490	200	3,115	6,120
with any housing problems	47.2%	44.2%	76.9%	46.3%	20.7%	34.2%	47.5%	31.5%	38.7%
with cost burden > 30%	44.4%	36.0%	47.1%	33.9%	20.0%	33.2%	32.5%	29.8%	31.8%
with cost burden > 50%	33.3%	3.6%	1.9%	4.5%	5.0%	3.7%	5.0%	4.8%	4.7%
Total Households	625	3,215	1,065	6,330	1,400	1,705	335	4,095	10,425
with any housing problems	69.6%	66.9%	85.9%	67.1%	27.9%	39.9%	52.2%	37.6%	55.5%
with cost burden > 30%	68.0%	58.9%	60.6%	57.2%	27.7%	39.0%	41.8%	36.3%	49.0%
with cost burden > 50%	46.4%	28.9%	25.4%	29.5%	14.3%	10.0%	16.4%	13.7%	23.3%

Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2009-2013.

Note: HUD CHAS (Comprehensive Housing Affordability Strategy) data is based on tabulations from the American Community Survey (ACS) and has a smaller sample size than the Decennial Census. Due to the smaller sample size, the data presented may have significant margins of error, particularly for smaller geographies. The intent of the data is to show general proportions of household need, not exact numbers.

Section 3: Housing Constraints

Various nongovernmental factors, governmental regulations, and environmental issues pose constraints to the provision of adequate and affordable housing. These constraints may result in housing that is not affordable to lower and moderate income households, or may render residential construction market prices economically infeasible for developers. This section analyzes these potential constraints.

Nongovernmental Constraints

Nongovernmental constraints refer to [economic and](#) market factors that impact the maintenance, development, and improvement of affordable housing. Although every community is impacted to varying degrees by market constraints, the City of Seaside has instituted policies and programs to offset the impact of market forces, and conserve and expand the availability of safe, decent, and affordable housing opportunities.

1. Market Constraints

Several local and regional constraints hinder the ability to accommodate the demand for housing in Seaside. The City is located near both scenic Monterey Bay and the Silicon Valley, and with the City of Marina, Seaside is home to California State University at Monterey Bay. The attractive location and comparatively less expensive homes than in the region contribute to a high demand for Seaside housing.

[Construction Labor Shortage and Construction Costs](#)

Construction costs differ according to type of housing development, with multifamily housing being generally less expensive to construct than single-family homes. However, variations within each construction type exist depending on the size of the unit, and the number and quality of amenities provided. Construction costs can be broken down into two primary categories: materials and labor. A major component of the cost of housing is the cost of building materials, such as wood and wood-based products, cement, asphalt, roofing materials, and pipe. The availability and demand for such materials affect prices for these goods.

[Another key component of construction costs is labor. California is 200,000 construction workers short to meet Governor Newsom's housing goals. This number comes from a new study for Smart Cities Preval. The study finds that California lost about 200,000 construction workers since 2006. Many lost their job during the recession and found work in other industries. UCS housing economist Gary Painter also says that California has "a shortage of construction workers at the price people want to pay." However, the dilemma is that higher pay for construction workers would increase the overall construction costs for housing. In some cases, developers are "importing" workers from out of state for the construction work and pay for their temporary housing during the construction periods.](#)

One indicator of construction costs is Building Valuation Data compiled by the International Code Council (ICC). The unit costs compiled by the ICC include structural, electrical, plumbing, and mechanical work, in addition to interior finish and normal site preparation. The data are national and do not take into account regional differences, nor include the price of the land upon which the building is built. In 2018, according to the latest Building Valuation Data release, the national average for development costs per square foot for apartments and single-family homes in 2018 are as follows:

- Type I or II, R-2 Residential Multifamily: \$142.24 to \$161.95 per sq. ft.
- Type V Wood Frame, R-2 Residential Multifamily: \$108.61 to \$113.02 per sq. ft.
- Type V Wood Frame, R-3 Residential One and Two Family Dwelling: \$118.45 to \$125.85 per sq. ft.
- R-4 Residential Care/Assisted Living Facilities generally range between \$137.45 to \$191.30 per sq. ft.

In general, construction costs can be lowered by increasing the number of units in a development, until the scale of the project requires a different construction type that commands a higher per square foot cost.

The cost of raw land typically accounts for a large share of total housing production costs as well as the necessary improvements that must be made to a particular site. Overall, development proformas for several affordable housing projects in the region indicate the cost of developing an affordable unit averages between \$280,000 and \$300,000, including the cost of land.

Construction Financing

Construction loans are rarely available for over 75 percent of the future project value for multifamily developments. This means that developers must usually supply at least 25 percent of the project value upfront, and perhaps more if the total cost is more than 75 percent of the estimated value of the project.

The financing of a residential project, particularly affordable housing is quite complex. The level of subsidies required for affordable projects typically necessitate the pooling of multiple funding sources. Some State housing programs require site control as a prerequisite for applying for funding. However, site control is the most challenging aspect of affordable housing development when nonprofit developers have limited resources to compete for the land available on the market.

As described later in this document, the City supports the production of affordable housing by allocating water credits to developments affordable to lower income households. Other incentives include the State Density Bonus law and mixed-use, land use designations that offer higher allowable densities.

Mortgage Financing

The availability of financing affects a person's ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications by the income, gender, and race of the applicants. This requirement applies to all loan applications for home purchases, improvements and refinancing, whether financed at market rate or with government assistance.

Table App-32 summarizes the disposition of loan applications submitted to financial institutions in 2017⁸ for home purchase, refinance, and home improvement loans in Seaside. Included is information on loan outcomes (i.e. the proportions of applications that were approved, were denied, or were incomplete or withdrawn by the applicant).

Table App-32: Disposition of Home Loans – 2017				
Loan Type	Total Applicants	Percent Approved	Percent Denied	Percent Other
Conventional Purchase	400	75.8%	7.3%	17.0%
Government-backed Purchase	133	75.2%	6.0%	18.8%
Home Improvement	75	58.7%	18.7%	22.7%
Refinance	645	53.5%	19.4%	27.1%
Total	1,253	63.2%	14.0%	22.7%

Notes:

“Approved” includes loans approved by the lenders whether or not accepted by the applicant.

“Other” includes loan applications that were either withdrawn or closed for incompleteness.

Source: www.LendingPatterns.com™, 2019.

Home Purchase Loans

In 2017, a total of 400 households applied for conventional loans to purchase homes in Seaside. The overall loan approval rate was 76 percent and seven percent of applications were denied. Fewer applications (133 applications) were submitted for government-backed loans (e.g. FHA, VA) in Seaside. Among applications for government-backed home purchase loans in 2017, 75 percent were approved and six percent were denied. Home mortgage financing was generally more available to Seaside households compared to several years prior when the housing market was still recovering from the crash.

Refinance Loans

Seaside residents filed 645 applications for home refinance loans in 2017 — the most of any loan type. This is likely because many homeowners with adjustable rate mortgages or unfavorable fixed rate mortgages chose to refinance their home loans after federal interest rates were lowered significantly in 2008 as a response to the economic downturn. Approximately 54 percent of these home refinance applications were approved, while about 19 percent were denied.

Home Improvement Loans

Applications for home improvement loans had the lowest approval rates of any loan type. Only 59 percent of these applications were approved and 19 percent were denied by lending institutions in 2017. The large proportion of home improvement loan denials may be explained by the nature of these loans. Most applicants already maintain a mortgage loan and therefore have high debt-to-income ratio to qualify for additional financing.

⁸ 2018 HMDA data not yet available at the writing of this Housing Element.

Foreclosures

Foreclosure activities have been limited in Seaside in recent years. As of July 2019, five homes were listed as bank-owned or foreclosures on whereforeclosures.com. However, 27 properties were in pre-foreclosure sales. Nevertheless, this level of foreclosure activities was significantly below the level during housing recession (when 174 foreclosures were reported a six-month period between June 2008 and January 2009).

2. Community Response to Intensification

In general, the Seaside community understands the need for additional housing. However, NIMBYism (Not-In-My-Back-Yard) in the City typically comes from two groups that are not necessarily local residents. One group is comprised primarily of property owners from other Monterey County communities, who own rentals in the Seaside. These property owners are concerned that increased residential density in the City would decrease their property values and the viability of their homes as desirable vacation rentals. The second group includes slow- or no-growth advocates (such as Landwatch). These organizations are monitoring the redevelopment of the former Fort Ord, another area with significant residential development potential. The City must increase its legal budget to fight NIMBYism in the community.

3. Affirmatively Furthering Fair Housing

AB 686 passed in 2017 requires the inclusion in the Housing Element an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions to affirmatively further fair housing. The bill states that if the public agency completes or revises an assessment of fair housing, the public agency may incorporate relevant portions of that assessment of fair housing into the Housing Element.

In 2018, the City of Seaside collaborated with the cities of Monterey, Salinas, the Monterey Urban County (comprising of the cities of Del Rey Oaks, Gonzales, Greenfield, and Sand City, as well as the unincorporated areas), and the Housing Authority of the County of Monterey to prepare a Regional Analysis of Impediments (AI) to Fair Housing Choice. The AI was completed in June 2019, and includes the following conclusions that are relevant to Seaside:

- Seaside residents have limited access to opportunities compared to those residents in Monterey and the County as a whole.
- Countywide, Hispanic households were significantly underrepresented in the homeownership market, and the use of subprime lending among Hispanic households doubled between 2011 and 2017.
- Zoning amendments are needed to facilitate special needs housing in Seaside.
- Regional collaboration is needed to address issues such as homelessness, affordable housing, jobs-housing balance, and access to frequent transit services.

Actions to further access to opportunities as outlined in the AI have been incorporated in the Housing Actions section of the Housing Element.

Governmental Constraints

Local policies and regulations can impact the price of housing and, in particular, affordable housing. Local policies and regulations may include land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other issues. This section discusses potential governmental constraints to housing investment as well as measures to mitigate potential impacts.

1. Land Use Controls

The Land Use Element of the Seaside General Plan sets forth policies for residential development. These land use policies, coupled with zoning regulations, establish the amount and distribution of land to be allocated for different uses. Housing supply and costs are affected by the amount of land designated for residential use, the density at which residential development is permitted, and the standards that govern the character of development. This Housing Element update is part of the comprehensive update to the General Plan, [but is entirely consistent with the existing 2004 General Plan.](#)

The proposed Land Use Element provides for the following land use designations allow for residential development:

- **Neighborhood Low:** Provides for the retention, maintenance, and development of existing single-family residential neighborhoods. Allowable density is up to eight units per acre (one unit per parcel, plus a second unit where allowed).
- **Neighborhood Medium:** Provides for the development of a wide range of low and moderate density living accommodations, including attached/detached single-family and house-form multifamily structures. Allowable density is up to 15 units per acre.
- **Neighborhood General:** Allows for a variety of residential building types that co-exist in close proximity to one another, including single-family, townhomes, walk-up apartments, and low-rise multifamily residential. Allowable density is up to 30 units per acre.
- **Neighborhood High:** Allows for multifamily residences at a range of densities and building types from townhomes to four-story, multi-unit buildings. Allowable density is up to 45 units per acre.
- **Employment:** Provides area for a range of employment uses to expand and diversify the City's economy. Allows all uses except standalone residential. Allowable Floor Area Ratio (FAR) is 0.65 to 2.5,
- **Mixed Use Low:** Provides for areas with a wide variety of existing residential and commercial uses. Provides for additional housing and expansion of neighborhood-serving retail and commercial uses. Allowable uses include mixed retail/residential, mixed office/residential, and standalone live/work and moderate density residential. Allowable FAR is 2.5.

- **Mixed Use High:** Supports new lively, thriving areas in the City by accommodating multi-story, mixed-use buildings at higher intensity and/or a diverse mix of uses. Provides for vertical and horizontal mixed-use development. Allowable uses include mixed retail/residential, mixed office/residential, and standalone high density residential in certain areas. Allowable FAR is 4.0.
- **West Broadway Urban Village Specific Plan:** Implements the West Broadway Urban Village Specific Plan. Provides for mixed use and standalone high density residential development up to 60 units per acre.
- **Recreational Commercial:** Provides for outdoor recreational facilities. Allowable uses include a limited amount of residential. Allowable FAR is 0.2.
- **Military:** Includes lands retained by the US Armed Forces for on-going military-related activities within the former Fort Ord Boundary. Allowable uses include military housing.

Until the new General Plan 2040 is adopted, the City will continue to provide for housing under its existing General Plan and Zoning Ordinance. The City will conduct a comprehensive update to the Zoning Ordinance to implement the new General Plan 2040 when adopted. In the interim, the new General Plan land use designations can be implemented through the existing zoning districts in the current Zoning Ordinance. Table App-33 summarizes the land use designations and zoning districts that either allow residential development as a permitted use or through consideration of a discretionary process, via a Use Permit (UP).

Table App-33: Land Use Designations and Zoning Implementation		
Proposed General Plan Land Use Designation	Existing General Plan (2004) Land Use Designation	Corresponding Existing Zone District(s)
Neighborhood Low	<u>Low Density Single Family Residential</u>	Single-Family Residential (RS-8)
Neighborhood Medium	<u>Medium Density Single Family Residential</u>	Single-Family Residential (RS-12)
Neighborhood General	<u>Medium Density Residential</u>	Medium Density Residential (RM)
Neighborhood High	<u>High Density Residential</u>	High Density Residential (RH)
Mixed Use Low Mixed Use High	<u>Mixed Use</u>	Commercial Mixed-Use (CMX) Community Commercial (CC)
Employment		Regional Commercial (CRG) Heavy Commercial (CH)
Recreational Commercial	<u>N/A</u>	Fort Ord Visitor-Serving Commercial District (V-FO)
Military	<u>Military</u>	Military (M)

Source: Seaside Zoning Ordinance, February 2017.

* In the V-FO zone district, property development standards for residential uses shall be those applicable in the RS-8 (Single-Family Residential) zoning district.

2. West Broadway Urban Village Specific Plan

The West Broadway Urban Village Specific Plan was adopted in 2010 to revitalize the City of Seaside's West Broadway Avenue. The Specific Plan Area is located in the southwest portion of the City, immediately south of the Seaside Auto Mall. Roberts Lake and Laguna Grande are

to the southwest, while the Monterey Bay Coastal Recreation Trail and Highway 1 separate the Plan Area from the Bay.

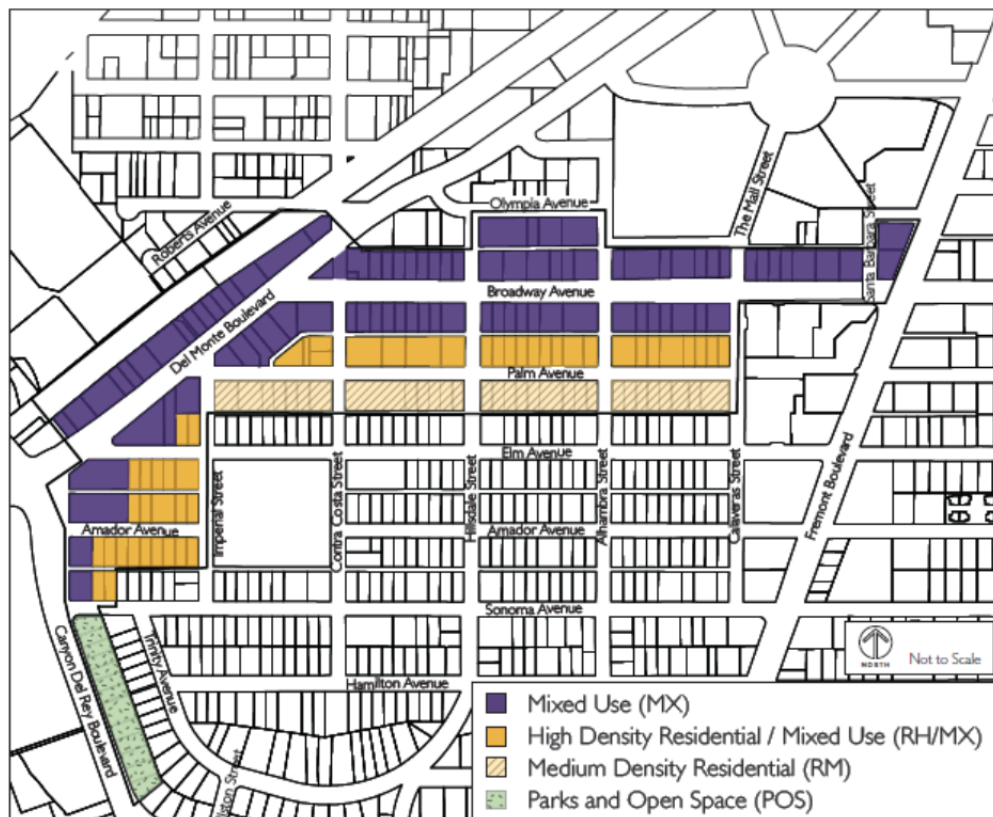
The development standards for the West Broadway Urban Village Specific Plan are established to encourage redevelopment of existing properties into more urbanized, high-intensity uses between three and five stories, with hotels going up to eight stories. The reduced parking requirements for development in the West Broadway Urban Village Specific Plan intend to minimize the impact of parking and re-enforce the intended transit and pedestrian-oriented character.

Overall, the Specific Plan anticipates accommodating 213 mixed use residential units and 199 multifamily units in various areas:

- Mixed Use (MX): 30-60 units per acre
- High Density Residential (RH): 20-30 units per acre
- Medium Density Residential (RM): 10-20 units per acre

For all residential and mixed-use development, the parking requirements are 1.5 spaces per unit with two or more bedrooms, and one space per studio or one-bedroom unit.

Figure App-5: West Broadway Urban Village SP – Land Use Designations



3. Inclusionary Housing Program

Inclusionary housing describes a local government requirement that a specified percentage of new housing units be reserved for, and affordable to, lower and moderate income households. The goal of inclusionary housing programs is to increase the supply of affordable housing commensurate with new market-rate development in a jurisdiction. This can result in improved regional jobs-housing balances and foster greater economic and racial integration within a community. The policy is most effective in areas experiencing a strong demand for housing.

The City of Seaside has adopted an Inclusionary Housing Program (IHP) in its Zoning Ordinance (Section 17.32.020) to expand affordable housing options in Seaside. Each residential development, of three or more units, including condominium conversions, is required to provide at least 20 percent of their total units affordable to moderate, low or very low income households. The number of inclusionary units required is determined at the tentative or parcel map stage or at the issuance of a building permit, if a processing map is not required. At least one third of the required inclusionary units must be restricted to low income households. An additional one third of inclusionary units must be restricted for very low income households and the remaining third can be moderate income. In order to encourage the development of low and very low income housing the City Council has the authority to permit the following equivalents:

1. Each very low income unit is equivalent to two moderate-income units
2. Each low income unit is equivalent to 1.5 moderate income units.

Inclusionary units can be for sale or rental. For sale inclusionary units must be priced at an affordable price with renewed restrictions upon each change of ownership up to the 40-year affordability period. The maximum sale price for the resale of an inclusionary housing unit must be the lower of either the fair market value or the seller's lawful purchase price increased by the lesser of the rate of increase of area median income during the seller's ownership or the rate at which the consumer price index increased during the seller's ownership. Sellers are able to recover the market value of capital improvements made to the property.

The inclusionary housing policy is not a constraint to housing development because it includes reasonable exemptions and fosters the creation of affordable housing. Density bonus units are not included when determining the number of required inclusionary units. Affordable housing developments with units that are very low, low, and moderate income restricted are exempt from the ordinance, as is housing constructed by a government agency and second/accessory dwelling units. The City of Seaside offers three alternatives to developers to satisfy inclusionary housing requirements:

1. Off Site Construction: Units can be constructed off site if the inclusionary units will be located in an area that the Council finds is in greater need of affordable housing.
2. Land Dedication: In lieu of building inclusionary units, a developer can choose to dedicate land to the City suitable for the construction of inclusionary units that the Council determines to be of equivalent or greater value than is produced by applying the inclusionary obligation.

3. **Combination:** The Council may accept any combination of on-site construction, off-site construction, in-lieu fees and land dedication that at least equal the cost of providing inclusionary units on-site construction. The value of a proposed land dedication will be determined by a City appointed appraiser.

The Council can approve, conditionally approve or reject any alternative proposed by a developer. Any approval or conditional approval must be based on the finding that affordable housing creation would be better served by a proposed alternative. When making a finding, the Council must consider the following:

1. Whether implementation of an alternative would overly concentrate inclusionary units within any specific area and, if so, must reject the alternative unless the undesirable concentration of inclusionary units is offset by other identified benefits that flow from implementation of the alternative is issue; and
2. The extent to which other factors affect the feasibility of prompt construction of the inclusionary units on the property, such as costs and delays, the need for an appraisal, site design, zoning, infrastructure, clear title, grading and environmental review.

A developer can also apply for an adjustment or waiver of inclusionary housing requirements which the Council determines. To receive an adjustment or waiver, the developer must make a showing when they are applying for a first approval for the residential development and/or as part of any appeal that the City provides as part of the process for the first approval. In determining whether a developer is eligible for an adjustment the Council assumes the following:

1. That the developer is subject to the inclusionary housing requirement or in-lieu fee;
2. The extent to which the developer will benefit from inclusionary incentives;
3. That the developer will be obligated to provide the most economical inclusionary units feasible in terms of construction, design, location and tenure; and
4. That the developer is likely to obtain other housing subsidies where such funds are reasonably available.

The Inclusionary Housing Policy does not constrain housing development in the City. During the past few years, the City achieved several affordable housing units through its Inclusionary Housing Policy and Density Bonus provisions:

- **1491 Contra Costa Street:** The three-duplexes (total of six units) developed as Planned Unit Development No. PUD-07-01 are deed restricted for very low and low income households in perpetuity.
- **510 Hilby Avenue:** This four-unit apartment project was a conversion of two commercial offices into apartment units with two existing residential units. One of the units is deed-restricted in perpetuity as housing affordable to a moderate income household.
- **640 Francis Avenue:** This four-unit apartment project was a conversion of two commercial offices into apartment units with two existing residential units. One of the units is deed-restricted in perpetuity as housing affordable to a moderate income household.

A hypothetical development scenario is presented in Table App-34 to demonstrate the economic feasibility of the City's Inclusionary Housing Program. As the calculations below

demonstrate, a moderate income restricted unit will generate more rental income than a market rate unit, offsetting a portion of the subsidies for the low income units. A moderate income household can afford to pay between \$1,164 and \$1,723 per month in rent (Table App-18). The rents for a market rate unit as well as the designated moderate-income units are both affordable to moderate income households.

Table App-34: Proposed Affordable Housing Scenario, 2016

Unit Affordability	Approx. Unit Size	Monthly Rent w/ Tenant-Paid Utilities¹	Utility Allowance²	Monthly Rent w/ Landlord-Paid Utilities
Low-Income	675 sf	\$1,143	\$169	\$974
Moderate-Income	793 sf	\$1,711	\$169	\$1,542
Market Rate	914 sf	N/A	N/A	\$1,405

Source: City of Seaside, 2016.

As of May 2017, there are 29 verified properties in Seaside with resale restriction agreements in place as a result of prior loan program conditions, development subsidies, or lot size conditions via ordinance.

Notes:

- *Based on Monterey County Housing 2016 Rental & Income Limits and Maximum Monthly Housing Cost (Rent+ Utility Allowance) for a one-bedroom apartment.*
- *Based on Housing Authority of Monterey County, Housing Choice Voucher Program Allowances for Tenant-Purchased Utilities and Other Services, effective January 1, 2017.*
- *Includes gas space heating, gas cooking, gas water heating, water, sewer, other electric, trash collection, range, refrigerator, and microwave for a one-bedroom apartment.*
- *Based on info from rental survey.*

4. Residential Development Standards

Seaside regulates the type, location, density, and scale of residential development primarily through the Zoning Ordinance. Zoning regulations are designed to protect and promote the health, safety, and general welfare of residents, implement the policies of the City's General Plan, and preserve the character and integrity of neighborhoods. Table App-35 summarizes the current and most pertinent residential development standards in Seaside. Upon completion of the General Plan update, the City will embark on a comprehensive update to the Zoning Ordinance, with appropriate development standards to implement the new General Plan land use policy.

Table App-35: Residential Development Standards

Standard	RS-8	RS-12	RM	RH	V-FO*	CRG	CMX, CC	CH
Min. Lot Size	5,500 sf	3,750 sf	3,750 sf	3,750 sf	5,500 sf	20,000 sf	4,000 sf	12,000 sf
Min. Lot Width	40'		50'	50'	40'	100'	40'	100'
Max. Density	8 dua/1 du per parcel		15 dua/3 du per site	25 dua	10 dua	Mixed-use; Max. density determined during approval process.	25 dua	Mixed use; Max. density determined during approval process.
Setbacks								
Front	15'		15'	15'	15'	0'	0'	10'
Side - Interior	5' minimum, 10' combined; 10' (common wall or zero lot line)	Single Dwellings: 5' (<24' tall); 15' combined with 5' on one side (>24' tall); 10' (common wall or zero lot line)	Single Dwellings: 5' (<24' tall); 15' combined with 5' on one side (>24' tall); 10' (common wall or zero lot line)	5' minimum, 10' combined; 10' (common wall or zero lot line)	30 ft total, 18 ft minimum on one side and 12 ft minimum on the other.	0'	0'	
		Other Buildings: 5' (<24' tall), 30' combined, with 12' on one side (>24' tall)	Other Buildings: 5' (<24' tall); 30' combined, with 12' on one side (>24' tall)					
Side – Street	10'	10'	10' (single dwellings) 15' (other buildings)	10'	0'	0'	0'	
Rear	15'	15'	15' (<24' tall) 20' (>24' tall)	15'	0'	0'	0'	
Max. FAR	0.45 ⁽¹⁾	0.45 ⁽¹⁾	0.45 ⁽¹⁾	0.45 ⁽¹⁾	0.45 ⁽¹⁾	3.0 for hotels;	2.0 ⁽²⁾	0.50

Table App-35: Residential Development Standards								
Standard	RS-8	RS-12	RM	RH	V-FO*	CRG	CMX, CC	CH
						1.0 for other uses		
Max. Lot Coverage ⁽³⁾	65%		65%	60%	65%	90%	90%	90%
Min. Open Space	None		Single-family: None Multifamily, 2-3 du: 200 sf common plus 150 sf/du private	Single-family: None Multifamily, 2-4 du: 200 sf common plus 150 sf/du private; 5-10 du: 500 sf common plus 150 sf/du private	None	N/A	N/A	N/A
Max. Height	24' ⁽⁴⁾⁽⁵⁾		24' ⁽⁴⁾⁽⁶⁾ 36' ⁽⁷⁾	24' ⁽⁴⁾⁽⁶⁾ 48' ⁽⁷⁾	24' ⁽⁴⁾⁽⁵⁾	Lesser of 6 stories or 72 ft	4 stories or 48'	Lesser of 3 stories or 36 ft

Source: Seaside Zoning Ordinance, 2017

dua = dwelling units per acre

*property development standards for residential uses in VF-O shall be those applicable in the RS-8 (Single-Family Residential) zoning district.

Notes:

1. Exclude garages up to 440 sf from FAR calculations.
2. FAR for CC district is 2.0 in Broadway Corridor; 0.50 elsewhere in CC district.
3. Buildings and pavement.
4. Architectural Review approval required for structures over 18' tall.
5. Maximum 30' height if height is compatible with lot size and surrounding properties, consistent with building size, and allows for exceptional architectural design.
6. Single-Family, Duplex, and Triplex units
7. Multifamily units

Lot Standards

The minimum lot sizes for residential lots in Seaside range from 3,750 square feet to 5,500 square feet. The RS-12, RM, and RH zones allow small lots of 3,750 square feet for single-family as well as high density residential units. The commercial mixed-use zones (CMX and CC) allow a minimum lot size of 4,000 square feet, while the RS and V-FO zones both have minimum lot sizes of 5,500 square feet. The CH and CRG zones require a minimum lot size of 12,000 sf and 20,000 sf, respectively. Lot widths are 40 feet in the RS, commercial zones, and V-FO, and are 50 feet in the medium and high density residential zones, and 100 feet in the CRG and CH zones. These minimum lot size standards are typical and cover the majority of the City and do not constrain residential development.

Lot Coverage

The Zoning Ordinance establishes a maximum lot coverage of 65 percent for the RS, RM, and V-FO zones and 60 percent for the RH zone. Commercial zones where residential uses are allowed set a maximum lot coverage of 90 percent for residential and residential mixed-use developments. The City's lot coverage standards are typical, and the larger the lot, the more feasible to achieve the maximum allowable density.

Yard Setbacks

Commercial mixed-use zones in Seaside have no setback requirements, except in the CH (10-foot front setback) and CRG (30-foot total side setback combined total) zones. All residential zones and the V-FO zone have a 15-foot front setback, 10- to 15-foot side setbacks, and 15- to 20-foot rear setbacks. These setbacks are intended to create a safe and visually cohesive aesthetic to residential development throughout the City.

Height Limits

Seaside allows building heights up to 24 feet in low density residential zones and in the V-FO zone, accommodating up to two stories with review approval. Multifamily units can be as high as 36 and 48 feet in the medium and high density residential zones, respectively. Commercial zones where residential uses are permitted can accommodate buildings up to 72 feet (lesser of six stories). These height limits can accommodate three- to four-story buildings, allowing the achievement of maximum permitted densities.

Parking Standards

In addition to the development standards identified above, Seaside requires a certain number of parking spaces to be provided for each new residential unit. The requirements are identified in Table App-36. Typically, the cost associated with parking construction (particularly covered parking) can be viewed as a constraint to affordable housing development, particularly for multifamily housing. Seaside's parking requirements are designed to accommodate vehicle ownership rates associated with different residential uses. The City also offers reduced parking requirements for senior housing. Overall, the City's parking standards for multifamily and senior housing developments are generally comparable to the basic parking standards established by the State density bonus law for affordable housing projects. Furthermore, new State Density Bonus provisions require additional reductions in parking requirements if the project is located close to public transportation.

Table App-36: Parking Standards	
Unit Type	Parking Spaces Required
Single-Family Attached	2 covered spaces within a garage per unit, plus 1 space for guest parking
Single-Family Detached	2 covered spaces within a garage per dwelling unit
Duplex, Triplex, Fourplex	1 covered space per dwelling unit, plus 1 space for each 2 units for guest parking
Emergency/ Transitional Shelter	Determined by Use Permit
Live-Work Unit	2 spaces for each unit, one covered space for the living space and one space for the work space for use by customers or guests
Multiple-Family (except condominiums)	1 covered space per dwelling unit, plus 1 space for each 2 units for guest parking (units up to 1,800 sf) 2 covered spaces for each unit, plus 1 covered or uncovered space for each 2 units for guest parking (units greater than 1,800 sf)
Condominiums	2 covered spaces per unit, plus 1 space for guest parking
Mobile Homes	If outside mobile home park, 1 space per home; if within mobile home park, 2 spaces per home plus 1 guest space per 4 homes
Senior Housing	1 space per unit with half the spaces covered, plus 1 space for each 10 units for guest parking
Residential Care Facility	1 covered space for each 2 residential units, plus 1 covered or uncovered space for each 4 units for guests and employees
Residential Second Unit	1 covered or uncovered space

Source: City of Seaside Zoning Ordinance, Section 17.34.040, Table 3-8 Parking Requirements by Land Use July 2016.

5. Flexibility from Development Standards

Seaside provides several mechanisms to maintain flexibility in development standards. This flexibility is an important means to address limitations inherent at a specific site (e.g., topographic, geographic, physical, or otherwise), as well as provide a means to address other important goals and objectives of the City Council, such as providing affordable housing for all income groups.

Planned Development Permit

The Planned Development Permit is intended to provide for flexibility in the application of Zoning Ordinance standards to proposed development under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Zoning Ordinance standards would produce without adjustment.

Density Bonus Ordinance

A density bonus up to 35 percent over the otherwise maximum allowable residential density under the applicable zoning district is available to developers who provide affordable housing as part of their projects. State law also entitles developers of eligible affordable and senior housing to at least one regulatory concession or incentive. Density bonuses, together with the

incentives and/or concessions, result in a lower average cost of land per dwelling unit thereby making the provision of affordable housing more feasible.

The City's Density Bonus Ordinance was last updated in 2013. Since then, several changes have been made to the State Density Bonus law. These include:

- **AB 2222:** Eliminates density bonuses and other incentives previously available unless the developer agrees to replace pre-existing affordable units on a one-for-one basis. Increases the required affordability period from 30 years to 55 years for all density bonus units. Furthermore, if the units that qualified an applicant for a density bonus are affordable ownership units, as opposed to rental units, they must be subject to an equity sharing model rather than a resale restriction.
- **AB 2501:** Makes changes to: the timeline for processing application for a density bonus; electing to accept no density increase; and determining the value of concessions and incentives.
- **AB 2556:** Clarifies the replacement requirements as established by AB 2222.
- **AB 2442:** Requires a density bonus be granted for a housing development if applicant agrees to construct housing for transitional foster youth, disabled veterans, or homeless person.
- **AB 1934:** Provides a density bonus to a commercial development if the developer enters into an agreement for partnered housing either as a joint project or two separate projects encompassing affordable housing.

The City of Seaside will update its density bonus ordinance to comply with these new provisions as part of the comprehensive update to the Zoning Ordinance to implement the new General Plan.

Mixed-Use Districts

The City permits multifamily housing and mixed-use projects with a residential component in the CMX, CC, and CRG, CH zones, with the approval of a Use Permit. These districts permit residential development in conjunction with certain office and/or commercial uses within potential pedestrian- and transit-oriented activity centers. Seaside's mixed-use districts have been used successfully to combine apartments with retail and offices along major thoroughfares. This development trend is a return to the mixed land use pattern of older downtown areas.

Design Flexibility of Substandard Lots

This option provides relief from established zoning requirements for single family units on substandard lots. The standards allow exceptions to setback requirements in exchange for architectural design features to enhance the development and maximize use of remaining open space on the property. This provision of the Zoning Ordinance has been used on several occasions to foster development on lots which otherwise could not be developed.

In summary, the City of Seaside provides design flexibility in its Zoning Ordinance to facilitate and encourage infill development and housing opportunities in single-family, multifamily, and commercial zones. These incentives can be used to mitigate any potential impact of residential development standards on the cost and affordability of housing. As later

illustrated in the three conceptual site plans, development standards in the City can facilitate a variety of housing types and densities, including family apartments, senior apartments, and townhomes/condominiums.

6. Coastal Zone

Pursuant to State law, a jurisdiction must maintain records of affordable housing in the Coastal Zone. Specifically, demolition of housing units previously occupied by low and moderate income households must be replaced. However, several exceptions apply:

- The conversion or demolition of a residential structure that contains fewer than three dwelling units, or, in the event that a proposed conversion or demolition involves more than one residential structure, the conversion or demolition of 10 or fewer dwelling units.
- The conversion or demolition of a residential structure for purposes of a nonresidential use which is either "coastal dependent" or "coastal related" uses such as visitor-serving commercial or recreational facilities, coastal-dependent industry, or boating or harbor facilities.
- The conversion or demolition of a residential structure located within the jurisdiction that has less than 50 acres of vacant, privately owned land available for residential use within the coastal zone or three miles from the coastal zone.
- The conversion or demolition of a residential structure located within the jurisdiction, where a procedure has been established to allow an applicant for conversion or demolition to pay an in-lieu fee for affordable housing development.

Although a portion of Seaside is located in the Coastal Zone, privately held vacant lands designated for residential uses do not total more than 50 acres. Furthermore, most demolition activities that had occurred involved structures of fewer than three units.

Therefore, the City has not incurred any replacement housing requirements.

Limited housing development has occurred in the City due to a variety of factors but most significantly the drought conditions and collapse of the housing market between 2007 and 2012. Nevertheless, the City has an inclusionary housing policy of 20 percent that is applicable citywide, including in the Coastal Zone. However, the City has no specific records for housing construction and demolition activities in the Coastal Zone.

The Del Monte Subarea encompasses roughly nine acres of urban area along Del Monte Boulevard from its intersection with Canyon Del Rey (Highway 218) to its intersection with West Broadway Avenue to the northeast. Roberts Lake and Laguna Grande Subareas are to the southwest, and the Beach Subarea is to the northeast on the opposite side of Highway 1 and the Monterey Bay Coastal Recreational Trail.

The Del Monte Subarea includes the Southern Pacific Railroad right-of-way, which is to become the future location of a multimodal transit hub. The West Broadway Urban Village (WBUV) Specific Plan, including the Del Monte Subarea, was adopted in 2010. The goal of the Specific Plan is to revitalize and enhance the Del Monte Boulevard and West Broadway Avenue urban area through creation of a pedestrian-friendly Urban Village. The Specific Plan envisions the area between the railroad right-of-way and Del Monte Boulevard to be an active mixed-use commercial corridor that promotes connectivity and provides supporting uses to

the future multimodal transit station and the existing and planned hotels on Canyon Del Rey Boulevard. The Del Monte Subarea current land uses include commercial and light industrial uses.

Projects proposed within the Coastal Zone are required to obtain a coastal permit, either a Coastal Administrative Permit (CAP) or a Coastal Development Permit (CDP) approval from the California Coastal Commission in addition to a planning permit. When required, a Coastal Development Permit application shall be submitted to the Coastal Commission after the required City planning permit has been approved.

7. Provisions for a Variety of Housing Types

Housing Element law specifies that jurisdictions must identify sites to be made available through appropriate zoning and implement development standards to encourage and facilitate the development of housing for all economic segments of the community. This includes single-family homes, multifamily housing, secondary dwelling units, manufactured housing, mobile homes, transitional housing, farm worker housing, and emergency shelters.

Seaside provides for a wide range of housing types throughout the community. Table App-37 summarizes the housing types permitted in each of the City's primary residential zones. Each residential use is designated by a letter denoting whether the use is permitted by right (P), requires a Minor Use Permit (MUP), Use Permit (UP), or is not permitted (--).

Table App-37: Residential Uses Permitted in Major Zones									
Housing Type	RS	RM	RH	CMX	CC	CRG	CH	V-FO*	M
Single-Family, Detached	P	P	P	--	--	--	--	P	--
Single-Family, Detached (affordable)	P	P	P	--	--	--	--	P	--
Single-Family, Attached	UP	UP	UP	--	--	--	--	UP	--
Single-Family, Attached (affordable)	UP	UP	--	--	--	--	--	UP	--
Condominium/Common interest residential subdivision	UP	UP	UP	-	-	-	--	UP	-
Multifamily, 2 or 3 units	--	P	P	UP	--	--	--	--	--
Multifamily, 4+ units	--	--	P	UP	--	--	--	--	--
Mixed Use project with a residential component	--	--	--	MUP	UP	UP	--	--	--
Organizational house (e.g. sorority, monastery, etc.)	--	UP	UP	--	--	--	--	--	--
Residential Care Facility (6 or fewer)	P	P	P	--	--	--	--	P	--
Residential Care Facility (7 or more)	UP	UP	UP	--	UP	--	--	UP	--
Residential Second Units	P	P	P	--	--	--	--	P	--
Live-Work Units	--	--	--	--	--	--	UP	--	--
Mobile Home Parks	UP	UP	UP	--	--	--	--	UP	--
Emergency/Transitional Shelter	UP	UP	UP	--		--	--	UP	--
Military Housing	--	--	--	--	--	--	--	--	P

**property development standards for residential uses in VF-O shall be those applicable in the RS-8 (Single-Family Residential) zoning district.*

Source: City of Seaside Zoning Ordinance, July 2016.

Single-family Units

Single-family homes are permitted in the RS, RM and RH zones. The RS (Single-Family Residential) 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. The RM (Medium Density Residential) Zone is applied to areas of the City that are appropriate for neighborhoods with a variety of housing types including attached and detached single-family dwellings, duplexes and triplexes and some condominiums. The RH zone (High Density Residential) is applied to areas of the City that are appropriate for a mixture of multifamily housing, including apartments, townhomes and condominiums and personal offices, convalescent homes and care facilities.

The Seaside Zoning Ordinance defines single-family dwelling as a building designed for and/or occupied exclusively by one family. Single-family dwellings include, among more common types, factory built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, when placed on a permanent foundation system. Attached single-family dwellings include condominiums and rowhouses. Attached single-family dwellings are only permitted with a Use Permit in the same three zones, i.e., RS, RM, and RH. Affordable attached single-family dwellings also require a Use Permit, but are only permitted in the RS and RM zones. Specifying that affordable attached single-family homes are not permitted in the RH zone while market-rate units are permitted via a Use Permit in all residential zones may be interpreted as a potential constraint to affordable housing development. As part of the comprehensive update to the Zoning Ordinance, the City will ensure consistent provisions for market-rate and affordable attached single-family homes.

Multifamily Units

Multifamily units are dwellings that are part of a structure containing one or more other dwelling units, or a non-residential use. An example of the latter is a mixed-use project where, for example, one or more dwelling units are part of a structure that also contains one or more commercial uses (retail, office, etc.). Multifamily dwellings include: duplexes, triplexes, fourplexes (buildings under one ownership with two, three or four dwelling units, respectively, in the same structure); apartments (five or more units under one ownership in a single building); and townhouse development (three or more attached dwellings where no unit is located over another unit), and other building types containing multiple dwelling units (for example, courtyard housing, rowhouses, stacked flats, etc.). The Zoning Ordinance definition of multifamily housing does not include condominium units.

According to the Department of Finance, as of January 2016, multifamily housing units, plus condominium units, constituted approximately 32 percent of Seaside's housing stock. The Zoning Ordinance provides for multifamily developments by-right in the RM and RH zones at 15 and 25 units per acre, respectively.

Single Room Occupancy Units

State law mandates local jurisdictions address the provision of housing options for extremely low income households, including Single Room Occupancy units (SRO). SRO units are one-room units intended for occupancy by a single individual. It is distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or

the other. Currently, the Zoning Ordinance does not expressly address SROs. The Zone Ordinance will be amended to facilitate and encourage the provision of SROs.

SROs will be conditionally permitted in the Commercial Mixed Use (CMX) zone. Criteria that would be used to review Use Permit (UP) applications for SROs pertain to performance standards and will not be specific to the proposed use. Potential conditions for approval of these facilities may include hours of operation, security, loading requirements, and management. Conditions would be similar to those for other similar uses in the same zones and would not serve to constrain the development of such facilities. The required findings for approval of a Use Permit are stated in Section 17.50.070 of the Zone Code and will be the same as described above for residential care homes.

Condominium/Common-Interest Residential Subdivision

As defined by Civil Code Section 1715, a development where undivided interest in common in a portion of real property is coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map or parcel map. Seaside allows Residential condominium and common-interest residential subdivision development in the three residential zones (RS, RM, and RH) with a conditional use permit.

Mixed-Use

Mixed-use projects combine both commercial and residential uses, where the residential component is typically located above the commercial use. Mixed-use development is conditionally permitted in the CMX, CC, CRG, and CH zones. Mixed-use projects require approval of a Minor Use Permit by the Zoning Administrator or Planning Commission in the CMX district, whereas these developments require approval of a Use Permit by the Planning Commission in the CC, CH and CRG zones.

Residential Care Facilities

Residential care facilities include a single-dwelling or multi-unit facility licensed or supervised by a Federal, State, or local health/welfare agency, which provides 24-hour nonmedical care of unrelated persons who are disabled and in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment.

Small residential care facilities are permitted by right in the RS, RM and RH zones and large residential care facilities are permitted via a Use Permit in the RS, RM, RH, and CC zones. In order to obtain a Use Permit the following must be found by the Planning Commission (Section 17.62.070 of the Zoning Ordinance):

- The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- 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 site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and

- 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 Commission can also impose reasonable conditions to ensure that the applicant will comply with all findings.

Residential Second/Accessory Dwelling Units

A “Residential Second Unit” (also known as a granny flat) is a second permanent dwelling that is accessory to a primary dwelling on the same site. As defined by the Seaside Zoning Ordinance, a second unit or carriage house provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking, and, if attached to the primary dwelling, provides exterior access separate from the primary dwelling. This definition includes guest houses. Second units may be an alternative source of affordable housing for lower income households and seniors.

The City adopted a second unit ordinance in 2006 to allow Residential Second Units in the RS, RM, and RH districts with a ministerial permit. The Building Division of the Community Development Department issues a building permit for a second unit if all building permit submittal requirements are met, and if it conforms to the performance standards contained in Section 17.52.230 of the Zoning Ordinance.

In 2016, several changes have been made to the State Second Unit law, now referred to Accessory Dwelling Unit (ADU) law. The City will be revising the Zoning Ordinance to comply with State Law. The City is in the process of hiring a Housing Program Manager; one of priority responsibilities for the new position will be to promote ADUs through a number of policies and programs, such as allocating water for ADUs deemed affordable for a specified time period.

Manufactured Housing

Pursuant to State law, manufactured housing placed on a permanent foundation is permitted in all residential zones. Such housing is subject to the same development standards and design review criteria as stick-built housing as set forth by the zoning district. Manufactured housing is included in the City’s definition of single-family dwellings and is permitted in all residential districts, as long as all development standards of section 17.52.170 are met. These include design, aesthetic and construction standards.

Emergency Shelters

In the past, the City used to conditionally permit emergency shelters in limited residential zones as follows:

- Category 1 shelters are for families and/or single women with children and are conditionally permitted in the R-S8 and R-S12 zones.
- Category 2 shelters are for single men and single women and may be conditionally permitted in the RM zone.

To expand opportunities for homeless shelters, in February 2018, the City amended the Zoning Ordinance to provide for the Category 3 shelters to permit emergency shelters by right without discretionary review in the Community Commercial (CC) zone, as well as within

Census Tract 137. The CC zone is located along the City's major transportation corridor - Fremont Boulevard, which provides access to public transit and services. Census Tract covers the area along Fremont Boulevard and Broadway Avenue, where the Monterey County Social Services is located. As shown in Table App-49 later, at least 3.2 acres of vacant and underutilized sites are available in the CC zone, adequate to accommodate the City's unsheltered homeless population of 126 persons as of January 2019.

In May 2019, the Leadership Council of the Coalition of Homeless Service Providers voted to award \$1.3 million to a partnership between nonprofits Community Human Services and Gathering for Women to refurbish the former County health clinic in Seaside with State funds through the Homeless Emergency Aid Program. The facility will have the capacity of 30 to 50 women with children. This shelter is located in Census Tract 137 and is made possible also by the City's new Category 3 shelters.

Transitional Housing

State law (SB 2) requires local jurisdictions to specifically address the provisions for transitional housing. California Government Code defines “transitional housing” as “buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance” (California Government Code Section 65582(h)).

Pursuant to SB 2, transitional housing constitutes a residential use and therefore local governments cannot treat it differently from other types of residential uses (e.g., requiring a use permit when other residential uses of similar function do not require a use permit). As part of the comprehensive Zoning Ordinance update, the City will amend the Ordinance to define transitional housing pursuant to California Government Code Section 65582(h) and to permit transitional housing in all zones where residential uses are permitted, subject to the same development standards and permitting processes as the same type of housing in the same zone and in compliance with the occupancy limitations of Title 24 of the California Code of Regulations.

Supportive Housing

State law (SB 2) also requires local jurisdictions to address the provisions for supportive housing. California Government Code (Section 65582) defines “supportive housing” as “housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.” The target population, according to the Government Code Section, means “persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Act (Division 4.5, commencing with Section 4500, of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals existing from institutional settings, veterans, and homeless people.”

Pursuant to SB 2, supportive housing constitutes a residential use and therefore local governments cannot treat it differently from other types of residential uses (e.g., requiring a use permit when other residential uses of similar function do not require a use permit). As

part of the comprehensive Zoning Ordinance update, the City will amend the ordinance to define supportive housing pursuant to California Government Code Sections 65582(f) and (g), and to permit supportive housing in all zones where residential uses are permitted, subject to the same development standards and permitting processes as the same type of housing in the same zone.

Farmworker and Employee Housing

The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted.

The City of Seaside Zoning Ordinance does not include any provisions for farmworker or employee housing. The City has no agricultural zoning and is therefore not required to specifically provide for farmworker housing. However, the City is still subject to the employee housing requirements of the Employee Housing Act. The City will amend the Zoning Ordinance by [the end of 2020](#) to include provisions for housing for six or fewer employees.

8. Housing for Persons with Disabilities

Housing options for persons with disabilities are often limited. The Americans with Disabilities Act (ADA) came into effect in 1990. Multifamily housing built prior to 1990 does not typically include accessible units on the ground floor. Few rental housing units in Seaside are accessible and ADA does not cover single-family homes. Rehabilitation to accommodate the accessibility needs of disabled residents is needed, particularly to the older housing stock. Therefore, it is important that City's codes, policies and regulations are free of undue constraints to encourage rehabilitation of the existing housing stock and to comply with ADA requirements.

Land Use Controls

Small family homes, foster family homes, and adult day care, and adult residential facilities providing care to six or fewer adults are permitted by right in the RS, RM and RH zones. Residential care facilities for seven or more people and adult day cares are also permitted with a Use Permit in the RS, RM, RH, and CC zones. The City has not adopted any spacing or concentration requirements for residential care facilities.

According to the State Department of Social Services, as of February 2017, several licensed residential care facilities are located in Seaside:

- Adult Residential Care: One facility totaling 22 beds
- Residential Care for the Elderly: Two facilities with 50 beds

This Housing Element update includes a program to amend the Zoning Ordinance to address provisions for emergency shelters, transitional housing, supportive housing, and SRO units. The City will not adopt a spacing or concentration requirement for these facilities. These amendments will expand housing opportunities for persons with disabilities.

Approval Procedures

Small residential care facilities are permitted by right in residential zones and large residential care facilities are permitted via a Use Permit in the RS, RM, RH, and CC zones. For

approval of Use Permit, the Planning Commission must determine that the development standards of the building are suitable to the zone and that the use is not detrimental to the community, as discussed above. The procedures do not apply to the status as “disabled” housing and apply to similar housing that is not intended for persons with disabilities. Approval procedures for small residential care facilities are no different from traditional residential uses, such as single- or multifamily. As part of the comprehensive update to the Zoning Ordinance, provisions for transitional and supportive housing will be amended to reflect approval through the same processes as other similar housing types in the same zone.

Definition of Family

Local governments sometimes restrict access to housing for households failing to qualify as “family” by the definition specified in a city’s Zoning Ordinance. Specifically, a restrictive definition of “family” that limits the number of and differentiates between related and unrelated individuals living together may illegally limit the development and siting of group homes for persons with disabilities but not for housing families that are similarly sized or situated.⁹ Seaside’s Zoning Ordinance does not define family and, hence, does not restrict access.

Reasonable Accommodations Procedure

Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e. modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be a reasonable accommodation to waive a setback requirement so that a paved path of travel can be provided to residents who have mobility impairments. Another example would be to waive the maximum lot coverage requirement to allow a disabled person to create a bedroom on the ground floor.

The City of Seaside currently includes a reasonable accommodation for disabled persons as a cause for a Minor Use Permit (17.62.070.g and 17.62.080.f.3). The procedure requires applications to include the current use of the property in question, a description of the accommodation required and the basis for the claim that the applicant is considered disabled, a detailed explanation of why the accommodation is reasonable and necessary to afford the applicant an equal opportunity to use and enjoy a dwelling in the City.

This procedure of requiring a Minor Use Permit is considered potentially constraining to housing for persons with disabilities, since the public hearing process before the Zoning Administrator means added time and costs for the disabled applicants. As part of the comprehensive Zoning Ordinance update, the City will amend the reasonable accommodation procedure to provide flexibility in the application of planning and development regulations for disabled residents via an administrative procedure.

⁹ California courts (City of Santa Barbara v. Adamson, 1980 and City of Chula Vista v. Pagard, 1981, etc.) have ruled an ordinance as invalid if it defines a “family” as (a) an individual; (b) two or more persons related by blood, marriage, or adoption; or (c) a group of not more than a specific number of unrelated persons as a single housekeeping unit. These cases have explained that defining a family in a manner that distinguishes between blood-related and non-blood related individuals does not serve any legitimate or useful objective or purpose recognized under the zoning and land use planning powers of a municipality and therefore violated rights of privacy under the California Constitution.

Building Codes

The City enforces Title 24 of the California Code of Regulations that regulates the access and adaptability of buildings to accommodate persons with disabilities. Government Code Section 12955.1 requires that 10 percent of the total dwelling units in multifamily buildings without elevators consisting of three or more rental units or four or more condominium units are subject to the following building standards for persons with disabilities:

- The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality tests.
- At least one powder room or bathroom shall be located on the primary entry level served by an accessible route.
- All rooms or spaces located on the primary entry level shall be served by an accessible route. Rooms and spaces located on the primary entry level and subject to this chapter may include but are not limited to kitchens, powder rooms, bathrooms, living rooms, bedrooms, or hallways.
- Common use areas shall be accessible.
- If common tenant parking is provided, accessible parking spaces is required.

No unique Building Code restrictions are in place that would constrain the development of housing for persons with disabilities. Compliance with provisions of the City's Municipal Code, California Code of Regulations, California Building Standards Code, and federal Americans with Disabilities Act (ADA) is assessed and enforced by the Building and Safety Department as a part of the building permit submittal.

Conclusion

The Zoning Ordinance will be updated comprehensively by 2018 following adoption of the new General Plan. The Zoning Ordinance update will address emergency shelters, transitional housing and supportive housing. The City will also amend the Zoning Ordinance to process reasonable accommodation requests via an administrative procedure. With these revisions, no policy or regulation of the City of Seaside serves to constrain housing for persons with disabilities.

9. Development Permit Procedures and Processing Times

The evaluation and review process required by local jurisdictions often contributes to the cost of housing in that holding costs incurred by developers are ultimately manifested in the unit's selling price. Seaside's development approval process is designed to further housing development. Together, the following figures and Table App-38 and Table App-39 show the type of approvals required for the most common types of residential development as well as the reviewing bodies.

Single-family detached units, both market rate and affordable, are permitted by right in residential zones and require an architectural review only if the buildings are taller than 18 feet or meet any of the requirements listed in the discussion of the architectural review process below.

Single-family attached housing requires a Use Permit, however, and affordable single-family attached housing is not permitted in the RH zone. Requiring a Use Permit for attached single-

family development in lower density residential zones and not permitting affordable single-family attached housing in the RH zone while permitting market rate single-family attached housing may both be considered constraints. The City will amend the Zoning Ordinance to have consistent provisions for market-rate and affordable attached single-family homes as part of the comprehensive update to the Zoning Ordinance.

Figure App-6: Permitting Process for Single-Family Detached Housing

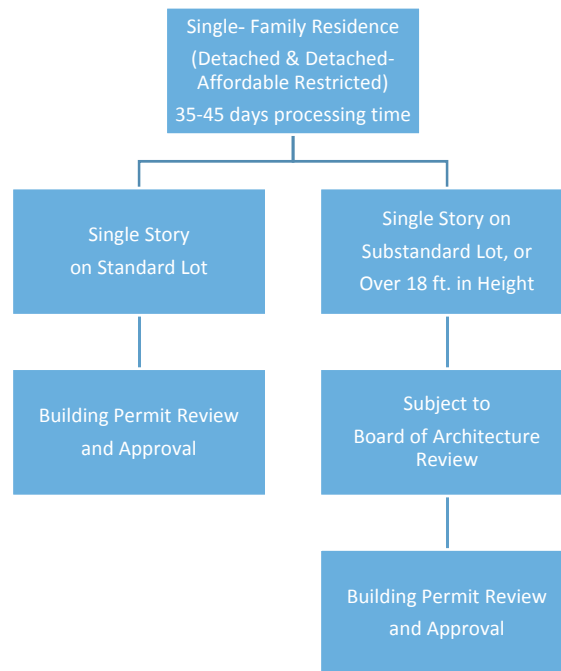
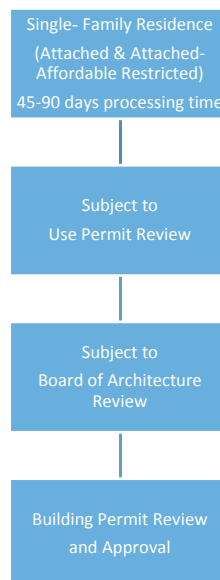
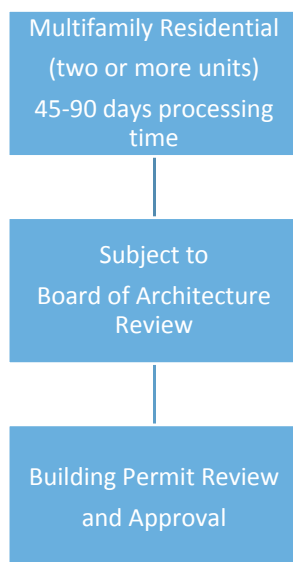


Figure App-7: Permitting Process for Single-Family Attached Housing



Small multifamily housing, of two or three units, is permitted by right in the RM and RH zones with architectural review depending on the specifications of the project. Large multifamily development of four or more units requires the same approvals but is only permitted in the RH zone.

Figure App-8: Permitting Process for Multifamily Housing



The permitting processes shown in Figure App-6, Figure App-7, and Figure App-8 are dependent on the zone the housing is located in, especially in the case of multifamily housing.

Table App-38: Approval Required			
Housing Type	RS	RM	RH
Single-Family, Detached	• Permitted by right • Architectural review required on all new construction, additions to existing structures that result in a height of greater than 18 feet, and all new second-story elements including decks, roofs, projections, etc., on a substandard lot or includes public financing.		
Single-Family, Detached (affordable)	• Permitted by right • Architectural review required on all new construction, additions to existing structures that result in a height of greater than 18 feet, all new second-story elements including decks, roofs, projections, etc. , on a substandard lot or includes public financing.		
Single-Family, Attached	• Use Permit is required • Architectural review required on all new construction, additions to existing structures that result in a height of greater than 18 feet, and all new second-story elements including decks, roofs, projections, etc., on a substandard lot, or includes public financing.		
Single-Family, Attached (affordable)	• Use Permit is required • Architectural review required on all new construction, additions to existing structures that result in a		• Not Permitted

	height of greater than 18 feet, and all new second-story elements including decks, roofs, projections, etc., on a substandard lot or includes public financing.	
Multifamily, 2 or 3 units	• Not Permitted	• Permitted by right. • Architectural review is required on all new construction and additions of 50 percent or greater to existing structures.
Multifamily, 4+ units	• Not Permitted	• Permitted by right. • Architectural review is required on all new construction and additions of 50 percent or greater to existing structures.

Source: City of Seaside Zoning Ordinance, 2017

The Planning Department has established a time table for processing applications consistent with California's Permit Streamlining Act. Review of the application for completeness is made within one week and the applicant is notified of any missing elements of the application. If the project is not categorically exempt and requires an initial study, the study is completed and posted with the County recorder within one week of the completion of the IS in order to meet the required review period. Simple projects are processed through the Board of Architectural Review, and if necessary, posted for public hearing and considered by the Planning Commission within six weeks of the application being deemed complete. If the application requires City Council approval (zoning amendment, General Plan amendment, or an appeal) the application is usually placed on the next possible City Council Agenda.

Table App-39: Permit Process

Permit Type	Approval Body	Appeal Body	Public Hearing	Estimated Processing Time
Use Permit	PC	CC	Yes	60-90 days
Minor Use Permit	ZA	PC/CC	If requested	60 days
Variance	PC	CC	Yes	60-90 days
Minor Variance	ZA	PC/CC	If requested	60 days
Architectural Review	BAR	PC/CC	No	60 days
Planned Development	PC	CC	Yes	60-90 days

BAR = Board of Architectural Review

CC = City Council

PC = Planning Commission

ZA = Zoning Administrator

A typical single-family development can be processed between 35 and 90 days when an application is deemed complete. A typical multifamily project can be processed within 90 days from the date the application is deemed complete. The City works to expedite project review and approval.

Use Permits

The Seaside Zoning Ordinance specifies that the purpose of a use permit is to ensure the proper integration of uses which, because of their special nature, may be suitable only in certain locations; and provided such uses are arranged or operated in a particular manner.

The Use Permit and Minor Use Permit are for the discretionary review of uses and activities that may be appropriate in an applicable zone, but whose effects on a site and surroundings cannot be determined before being proposed for a specific site. Minor Use Permit approval may be considered only for a project that is exempt from the California Environmental Quality Act (CEQA). A Use Permit is reviewed by the Planning Commission, whereas a Minor Use Permit is reviewed by the Zoning Administrator. Findings and decisions are based on the following criteria:

- The proposed use is allowed within the applicable zone and complies with all other applicable provisions of the Zoning Ordinance and the Municipal Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- 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 site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and
- 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.

A Use Permit is typically processed within eight weeks for approval by the Planning Commission and ten weeks if City Council approval is also required. City Council approval is generally only required upon appeal. For the Minor Use Permit, a public hearing before the Zoning Administrator is required. However, these processing times do not add substantial time or cost to the processing of a project and are not considered a constraint to development.

Variances

Variance and Minor Variances allow alterations of development standards as they apply to particular uses when practical difficulties and unique physical hardships on the property unduly prevent the proposed development from occurring if the strict interpretation and enforcement of zoning codes is applied. A variance may be granted, or variances may be required in particular cases for building setbacks, height, bulk and density, parking, landscaping, walls and fencing and business operation. Variances may not be granted for land uses, residential density, specific prohibitions (such as prohibited signs and procedural requirements), or other economic considerations.

A Variance is reviewed by the Planning Commission and a Minor Variance is reviewed by the Zoning Administrator. A Minor Variance provides relief from the Zoning Ordinance for the following requirements up to a maximum reduction of 10 percent:

- Distance between structures;
- Parcel dimensions (not area);
- Setbacks;

- Structure height; or
- On-site parking, loading, and landscaping.

A public hearing is required for a Variance and required if requested for a Minor Variance. A Variance can take approximately two months to process. Findings and decisions are based on:

- There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and within the same zone;
- The approval of the Variance or Minor Variance includes conditions of approval as necessary to ensure that the adjustment granted does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone; and
- The Variance or Minor Variance is consistent with the General Plan, and any applicable specific plan.

Architectural Review

Architectural review is intended to improve the aesthetic appearance of open spaces and structures, especially those visible from the public rights-of-way, and to establish design standards and policies promoting and enhancing good design. Architectural review is required for the following projects:

- Nonresidential, multifamily residential, and mixed-use projects: all new construction and additions of 50 percent or greater to existing structures;
- Single-family residential projects: all new construction, additions to existing structures that result in a height of greater than 18 feet, and all new second-story elements including decks, roofs, projections, etc.;
- Landscape and irrigation plans for new construction of multifamily residential, commercial, and other nonresidential development;
- Residential subdivisions resulting in two or more dwellings;
- Publicly financed projects administered by the City;
- Master sign programs and murals as required by 17.40.080.D, or signs proposed within the City that are determined by the Zoning Administrator not to be professionally rendered or in strict compliance with Chapter 17.40 (Signs) or an existing master sign program previously approved by the Board of Architectural Review; provided, that each sign complies with the requirements of Chapter 17.40 (Signs); and
- Satellite dish antennas greater than one meter in diameter;
- Any change(s) to projects that previously received Architectural Review approval from the Board of Architectural Review that cannot be approved by the Zoning Administrator in accordance with Section 17.64.090 (Changes to an Approved Project).

Architectural review is conducted by the Board of Architectural Review (BAR) and is usually conducted after all other Commission and Council approvals are in place. In cases where the

Commission and City Council need to receive a recommendation on the design of a special or unusual project, the BAR would then conduct its review first. The BAR considers all aspects of architecture, landscape and lighting and may impose conditions of approval. The process ensures that the architectural review is focused on the aesthetics of the project. Specifically, the Zoning Ordinance identifies three aspects of review:

- Architectural considerations
- Landscape considerations
- Light considerations

In making its decisions, the BAR can impose conditions it deems reasonable and necessary to protect the best interests of the surrounding areas, as well as to further the public health, safety and general welfare of the community. The BAR can adopt, by resolution, subject to ratification by the Planning Commission, measures to streamline the review and approval of minor changes.

The City of Seaside provides the Single-Family Residential Design Guidelines on its website. The purpose of the document is to assist staff, the public and decision-makers through the architectural review process by clearly defining the City's expectations for design quality, use of materials and architectural imagery. These Design Guidelines are also used by the BAR in the case of formal architectural review as their guidelines for approving a single-family project. The guidelines are designed to reinforce policies set out in the General Plan including improving the physical appearance of residential neighborhoods and protecting the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight and excessive through traffic. The Design Guidelines are summarized below:

1. Site Planning
 - a. Front Yard Coverage, Landscape and Hardscape
 - Enhance neighborhood character by enhancing the minimized paved surfaces in front yards and maintain landscaped areas.
 - Encourage drought-tolerant and low water usage plants artfully installed.
 - b. Garage Placement
 - Street frontages dominated by front-loaded garages are detrimental to the sense of a people-friendly and pedestrian-oriented neighborhood.
 - Side-accessed, alley-accessed and detached rear garages are encouraged to diminish the visual impact of the garage along street frontages.
 - c. Driveways
 - Provide adequate space between driveways (at least 18 inches) and minimize visual impact.
 - One curb cut per residential lot and encourage the use of alternative materials.
 - d. Walls, Fences and Screening
 - Walls and fences should be designed in such a manner as to create an attractive appearance to the street and to compliment the style and character of the homes and the neighborhood.
 - Solid walls over 36 inches in height are strongly discouraged.
2. Mass and Scale
 - Physical size and mass of building should be proportional to lot size.

- Overall design should be compatible with scale and mass of surrounding properties.
- Architectural elements should be designed to eliminate box-like appearances.
- Scale and mass of new infill development should be reduced by stepping down building height toward street and adjacent smaller structures.
- a. Building Heights and Second Story Decks
 - Entries and massing of stories should be proportion to building façade.
- b. Second Story Setbacks
 - The second story setback should average five feet more than the first floor setback
- 3. Architectural Features – designed to encourage high quality design to enhance the character of residential neighborhoods.
 - a. General – so specific style is required but the focus is on compatibility with surrounding homes and styles.
 - Building should be consistently one style rather than a mix of styles.
 - b. Front Porches and Entries
 - Front porches, back porches and/or decks that permit casual observation of alleys and streets, are encouraged.
 - c. Roof Articulation
 - The use of traditional roof forms such as gables, hips and dormers are encouraged.
 - Avoid box-like appearance through variation in the roofline and building elevations.
 - d. Materials
 - Consistent and harmonious use of high quality, durable materials is encouraged.
 - Piecemeal embellishment and frequent changes in material is discouraged.

The City does not have specific multifamily design guidelines and generally applies the single-family design guidelines to multifamily development. These guidelines encourage the use of design, materials, or placement that are compatible with the surrounding neighborhood. They do not necessarily result in increases in construction costs. Since the guidelines are only generally applied to multifamily development, they do not constrain the development of affordable housing. To implement the new General Plan and to facilitate multifamily and mixed use development, the City will develop design guidelines to provide objective review criteria for site planning, mass and scale, and architectural features.

Planned Development Permit

A Planned Development permit is intended to provide for flexibility in the application of Zoning Ordinance standards to proposed developments under limited and unique circumstances. A Planned Development permit allows for innovation in site planning and other aspects of project design. The City expects each planned development project to be of obvious, significantly higher quality than would be achieved through conventional design practices and standards. Planned Development permits are only accepted for sites larger than one acre, and the project must also be approved before the grading or building permits are issued.

A Planned Development must meet certain standards:

Infrastructure Requirements: Proposal shall not be approved unless adequate sewer and water lines and streets already service the site, or the developer proposes to install the facilities at the developer's expense.

Street Design: The street system in a Planned Development shall conform to the existing topography rather than cut through it, to minimize cut-and-fill grading activities. A planned development of five or more acres shall be designed and constructed with direct access to at least one major thoroughfare.

Preservation of Community Assets and Landmarks: Historic places, groves, scenic points, trees, waterways, and other community assets and landmarks within the project site shall be preserved to the greatest extent possible.

Open Space: A residential Planned Development project of three acres or more shall be designed to either provide a minimum of 10 percent of the total area in one centrally located usable open space area, or dedicate 10 percent of the total area of the site to the City.

Screening Buffer: A Planned Development project proposed to be of higher density or different character than an existing abutting single-family residential neighborhood shall be designed and constructed to provide an appropriate screening buffer between the proposed development and the abutting residential neighborhood.

The timeframe for processing a Planned Development varies depending on the complexity and level of CEQA review required.

10. Planning and Development Fees

Planning Fees

Housing construction imposes certain short- and long-term costs upon local government, such as the cost of providing planning services and inspections. In addition, long-term costs related to the maintenance and improvement of the community's infrastructure, facilities, parks, and streets are also imposed. Proposition 13 has severely constrained the amount of property tax revenue that a city in California receives. As a result, Seaside charges various planning and development fees to recoup costs and ensure that essential services and infrastructure are available when needed. Seaside is sensitive to the issue that excessive fees may hinder development and strives to encourage responsible and affordable development. In 2017, the City Council adopted a new fee schedule, which reflects minor upward adjustments for some fees but significant reductions in other fees. In some cases, such as use permits and design reviews, the fees have been cut by more than half. Planning fees for the City of Seaside and neighboring jurisdictions are summarized in Table App-40. As shown, fees charged by Seaside for FY 2017-2018 are generally lower than comparable sized communities such as Monterey and Santa Cruz.

Table App-40: Comparison of Planning Fees

	Seaside	Carmel	Marina¹	Monterey	Pacific Grove	Santa Cruz
Single-Family Residence						
Conditional Use Permit	\$800	\$785.30	\$1,690	n/a\$4,000 deposit (+ \$1,000 pre-application)	\$3,268	\$1,678
Minor Use Permit	\$700	\$614.81	n/a	\$2,263	n/a	n/a
Design/Architectural Review	\$1,200	\$608 (Tract 1) or \$1,524.10 (Tract 2)	\$3,275	\$1,279	\$3,010	\$346/1,000 sq. ft.
Variance	\$2,495	\$785.30	\$2,045	\$1,744	\$3,268	\$1,574
Minor Variance	\$2,495	n/a	n/a	\$929	\$1,282	n/a
Multifamily Residential						
Conditional Use Permit	\$1,000	\$785.30	\$1,690	\$4,000 deposit (+ \$1,000 pre-application)	Min. \$3,268 + hourly fee	\$1,678
Minor Use Permit	\$700	\$614.81	n/a	\$2,263	n/a	n/a
Design/Architectural Review	\$1,200	\$408 (Tract 1) or \$1,524.10 (Tract 2)	\$3,275	4,243	Min. \$2,295 + hourly fee	\$346/1,000 sq. ft.
Variance	\$3,704	\$785.30	\$2,045	\$1,744	\$3,268	\$1,574
Minor Variance	\$2,495	n/a	n/a	\$929	\$1,282	n/a
Planned Unit Developments	\$7,256	n/a	n/a	n/a	n/a	\$3,954 (+costs)
Tentative Map (up to 4 lots)	\$4,843	\$1,472.44	\$1,615	\$6,000 deposit*	Min \$1,941(+ \$110 per lot)	\$2,305 (+\$308 per lot)
Tentative Map (4 or more lots)	\$7,165	\$1472.44	\$3,560 (>20 units) add. Charges	\$6,000 deposit*	Min \$5,923(+ \$110 per lot)	\$2,305 (+\$308 per lot)
Lot Line Adjustment	\$1,418	\$785.30	\$880	\$3,774	\$1,941	\$893

Notes: *City of Monterey, Sec. 33-62. Fees for filing of Tentative Map. A filing and report fee in an amount set by resolution of the City Council shall be submitted at the time of filing of the tentative map.

1. City of Marina fee schedule last updated July 19, 2007. Fee study conducted in April 2014, and no fee increases were adopted.

Table App-40: Comparison of Planning Fees

	Seaside	Carmel	Marina¹	Monterey	Pacific Grove	Santa Cruz
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Source: City of Seaside, Master Fee Schedule 2017-18, as of July 1, 2017; City of Carmel, Planning Fees, October 15, 2015; City of Marina, Summary of Fees July 19, 2007(see note above); City of Monterey, Master Fee Schedule, Fiscal Year 2017; City of Pacific Grove, Master Fee Schedule Fiscal Year 2016-17; City of Santa Cruz FY 2015 Fee Schedule.

Development Fees

As of this writing, the City of Seaside does not charge any development impact fees on new residential development. While the school district, the water management district, the regional sewage collection and treatment agency, and the regional transportation agency charge fees for new development, the City has no discretionary review authority over these fees or these agencies. Table App-41 summarizes the development fees charged by other agencies. As shown, reduced water and sewer fees are available for affordable housing units.

The Transportation Agency for Monterey County has established a Regional Development Impact Fee (RDIF) program in Monterey County, helping to streamline the process for analyzing and mitigating transportation impacts. The Regional Fee program has been approved by the requisite number of city councils and the County Board of Supervisors and went into effect August 27, 2008. The fee revenues collected through RDIF compensate for future developments' impact on Monterey County roadways and to program regionally significant capital improvements. These regional fees are calculated by TAMC, and are analyzed based on a four-zone fee schedule that includes the following benefit zones in Monterey County: North County, Greater Salinas, Peninsula/South Coast, and South County. As of 2017 in the City of Seaside, as part of "Zone 3: Peninsula/South Coast," these fees amount to \$217 per trip.

New development within the jurisdiction of the Fort Ord Reuse Authority (FOR A) (which includes lands located in the cities of Seaside and Marina, and unincorporated Monterey County) is assessed impact fees established and collected by the Reuse Authority. For new residential development, FORA imposes a fee of \$23.279 per unit.

Although the cost of impact fees may constrain residential development, these fees are necessary for public entities to recoup the cost of service delivery and these fees are imposed by other agencies not within the City's control. Furthermore, other jurisdictions served by these agencies are also charged comparable fees.

Table App-41: Development Fees Collected by Other Agencies

		Single-Family Project¹	Multifamily Project²	Affordable Project³
Water	Monterey Peninsula Water Management District (MPWMD)	\$6,194 (\$210 + \$273/fixture unit)	\$108,318 (\$210 + \$273/fixture unit)	\$1,166 (\$210 + \$137/fixture unit)
	California American Water Company (Cal-Am)	\$5,000	Actual cost	\$3,000
	Marina Coast Water District (MCWD)	\$4,526	\$81,468	\$4,526
Sewer	Monterey Regional Water Pollution Control Agency (MRWPCA)	\$3,506	\$63,099	\$1,800
	Seaside County Sanitation District (SCSD)	\$1,753	\$31,554	\$900
	Marina Coast Water District (MCWD)	\$2,333	\$41,994	\$1,000
School	Monterey Peninsula Unified School District (MPUSD)	\$6,720 (\$3.36/sq. ft.)	\$4,032 (\$3.36/sq. ft.)	\$6,720 (\$3.36/sq. ft.)
Transportation	Transportation Agency for Monterey County (TAMC)	\$4,291	\$54,239	\$2,051 ¹
Housing	FORA	\$23,279	\$23,279	\$23,279

Assumptions:

1. Single-family development based on 2,000 square feet
2. Multifamily development based on 1,200 square feet at 18 units
3. Affordable cost per edu, 400 square feet garage per unit is used for Building Permit Fees Estimation; in order to meet Affordable Standards for sewer, units must have maximum 7 fixture units (1 bathroom, no dishwasher or clothes washer). Traditional residential has 22 fixture units (2 bathrooms, dishwasher, clothes washer)
4. TAMC fees (<http://www.tamcmonterey.org/programs/dev-impact-fees/>) shown are for single-family unit, for 18 apartment units, and for a moderate-income condominium unit.

Conclusion

For a typical single-family home (1,000 square feet home and 200 square feet garage), the total fees are estimated at \$23,433 as follow:

- Plan Check Fees: \$5,334.15
- Permit Fees: \$6,820.32
- Impact Fees (collected by outside agencies): \$11,278.56

For a typical multifamily housing project (six units at ground level and 12 carports), the total fees are estimated at \$79,751.09 (or \$11,791.85 per unit) as follow:

- Plan Check Fees: \$5,872.45
- Permit Fees: \$8,414.08
- Impact Fees (collected by outside agencies): \$56,464.56

Fees for a single-family residence or for a multifamily unit constitute no more than ten percent of the building valuation (excluding land cost).

Overall planning and processing fees charged by the City and impact fees charged by other public/quasi-public agencies amount may serve to constrain affordable housing development. Therefore, the City offers incentives such as financial assistance, regulatory concessions, and technical assistance to help facilitate affordable housing development in the community.

11. On- and Off-Site Improvements

Another factor adding to the cost of new construction is the provision of adequate infrastructure to support municipal services for new resident development. In many cases, these improvements are dedicated to the City, which is then responsible for their maintenance. The cost of these facilities is borne by developers, added to the cost of new housing units, and eventually passed in various degrees to the homebuyer or property owner. Because areas where new development and redevelopment will occur are largely developed with infrastructure in place, the City does not assess major infrastructure buy-in fees.

On- and off-site infrastructure improvements/requirements are assessed based on the merits of each project during discretionary project review, and for larger projects may be determined through the environmental review process. Typically, the following are required for new construction and new subdivisions:

- Install city standard sidewalk, curb and gutter.
- Install reclaimed water system for landscaping irrigation.
- Install storm water retention system for all impervious surfaces.

Fees associated would be billed as actual time spent by staff.

For new homes within existing neighborhood, the following are typically required:

- Install storm water retention system.
- Repair sidewalk, curb and gutter if damaged or unsafe. If repair is necessary, the applicable fee for curb/gutter or sidewalk encroachment permit would apply.

12. Building Codes and Enforcement

Building and safety codes, while adopted to preserve public health and safety ensure the construction of safe and decent housing, have the potential to increase construction costs and impact the affordability of housing. These include the following building codes, accessibility standards, and other related ordinances.

California 2016 Building Code

Seaside has adopted the California Building Code (CBC), which includes the International Building Code. No local amendments have been made to the CBC. Enforcement of applicable building codes requires inspections at various stages of construction to ensure code compliance. The California Building Code prescribes minimum insulation requirements to reduce noise and promote energy efficiency.

Americans with Disabilities Act (ADA)

The City's building code requires new residential construction to comply with ADA requirements. State law requires buildings consisting of three or more units to incorporate design features, including: 1) adaptive design features for the interior of the unit; 2) accessible public and common use portions; and 3) sufficiently wider doors to allow wheelchair access. These codes apply to all jurisdictions and are enforced by federal and state agencies. This Housing Element includes a program for the City to process Reasonable Accommodation requests through an administrative review process.

National Pollutant Discharge Elimination System

As the permit holder of a Municipal Storm Water Permit, the City must implement an Urban Runoff Management Program to reduce the discharge of pollutants into the storm sewer system. Prior to issuance of a building permit or any discretionary land use approval or permit, the applicant must submit a storm water mitigation plan and implement Best Management Practices in accordance with state and local regulations.

Code Enforcement

The City's compliance/inspection staff is responsible for enforcing local and state property maintenance codes. Building inspections are made daily and are typically available the day following request by the contractor. Additional fees to cover inspection costs are charged to the requesting party. Inspections of unsafe buildings are made on a complaint or referral basis.

Environmental/Infrastructure Constraints

Overcoming environmental and infrastructure constraints can add significantly to the cost of developing housing. In Seaside, the primary environmental constraints are lack of an adequate water supply, inadequate water, sewer, and storm drainage collector lines in some areas, inadequate road widths in other areas, environmental hazards located on the former Ft. Ord, and significant biological resources located in the eastern portion of the community and protected by the Habitat Management Plan (HMP).

1. Protected Habitat

Federal and State regulations require environmental review of proposed discretionary projects (e.g., subdivision maps, use permits, etc.). Costs, resulting from fees charged by local government and private consultants needed to complete the environmental analyses and from delays caused by mandated public review period, also add to the cost of housing. However, the presence of these regulations helps preserve the environment and ensure environmental quality for Seaside residents.

The 1997 Fort Ord Base Reuse Plan – which serves as the primary planning document of the land formerly occupied by Fort Ord and is the official local plan for reuse of the former base – set aside approximately 20,000 of the 28,000 acres of the former Fort Ord for habitat (16,000 acres) and open space recreational uses. A large portion of this “habitat reserve” is located in the eastern portion of Seaside and is protected from development by the Habitat Management Plan. However, the Habitat Management Plan identifies the land immediately adjacent to the City’s former eastern boundary as “development” areas. As shown on the Land Use Policy Map, Seaside has planned the entire area between the old eastern City boundary and the “habitat reserve area” for single-family residential development, which would allow for the development of approximately 2,200 housing units in this area. However, without additional water supplies and a clean slate for ordnance and hazardous waste removal, new development cannot occur in this area. No housing is currently planned in the “habitat reserve” area.

2. Tree Ordinance

The Tree Ordinance prohibits the removal of any tree on private property in the City without a permit. The ordinance also contains a list of trees which may not be planted without a permit (including Coast Redwood, Blue Gum Eucalyptus, Willows, Cottonwood, and Poplar).

3. Hazardous and Toxic Sites

Large portions of the former Ft. Ord base contain hazardous and toxic waste sites, as well as unexploded ordnance. These areas of Seaside are identified as a Superfund National Priority Hazardous Waste Site. No housing is currently proposed in these areas. As described in the Safety Element, the City cooperates with the federal government to obtain Superfund monies and implement Superfund clean-up activities. Clean-up of these sites is the responsibility of the federal government,

4. Infrastructure

Development on existing undeveloped land or redeveloped to higher residential densities would not require the provision of new infrastructure systems, but the development may create a need for upgrades to existing storm drain lines, water lines, sewer lines, street, telephone lines and other infrastructure. These upgrades will add to development costs, which could reduce the construction feasibility of units affordable to lower income households without subsidy. The upgrade of the local water distribution and other infrastructure serving Seaside is ongoing as part of the City’s Capital Improvements Program (CIP).

5. Water Supply

The Monterey Peninsula has long faced water supply challenges which have hindered new residential development opportunities. Challenges facing the Peninsula include the lack of permanent diversion rights from the Carmel River, with a cease-and-desist order (amended in July 2016) requiring termination of illegal diversions by the end of 2021, and pumping reduction requirements of the Seaside Basin Adjudication.

The City of Seaside receives its primary potable water supply from the Seaside Basin, the Carmel River, and Salinas Valley Groundwater Basin. Historic use of the region's groundwater resources has exceeded safe yield and resulted in lowering of water levels and in saltwater intrusion. Constrained water supply will continue to be a significant factor in growth locally and regionally.

The Seaside Municipal Water System, California-American Water Company (Cal-Am), and the Marina Coast Water District (MCWD) provide water services to the City. The Seaside Municipal System is operated and maintained by the City. The system serves the northeast portion of the City and is bounded by La Salle Avenue to the north, Hilby Avenue to the south, Soto Street to the west and General Jim Moore Boulevard to the east. The rest of the City is served by Cal-Am, a privately owned and operated company. Cal-Am serves their customers with water drawn from Carmel River surface water, alluvial ground water in the Carmel Valley, and from the Seaside coastal ground water basin. MCWD serves Fort Ord lands within the City limits.

The Monterey Peninsula Water Management District (MPWMD) has authority over the creation or expansion of all water districts and allocates supplies to cities within its jurisdiction. MPWMD has established criteria by which water credits are allocated for new development. Residential water credits are based on the number of plumbing fixtures. To build a subordinate unit on an existing lot, the number of plumbing fixtures must be maintained for both the main and subordinate units, making the addition of a full functioning unit difficult. To build housing in commercial zones, the existing commercial use must be reduced in size to provide water credits for the units.

Seaside has a remaining water allocation balance. some of which is appropriated for proposed economic development projects, which include mixed-use projects. The City's development strategy is to focus on mixed-use developments to promote balanced jobs and housing growth.

Although, water scarcity and the provision of an alternative water supply is ultimately beyond the control of the City, Seaside supports regional efforts to create new water supply projects and the use of recycled water. In July 2016, the State Water Resources Control Board revised the schedule for California American Water Company (Cal-Am) to cease-and-desist illegal diversions of water from the Carmel River. The deadline was extended by five years from the end of 2016 to the end of 2021, to allow time for completion of various regional projects. The projects include two new water supply projects, the Monterey Peninsula Water Supply Project (MPWSP) and the Pure Water Monterey Project (Pure Water) will provide water to Monterey Peninsula communities. MPWSP is a proposed desalination project with a capacity of up to 9.6 million gallons per day. Pure Water would deliver purified recycled water for groundwater replenishment, domestic delivery to Monterey Peninsula urban water customers and treated water for Salinas Valley irrigation. The Monterey Peninsula Regional Water Authority and the Monterey Peninsula Water Management District are jointly developing Pure Water. Additionally, Cal-Am anticipates that a second pipeline for an existing groundwater storage

project, the Aquifer Storage and Recovery Project, will allow for additional lawful diversions from the Carmel River in wet years. Under the requested changes to Cal-Am's compliance schedule, Cal-Am would not be penalized for continued Carmel River diversions up to 7,990 afa so long as permitting and construction milestones for the water supply and diversion projects are met. The lack of regional water supply during the short term, and perhaps longer, will continue to constrain the production of housing in Seaside proper.

The City also continues to require new public and private development and redevelopment projects to install and utilize water conservation measures per Section 13.18.010 of the Seaside Municipal Code. Section 13.18.010 requires:

- The installation of low water-use plumbing fixtures, and low water-use landscape materials in new construction;
- The installation of low water-use plumbing fixtures in existing hotels and motels; and
- The retrofitting of plumbing fixtures in all existing residential buildings at the time of change of ownership or physical expansion, or in the cases of commercial property, at the time of change of ownership, or change or expansion of use.

Senate Bill 1087 (enacted 2006) requires that water providers develop written policies that grant priority to proposed development that includes housing affordable to lower-income households. The legislation also prohibits water providers from denying or conditioning the approval of development that includes housing affordable to lower income households, unless specific written findings are made. The City will provide a copy of the adopted 2015-2023 Housing Element to the water districts within 30 days of adoption. The City will also continue to coordinate with the water districts to ensure affordable housing developments receive priority water service provision.

6. Sanitary Sewer

Sanitary sewer service within existing Seaside neighborhoods, as well as within the cities of Within the General Plan Area, sanitary sewer service outside the limits of the former Fort Ord is provided by the Seaside County Sanitation District, a Monterey County Special District which serves the cities of Seaside, Del Rey Oaks and Sand City. Within the boundaries of the former Fort Ord, sanitary sewer service is provided by the Marina Coast Water District. Wastewater discharged to the either District's sanitary sewer system is ultimately pumped to the Regional Wastewater Treatment Plant located north of Marina. Monterey One Water, formerly known as the Monterey Regional Water Pollution Control Agency, operates the treatment plant. Monterey One Water provides wastewater treatment, disposal, and reclamation services for the cities of Monterey, Pacific Grove, Del Rey Oaks, Sand City, Marina, and Salinas; Castroville, Moss Landing, and Boronda Community Service Districts; and the former Fort Ord military base.

The Regional Wastewater Treatment Plant has a maximum average dry weather design treatment capacity of 29.6 million gallons per day and peak wet weather design capacity of 75.6 million gallons per day. According to the *Monterey Regional Water Pollution Control Agency Sewer System Management Plan* (Monterey Regional Water Pollution Control Agency 2013), dry weather wastewater flows to the treatment plant are approximately 21 million gallons per day, and peak wet weather flows are about 40 million gallons per day. Thus, based on the Sewer System Management Plan, as of 2013, the Regional Wastewater Treatment Plant had unused but permitted treatment capacity of approximately 8.6 million

gallons per day during dry weather and about 41.2 million gallons per day during peak wet weather conditions.

The projected growth envisioned in the 2040 General Plan would require an appropriate increase in wastewater capacity to meet the demand from new development. The total number of housing units planned for the General Plan Area is estimated at 15,385 in 2040, which is an incremental growth of approximately 135 units per year, based on housing units reported in the 2010 Census. The estimated population of the General Plan Area in 2040 is estimated to be 47,694. This equates to 44 percent increase in the population reported in the 2010 Census.

According to the *Seaside County Sanitation District Sewer Master Plan and Rate Study* (2011), the maximum daily flow of wastewater into the sanitary sewer system lift station in Seaside between 2002 and 2009 was approximately 2.9 million gallons per day. When the 44 percent increase in population is applied to the 2.9 million gallons per day of wastewater conveyed to the Regional Wastewater Treatment Plant through the Seaside lift station, the maximum wastewater flow rate to the treatment plant in 2040 would be 4.2 million gallons per day. This would be an increase of approximately 1.3 million gallons per day compared to the maximum flow recorded between 2002 and 2009. An increase of 1.3 million gallons per day would represent only approximately 3 percent of the remaining treatment capacity at the treatment plant during peak wet weather. The Regional Wastewater Treatment Plant has capacity to meet the wastewater treatment demands that would be generated from the development and growth envisioned for the General Plan Area in the 2040 General Plan in the long term and certainly adequate capacity to accommodate the Regional Housing Needs Allocation (RHNA) in the short term. Expansion or construction of a new wastewater treatment facility to meet the demands of the 2040 General Plan would not be required.

Section 4: Housing Resources

This section analyzes the resources available for the development, rehabilitation, and preservation of housing in Seaside. This includes an evaluation of the availability of land for potential future residential development; the City's ability to satisfy its share of the region's future housing needs, and the financial and administrative resources available to assist in implementing the City's housing programs.

Future Housing Needs

State law requires communities to demonstrate that they encourage and facilitate housing production commensurate with their fair share of the region's future growth from 2014-2023.¹⁰ The City's fair share is assigned by the Association of Monterey Bay Area Governments (AMBAG) and outlined in their Regional Housing Needs Allocation Plan (RHNP). Therefore, an important component of the Housing Element is the identification of suitable sites to accommodate housing that is affordable in accordance with the RHNP.

1. Regional Housing Needs Allocation

AMBAG has assigned a portion of the region's future need for housing to each community within the counties of Santa Cruz and Monterey as part of the Regional Housing Needs Allocation Plan (RHNP). Seaside's Regional Housing Needs Allocation (RHNA) for the January 1, 2014 to December 31, 2023 planning period is 393 housing units (Table App-42).

Table App-42: Regional Housing Needs Share for Seaside		
Income Category	Income Threshold	Number of Units
Extremely Low/Very Low	50% or less of the AMI	95
Low	51% to 80% of the AMI	62
Moderate	81% to 120% of the AMI	72
Above Moderate	Over 120% of the AMI	164
Total		393

Source: AMBAG, June 11, 2014.

The City has a RHNA allocation of 95 very low income units. Pursuant to new State law (AB 2634), the City must project the number of extremely low income (30 percent or less of AMI) housing needs based on Census income distribution or assume 50 percent of the very low income units as extremely low. According to the CHAS data developed by HUD using 2009-2013 ACS data, the City had 2,260 households with incomes at or below 50 percent AMI, 1,055 (47 percent) extremely low and 1,205 (53 percent) very low income) as shown in Table App-31. Therefore the City's RHNA of 95 very low income units may be split into 47 extremely low and

¹⁰ While the Housing Element planning period is for January 31, 2015 through January 31, 2023, the Regional Housing Needs Allocation (RHNA) has a longer timeframe – January 1, 2014 through December 31, 2023.

48 very low income units. However, for purposes of identifying adequate sites for the RHNA, State law does not mandate the separate accounting for the extremely low income category.

2. Credits toward RHNA

Jurisdictions may count toward their RHNA the number of units that have been constructed since January 1, 2014. In addition, jurisdictions may count units that have received building permits, planning approvals, and other discretionary approvals that will be constructed during the 2014-2023 RHNA period. Table App-43 summarizes the number of units produced and permitted since January 2014. For the Housing Element planning period, the City has a remaining RHNA of 166 units (95 extremely/very low, 62 low income units, two moderate income units, and seven above moderate income units). The limited production of housing in Seaside is primarily a factor of water supply issue, which is beyond the control of the City.

Units Constructed/Permitted

Based on building permit data, a total 83 units have been permitted in the City since 2014, including 71 single-family and 12 multifamily units. Without specific sale price and rental rate information, these units are assumed to be affordable to above moderate income households.

Shoppette Site/Seaside Senior Living Project

The project site is approximately 5.47 acres. The project site is located at 550 Monterey Road, on the north side of Monterey Road at the intersection of Monterey Road and Coe Avenue. As the project has already been approved, construction of this project can begin anytime. The approved project would include demolition of the existing 5,000 sf structure and the development of a State of California licensed Residential Care Facility for the Elderly (RCFE). The project would develop two buildings that would house three related senior living uses on the project site including an Assisted Living Facility, a Memory Care Facility, and an Assisted Living Co-Housing Facility (10,894 sf) – for a total of 122,280 sf of new development. The specific components and amenities of each facility are provided below:

- **Assisted Living Facility:** The proposed 81,679 sf Assisted Living Facility would be part of a two-story structure containing 88 residential units. A portion of the second story would be located above the adjoining Memory Care Facility. Of the 88 total residential units, there would be 39 studios, 42 one-bedroom units, and seven (7) two-bedroom units. The facility would be designed to serve approximately 100 seniors with daily living services.
- **Memory Care Facility:** The proposed 29,707 sf Memory Care Facility would be a one-story structure containing 43 residential units and would be connected to the Assisted Living Facility at the ground level. Of the 43 total residential units, there would be 31 private studios designed for one resident and 12 companion studios designed for two residents.
- **Co-Housing Assisted Living Facility:** The proposed 10,894 sf Co-Housing Assisted Living Facility would be a two-story structure containing 13 units, one for a caretaker and 12 for seniors requiring assisted living facilities. Each unit would be designed to serve 1 to 2 people.

Overall, the facility would include 144 multifamily units. The cost of assisted living often includes meals, household services (such as cleaning), and caregiving. Without specific information on cost breakdowns, only the 70 studio units are assumed to be affordable to moderate income seniors, the remaining 74 one-bedroom, two-bedroom, and co-housing units are assumed to be affordable to above moderate income seniors.

Table App-43: Credits Towards RHNA – Housing Production
(January 1, 2014 – [July 2019](#))

Projects	Affordability of Housing				
	Extremely/ Very Low (0-50% AMI)	Low (51%-80%)	Moderate (81%-120%)	Above Moderate (121%+)	Total
Project Completed, Under Construction, or Permitted					
Single Family Homes	–	–	–	71	71
Multifamily Units	–	–	–	12	12
Project Approved					
Senior Assisted Living	–	–	70	74	144
Total Credits	–	–	70	157	227
2014-2023 RHNA	95	62	72	164	393
Remaining RHNA	95	62	2	7	166

Source: City of Seaside, 2019.

[Note 1: Campus Town Specific Plan does not specify the exact distribution of housing unit type and the Phasing Plan is only conceptual. However, much of the Specific Plan's](#)

Inventory of Sites

This section assesses available land for near-term residential development to accommodate the remaining RHNA for this Housing Element planning period. The inventory was compiled based on a careful review of the existing and proposed Community and Land Use Element of the General Plan, Zoning Ordinance, Specific Plans, and other reports such as the Long-Range Property Management Plan, as well as field and aerial photo observations. [As the General Plan is not yet adopted, the sites inventory provides estimates of development capacity based on both the existing and proposed General Plan.](#)

1. Vacant and Underutilized Sites Inventory

Residential growth in Seaside could occur on a variety of residential and mixed-use acreage throughout the community. To evaluate potential land resources for residential development, a parcel-specific site analysis was performed using a Geographic Information System (GIS) data, field observations, aerial photos, and building records. The vacant and underutilized land survey was conducted by reviewing individual parcels, the current development and density on those parcels, and potential units based on maximum and average densities. A vacant parcel is one that has no development on site or one that has built structures that are currently vacant. An underutilized parcel is where the structure on the site does not maximize its potential, such as taking advantage of a land use designation or location to benefit both the property/business owner and the community. Many businesses are

marginally operating and have not gone through major upgrades, and retrofitting/renovating for modern uses would not be cost-effective.

Various sources of information were used to help identify vacant and underutilized sites:

- **West Broadway Specific Plan Existing Conditions Report:** In developing the Specific Plan, the City reviewed the existing conditions of properties within the Specific Plan area. Underutilized sites with potential for redevelopment were identified during this process. The Specific Plan noted vacant and underutilized properties throughout the entire Specific Plan area. They range in size and location, with some at significant and strategic locations.
- **Long Range Property Management Plan:** Several properties owned by the Successor Agency to the Redevelopment Agency were identified in the LRPMP as appropriate for residential/mixed use development and to be sold to private developers.
- **Field Surveys and Aerial Photos:** Sites were also identified as a result of field surveys and review of aerial photos.
- **Building and Assessor Records:** Building and Assessor records were reviewed to confirm recent activities on site.

Estimating Development Potential

To estimate the level of development allowed, each vacant and underutilized parcel was reviewed for appropriateness for residential use, and those deemed less appropriate for housing due to surrounding land uses as well as the configuration and size of the property were eliminated from the following analysis. Recognizing the new State law requirements for assessing the City's continued ability to meet the RHNA (SB 166 and AB 1379), this sites inventory conservatively uses a density factor of 50 percent of the allowable density.

As the proposed General Plan is not yet adopted as of the writing of this Housing Element (July 2019), development potential on the vacant and underutilized sites is estimated based on both the existing and proposed General Plan. Figure App-9 presents the geographic location of the sites identified.

With the proposed General Plan, standalone residential uses would be permitted uses in the Mixed Use Low and Mixed Use High neighborhoods and therefore, enhancing the feasibility and capacity for residential development in these areas.

Broadway (Near Terrace)

In 2017, the City issued a Request for Proposal for the former Redevelopment Agency-owned properties located on the block bounded by Broadway Avenue, Terrace Street, Olympia Avenue, and San Lucas Street. The City received a development plan application for the parcels on Broadway (near Terrace) for a 105-unit project. The project site is approximately 2.68 acres with a project density of 39 units per acre. Of the 105 units, the City anticipates 16 units would be set aside as low income units. Without other information on the unit sizes and price range, the remainder of the project is assumed to be affordable only to above moderate income households.

Lot Consolidation

The City recognizes that many existing parcels in the City are small and lot consolidation may be required to accommodate new affordable housing construction. The City has an incentive program to encourage lot consolidation, providing redevelopment funds to affordable housing developers to assist in the acquisition of adjoining properties.

Figure App-9: Vacant and Underutilized Sites

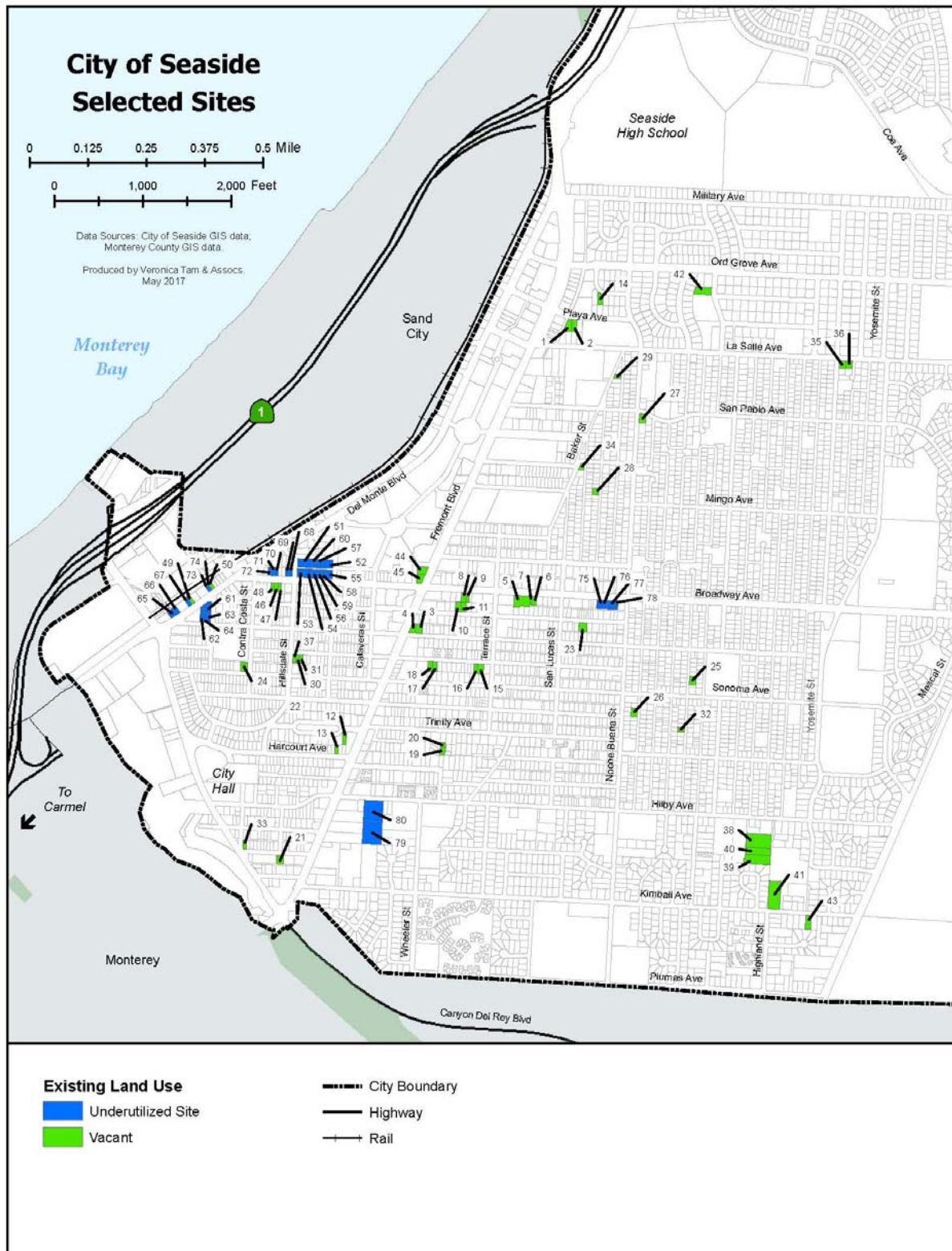


Table App-44: Potential Development on Vacant Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing GP	Existing GP Density (du/ac)	Existing GP Realistic Capacity (50%)¹	Consolidation Potential	Comments	Income Affordability	SRO/ Supportive Housing?²	Infra-structure/ Dry Utilities?	In Prior Housing Element?
37	011326001000	0.09	RS-8	Low Density SF Residential	8	1	I		Above Moderate	S/T – P SRO – NP	Y	Y
38	012402007000	1.05	RS-8	Low Density SF Residential	8	4	L		Above Moderate	S/T – P SRO – NP	Y	Y
39	012402009000	0.70	RS-8	Low Density SF Residential	8	2	L		Above Moderate	S/T – P SRO – NP	Y	Y
40	012402008000	0.52	RS-8	Low Density SF Residential	8	2	L		Above Moderate	S/T – P SRO – NP	Y	Y
41	012414039000	1.00	RS-8	Low Density SF Residential	8	4			Above Moderate	S/T – P SRO – NP	Y	Y
42	011081020000	0.36	RS-8	Low Density SF Residential	8	1			Above Moderate	S/T – P SRO – NP	Y	N
43	012422078000	0.24	RS-8	Low Density SF Residential	8	1			Above Moderate	S/T – P SRO – NP	Y	Y
	Total	3.96				15						
11	011335014000	0.13	RS-12	Medium Density SF Residential	12	1		Parking lot	Above Moderate	S/T – P SRO – NP	Y	Y
12	011335034000	0.09	RS-12	Medium Density SF Residential	12	1		Parking lot	Above Moderate	S/T – P SRO – NP	Y	Y
21	011364004000	0.18	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
22	011333044000	0.11	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	N
	011333043000	0.20	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	N
23	012194034000	0.20	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
24	011312002000	0.18	RS-12	Medium Density SF Residential	12	1		Playground	Above Moderate	S/T – P SRO – NP	Y	Y
25	012255009000	0.17	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
26	012281003000	0.17	RS-12	Medium Density SF Residential	12	1		Parking lot	Above Moderate	S/T – P SRO – NP	Y	Y
27	012805019000	0.16	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
28	012163003000	0.13	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y

Table App-44: Potential Development on Vacant Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing GP	Existing GP Density (du/ac)	Existing GP Realistic Capacity (50%)¹	Consolidation Potential	Comments	Income Affordability	SRO/ Supportive Housing?²	Infra-structure/ Dry Utilities?	In Prior Housing Element?
29	012823003000	0.09	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
30	011326018000	0.09	RS-12	Medium Density SF Residential	12	1	I		Above Moderate	S/T – P SRO – NP	Y	Y
31	011326019000	0.09	RS-12	Medium Density SF Residential	12	1	I		Above Moderate	S/T – P SRO – NP	Y	N
32	012284007000	0.09	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
34	012164001000	0.09	RS-12	Medium Density SF Residential	12	1			Above Moderate	S/T – P SRO – NP	Y	Y
35	012853025000	0.14	RS-12	Medium Density SF Residential	12	1	N	A vacated structure on site identified in the Long Range Property Management Plan (LRPMP) for disposition and appropriate for residential/ mixed use development.	Above Moderate	S/T – P SRO – NP	Y	N
36	012853026000	0.15	RS-12	Medium Density SF Residential	12	1	N	A vacated home on site identified in the Long Range Property Management Plan (LRPMP) for disposition and appropriate for residential/ mixed use development.	Above Moderate	S/T – P SRO – NP	Y	N
	Total	2.46				18						
10	012182018000	0.15	RM	Medium Density Residential	15	1	E		Moderate	S/T – P SRO – NP	Y	Y
11	012182017000	0.15	RM	Medium Density Residential	15	1	E		Moderate	S/T – P SRO – NP	Y	Y
15	012272012000	0.18	RM	Medium Density Residential	15	1	K		Moderate	S/T – P SRO – NP	Y	Y
16	012272028000	0.09	RM	Medium Density Residential	15	1	K		Moderate	S/T – P SRO – NP	Y	Y

Table App-44: Potential Development on Vacant Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing GP	Existing GP Density (du/ac)	Existing GP Realistic Capacity (50%)¹	Consolidation Potential	Comments	Income Affordability	SRO/ Supportive Housing?²	Infra-structure/ Dry Utilities?	In Prior Housing Element?
17	012272004000	0.13	RM	Medium Density Residential	15	1	J		Moderate	S/T – P SRO – NP	Y	Y
18	012272003000	0.13	RM	Medium Density Residential	15	1	J		Moderate	S/T – P SRO – NP	Y	Y
19	012351047000	0.11	RM	Medium Density Residential	15	1	M		Moderate	S/T – P SRO – NP	Y	Y
20	012351035000	0.07	RM	Medium Density Residential	15	1	M		Moderate	S/T – P SRO – NP	Y	Y
	Total		1.01			8						
1	011095001000	0.22	CC	Community Commercial	25	2	A		Moderate	S/T – P SRO – NP	Y	Y
2	011095002000	0.18	CC	Community Commercial	25	2	A		Moderate	S/T – P SRO – NP	Y	Y
3	012183025000	0.19	CC	Community Commercial	25	2	E		Moderate	S/T – P SRO – NP	Y	Y
4	012183026000	0.13	CC	Community Commercial	25	1	E		Moderate	S/T – P SRO – NP	Y	Y
5	012195059000	0.51	CMX	Mixed Use	25	6	C		Lower	S/T – P SRO – C	Y	Y
6	012195005000	0.11	CMX	Mixed Use	25	1	C		Lower	S/T – P SRO – C	Y	Y
7	012195004000	0.06	CMX	Mixed Use	25	0	C		Lower	S/T – P SRO – C	Y	Y
8	012182006000	0.15	CMX	Mixed Use	25	1	D		Moderate	S/T – P SRO – C	Y	Y
9	012182007000	0.08	CMX	Mixed Use	25	1	D		Moderate	S/T – P SRO – C	Y	Y
14	011091006000	0.19	RH	High Density Residential	25	2			Moderate	S/T – P SRO – NP	Y	Y
	Total	1.82				15						
44	011544004000	0.22	WBSP-MX	WBSP	60	6	B		Moderate	S/T – P SRO – NP	Y	Y
45	011544003000	0.17	WBSP-MX	WBSP	60	5	B		Moderate	S/T – P SRO – NP	Y	Y
46	011303005000	0.09	WBSP-MX	WBSP	60	2	G		Moderate	S/T – P SRO – NP	Y	Y
47	011303006000	0.08	WBSP-MX	WBSP	60	2	G		Moderate	S/T – P SRO – NP	Y	Y

Table App-44: Potential Development on Vacant Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing GP	Existing GP Density (du/ac)	Existing GP Realistic Capacity (50%)¹	Consolidation Potential	Comments	Income Affordability	SRO/ Supportive Housing?²	Infra-structure/ Dry Utilities?	In Prior Housing Element?
48	011303004000	0.09	WBSP-MX	WBSP	60	2	G		Moderate	S/T – P SRO – NP	Y	Y
49	011301007000	0.09	WBSP-MX	WBSP	60	2	V (with under-utilized parcel 011301006000)	Identified in the LRPMP to be sold and appropriate as transit-oriented development	Moderate	S/T – P SRO – NP	Y	Y
50	011301023000	0.09	WBSP-MX	WBSP	60	2	S (with under-utilized parcel 011301010000 and 011301011000)		Moderate	S/T – P SRO – NP	Y	Y
	Total	0.83				21						

Notes:

- In estimating potential, fractional unit is rounded down to the nearest whole number, except that a legally created parcel is assumed to allow at least one unit.*
- Housing Element program to amend zoning code to accommodate transitional/supportive housing where housing is permitted. SRO will be conditionally permitted in CMX zone.*

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
51	011556001000	0.37	WBSP- MX	WBSP	City of Seaside Corporation Yard	60	80	Library Site	The West Broadway Specific Plan, identifies the "Library Site", a group of parcels located along Broadway and Olympia between Hillsdale and Alhambra, as appropriate for a mixed use project. The City of Seaside owns the parcels fronting on Olympia. The remaining parcels are owned by private owners. The Specific Plan contains conceptual site plan for a project to include a public library, retail and 80 units of senior housing. The private owners have expressed interest in selling the parcels for development. As of July 2019, three interested	Lower	S/T – P SRO – NP	Y	Y
52	011556004000	0.27	WBSP- MX	WBSP	City of Seaside Corporation Yard	60				Lower	S/T – P SRO – NP	Y	Y
53	011557001000	0.19	WBSP- MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
54	011557002000	0.18	WBSP- MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
55	011557006000	0.18	WBSP- MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
56	011557003000	0.18	WBSP- MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
57	011556003000	0.18	WBSP- MX	WBSP	City of Seaside Corporation Yard	60				Lower	S/T – P SRO – NP	Y	Y
58	011557005000	0.10	WBSP- MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
59	011557004000	0.09	WBSP- MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
60	011556005000	0.09	WBSP-MX	WBSP	City of Seaside Corporation Yard	60			developers are preparing development scenarios for the site. One developer is currently in serious discussions with the owners. Development of this site may yield more than the 80 units anticipated in the Specific Plan.  	Lower	S/T – P SRO – NP	Y	Y
61	011306008000	0.22	WBSP-MX	WBSP	Vacant Building/ Parking	60		P	The first parcel in this group and those adjacent (marked with P in the "Consolidation Potential" column to the left) contain a single-story vacant building (formerly a supermarket) and its associated parking areas. The parcel is designated as Mixed-Use (MX), which is intended to accommodate a well-integrated mix of uses, including residential	Lower	S/T – P SRO – NP	Y	Y
62	011306006000	0.17	WBSP-MX	WBSP	Vacant Building/ Parking	60		P		Lower	S/T – P SRO – NP	Y	Y
63	011306003000	0.10	WBSP-RH/MX	WBSP	Vacant Building/ Parking	25		P		Lower	S/T – P SRO – NP	Y	Y
64	011306004000	0.10	WBSP-RH/MX	WBSP	Vacant Building/ Parking	25		P		Lower	S/T – P SRO – NP	Y	Y

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

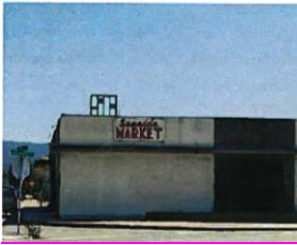
Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
									uses. The current use is inconsistent with the Specific Plan designation. With a vacant building, this property offers excellent opportunity for redevelopment. Currently there are serious development talks underway for the site, with two potential developers approaching the owners with proposals. Within the same block across the street, a property owner of a 22,000-square-foot lot is proposing for development at 50 units per acre. Therefore it is reasonable to assume projects in the area would be developed closer to the maximum allowable density. The density for Site P is assumed at 50 units per acre for MX zoning and 20 units per acre for RH/MX zoning. 				

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
65	011301030000	0.17	WBSP-MX	WBSP	Parking Lot	60	5	I	The first parcel in this group is currently occupied by a vehicle storage facility. The parcel is designated as Mixed-Use (MX), which is intended to accommodate a well-integrated mix of uses, including residential uses. The parcel is located adjacent to another underutilized parcel (marked with T in the "Consolidation Potential" column to the left), which makes it more appropriate for redevelopment.	Moderate	S/T – P SRO – NP	Y	N
66	011301029000	0.17	WBSP-MX	WBSP	Parking Lot	60	5	I		Moderate	S/T – P SRO – NP	Y	N

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
67	011301006000	0.09	WBSP-MX	WBSP	Auto Repair	60	2	Y (with vacant parcel 011301007000)	This parcel is currently occupied by a small single-story building. This building is a small office, possibly associated with the auto repair business located to the southwest. As noted in the column to the left, this parcel is located directly adjacent to a vacant parcel, which increases its potential for redevelopment. Both this parcel and the vacant parcel are designated as Mixed-Use (MX) in the Specific Plan. As such, it is intended to accommodate a well-integrated mix of high intensity residential, commercial, office and civic uses. The current use is not consistent with the MX designation and represents a marginal use of the land.	Moderate	S/T – P SRO – NP	Y	Y
68	011555010000	0.09	WBSP-MX	WBSP	Vehicle Storage	60	2	Q	The first parcel in this group and adjacent parcel	Moderate	S/T – P SRO – NP	Y	Y

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
69	011555009000	0.09	WBSP-MX	WBSP	Vehicle Storage	60	2	Q	(marked as Q in this table) are currently being used for vehicle storage. Vehicle storage is screened by vegetation along Broadway Avenue. There is no improvement on the property, making the property an excellent candidate for redevelopment. The Specific Plan designates these parcels as Mixed-Use (MX). As such, they are intended to accommodate a well-integrated mix of high intensity residential, commercial, office and civic uses. The current use is not consistent with the MX designation and represents a marginal use of the land.	Moderate	S/T – P SRO – NP	Y	Y
70	011555006000	0.09	WBSP-MX	WBSP	Car Wash	60	2	R	The first parcel in this group and the adjacent parcels (marked with R in the "Consolidation	Moderate	S/T – P SRO – NP	Y	Y
71	011555005000	0.09	WBSP-MX	WBSP	Car Wash	60	2	R		Moderate	S/T – P SRO – NP	Y	Y

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
<u>72</u>	<u>011555004000</u>	<u>0.08</u>	<u>WBSP-MX</u>	<u>WBSP</u>	<u>Car Wash</u>	<u>60</u>	<u>2</u>	<u>R</u>	Potential" column to the left) are currently occupied by a self-service car wash. This type of uses usually generates limited incomes and does not provide for a significant number of jobs. With the limited improvements on site, this property provides an excellent opportunity for redevelopment given the increased density and height in the Specific Plan area. 	Moderate	<u>S/T – P</u> <u>SRO – NP</u>	<u>Y</u>	<u>Y</u>

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing²?	Infra- structure/ Dry Utilities?	In Prior Housing Element?
73	011301010000	0.06	WBSP-MX	WBSP	Small Retail	60	1	S (With Vacant Parcel 011301023 000)	The first parcel in this group and the adjacent parcel (marked with S in the "Consolidation Potential" column to the left) are currently occupied by a small restaurant. This parcel is identified in the Specific Plan as being underutilized. Both parcels are designated as Mixed-Use (MX) in the Specific Plan. As such, these parcels are intended to accommodate a well-integrated mix of high intensity residential, commercial, office and civic uses. The current use is not consistent with the MX designation. As noted in the column to the left, this parcel is located directly adjacent to a vacant parcel, which increases its potential for redevelopment.	Moderate	S/T – P SRO – NP	Y	Y
74	011301011000	0.03	WBSP-MX	WBSP	Small Retail	60	0	S (With Vacant Parcel 011301023 000)		Moderate	S/T – P SRO – NP	Y	Y
	Total	3.386					116						
79	012371063000	1.29	CC	Community Commercial	Parking Lot	25	16	W	This site is zoned Community Commercial (CC). The new General Plan proposes to change the land use designation to Mixed Use High. The site was previously occupied by a single-family home, which has recently been	Lower	S/T – P SRO – NP	Y	N

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- ligation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
80	012371062000	1.19	CC	Community Commercial	Parking Lot	25	14	W	removed. The two parcels are currently used as parking for a medical facility that is sited far back from these parcels. It is entirely feasible that the lots be developed as a parking structure with high density residential uses fronting Fremont. Currently, Fremont Avenue is experiencing increased real estate activities, with neighboring properties recycling to higher and better uses. With the single-family home removed, these parcels are essentially vacant and ripe for development.	Lower	S/T – P SRO – NP	Y	N
Total		2.48					30						
	12191025000	0.31	CMX	Mixed Use	Only two buildings are located in this area. A 3,272 sf building that is used for personal services and a 5,299 building that has been vacated.	25	105	X	Parcels owned by the Successor Agency identified in the LRPMP for disposal. The City is in the process of reviewing a current proposal for the site – totaling 105 units, including 16 lower income units.	16 Lower 89 Above Moderate	S/T – P SRO – NP	Y	N
	12191021000	0.24											
	12191029000	0.23											
	12191017000	0.24											
	12191023000	0.24											
	12191001000	0.18											
	12191022000	0.18											
	12191024000	0.23											
	12191013000	0.19											
	12191003000	0.16											
	12191016000	0.16											

Table App-45: Potential Development on Underutilized Sites under Existing General Plan (2004)

Site ID	APN	Acres	Existing Zoning	Existing General Plan	Existing Land Use	Existing GP Density	Existing GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
	12191004000	0.16											
	12191028000	0.16											
	12191002000	0.16											
	Total	2.68					105						

Notes:

1. In estimating potential, fractional unit is rounded down to the nearest whole number, except that a legally created parcel is assumed to allow at least one unit.

2. Housing Element program to amend zoning code to accommodate transitional/supportive housing in a similar manner as other similar housing is permitted. SRO will be conditionally permitted in CMX zone.

Table App-46: Potential Development on Vacant Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed GP	Proposed GP Density (du/ac)	Proposed GP Realistic Capacity (50%) ¹	Conso- lidation Potential	Comments	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
1	011095001000	0.22	CC	Mixed Use Low	45	4	A		Moderate	S/T – P SRO – NP	Y	Y
2	011095002000	0.18	CC	Mixed Use Low	45	4	A		Moderate	S/T – P SRO – NP	Y	Y
3	012183025000	0.19	CC	Mixed Use Low	45	4	E		Moderate	S/T – P SRO – NP	Y	Y
4	012183026000	0.13	CC	Mixed Use Low	45	2	E		Moderate	S/T – P SRO – NP	Y	Y
5	012195059000	0.51	CMX	Mixed Use Low	45	11	C		Lower	S/T – P SRO – C	Y	Y
6	012195005000	0.11	CMX	Mixed Use Low	45	2	C		Lower	S/T – P SRO – C	Y	Y
7	012195004000	0.06	CMX	Mixed Use Low	45	1	C		Lower	S/T – P SRO – C	Y	Y
8	012182006000	0.15	CMX	Mixed Use Low	45	3	D		Moderate	S/T – P SRO – C	Y	Y
9	012182007000	0.08	CMX	Mixed Use Low	45	1	D		Moderate	S/T – P SRO – C	Y	Y
10	012182018000	0.15	RM	Mixed Use Low	45	3	E		Moderate	S/T – P SRO – NP	Y	Y
11	012182017000	0.15	RM	Mixed Use Low	45	3	E		Moderate	S/T – P SRO – NP	Y	Y
12	011335014000	0.13	RS-12	Mixed Use Low	45	2		Parking lot	Moderate	S/T – P SRO – NP	Y	Y
13	011335034000	0.09	RS-12	Mixed Use Low	45	2		Parking lot	Moderate	S/T – P SRO – NP	Y	Y
	Total	2.15				42						
14	011091006000	0.19	RH	Neighborhood General	30	2			Moderate	S/T – P SRO – NP	Y	Y
15	012272012000	0.18	RM	Neighborhood General	30	2	K		Moderate	S/T – P SRO – NP	Y	Y
16	012272028000	0.09	RM	Neighborhood General	30	1	K		Moderate	S/T – P SRO – NP	Y	Y
17	012272004000	0.13	RM	Neighborhood General	30	1	J		Moderate	S/T – P SRO – NP	Y	Y
18	012272003000	0.13	RM	Neighborhood General	30	1	J		Moderate	S/T – P SRO – NP	Y	Y

Table App-46: Potential Development on Vacant Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed GP	Proposed GP Density (du/ac)	Proposed GP Realistic Capacity (50%)¹	Conso- litation Potential	Comments	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
19	012351047000	0.11	RM	Neighborhood General	30	1	M		Moderate	S/T – P SRO – NP	Y	Y
20	012351035000	0.07	RM	Neighborhood General	30	1	M		Moderate	S/T – P SRO – NP	Y	Y
21	011364004000	0.18	RS-12	Neighborhood General	30	1			Moderate	S/T – P SRO – NP	Y	Y
	Total	1.08				11						
22	011333044000	0.11	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	N
	011333043000	0.20	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	N
23	012194034000	0.20	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y
24	011312002000	0.18	RS-12	Neighborhood Medium	15	1		Playground	Moderate	S/T – P SRO – NP	Y	Y
25	012255009000	0.17	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y
26	012281003000	0.17	RS-12	Neighborhood Medium	15	1		Parking lot	Moderate	S/T – P SRO – NP	Y	Y
27	012805019000	0.16	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y
28	012163003000	0.13	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y
29	012823003000	0.09	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y
30	011326018000	0.09	RS-12	Neighborhood Medium	15	1	I		Moderate	S/T – P SRO – NP	Y	Y
31	011326019000	0.09	RS-12	Neighborhood Medium	15	1	I		Moderate	S/T – P SRO – NP	Y	N
32	012284007000	0.09	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y
34	012164001000	0.09	RS-12	Neighborhood Medium	15	1			Moderate	S/T – P SRO – NP	Y	Y

Table App-46: Potential Development on Vacant Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed GP	Proposed GP Density (du/ac)	Proposed GP Realistic Capacity (50%) ¹	Conso- lidation Potential	Comments	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
35	012853025000	0.14	RS-12	Neighborhood Medium	15	1	N	A vacated structure on site identified in the Long Range Property Management Plan (LRPMP) for disposition and appropriate for residential/ mixed use development.	Moderate	S/T – P SRO – NP	Y	N
36	012853026000	0.15	RS-12	Neighborhood Medium	15	1	N	A vacated home on site identified in the Long Range Property Management Plan (LRPMP) for disposition and appropriate for residential/ mixed use development.	Moderate	S/T – P SRO – NP	Y	N
37	011326001000	0.09	RS-8	Neighborhood Medium	15	1	I		Moderate	S/T – P SRO – NP	Y	Y
	Total	2.15				16						
38	012402007000	1.05	RS-8	Neighborhood Low	8	4	L		Above Moderate	S/T – P SRO – NP	Y	Y
39	012402009000	0.70	RS-8	Neighborhood Low	8	2	L		Above Moderate	S/T – P SRO – NP	Y	Y
40	012402008000	0.52	RS-8	Neighborhood Low	8	2	L		Above Moderate	S/T – P SRO – NP	Y	Y
41	012414039000	1.00	RS-8	Neighborhood Low	8	4			Above Moderate	S/T – P SRO – NP	Y	Y
42	011081020000	0.36	RS-8	Neighborhood Low	8	1			Above Moderate	S/T – P SRO – NP	Y	N
43	012422078000	0.24	RS-8	Neighborhood Low	8	1			Above Moderate	S/T – P SRO – NP	Y	Y
	Total	3.87				14						
44	011544004000	0.22	WBSP-MX	WBSP	60	6	B		Moderate	S/T – P SRO – NP	Y	Y
45	011544003000	0.17	WBSP-MX	WBSP	60	5	B		Moderate	S/T – P SRO – NP	Y	Y

Table App-46: Potential Development on Vacant Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed GP	Proposed GP Density (du/ac)	Proposed GP Realistic Capacity (50%) ¹	Conso- lidation Potential	Comments	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
46	011303005000	0.09	WBSP-MX	WBSP	60	2	G		Moderate	S/T – P SRO – NP	Y	Y
47	011303006000	0.08	WBSP-MX	WBSP	60	2	G		Moderate	S/T – P SRO – NP	Y	Y
48	011303004000	0.09	WBSP-MX	WBSP	60	2	G		Moderate	S/T – P SRO – NP	Y	Y
49	011301007000	0.09	WBSP-MX	WBSP	60	2	V (with under- utilized parcel 01130100 6000)	Identified in the LRPMP to be sold and appropriate as transit-oriented development	Moderate	S/T – P SRO – NP	Y	Y
50	011301023000	0.09	WBSP-MX	WBSP	60	2			Moderate	S/T – P SRO – NP	Y	Y
	Total	0.83				21						

Notes:

1. In estimating potential, fractional unit is rounded down to the nearest whole number, except that a legally created parcel is assumed to allow at least one unit.
2. Housing Element program to amend zoning code to accommodate transitional/supportive housing where housing is permitted. SRO will be conditionally permitted in CMX zone.

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?³	In Prior Housing Element?⁴
51	011556001000	0.37	WBSP-MX	WBSP	City of Seaside Corporation Yard	60	80	Library Site	The West Broadway Specific Plan, identifies the "Library Site", a group of parcels located along Broadway and Olympia between Hillsdale and Alhambra, as appropriate for a mixed use project. The City of Seaside owns the parcels fronting on Olympia. The remaining parcels are owned by private owners. The Specific Plan contains conceptual site plan for a project to include a public library, retail and 80 units of senior housing.	Lower	S/T – P SRO – NP	Y	Y
52	011556004000	0.27	WBSP-MX	WBSP	City of Seaside Corporation Yard	60				Lower	S/T – P SRO – NP	Y	Y
53	011557001000	0.19	WBSP-MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
54	011557002000	0.18	WBSP-MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
55	011557006000	0.18	WBSP-MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
56	011557003000	0.18	WBSP-MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
57	011556003000	0.18	WBSP-MX	WBSP	City of Seaside Corporation Yard	60				Lower	S/T – P SRO – NP	Y	Y
58	011557005000	0.10	WBSP-MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y
59	011557004000	0.09	WBSP-MX	WBSP	Small Retail	60				Lower	S/T – P SRO – NP	Y	Y

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity ¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
60	011556005000	0.09	WBSP-MX	WBSP	City of Seaside Corporation Yard	60			<u>development</u>. As of July 2019, three interested developers are preparing development scenarios for the site. <u>One developer is currently in serious discussions with the owners</u>. Development of this site may yield more than the 80 units anticipated in the Specific Plan. 	Lower	S/T – P SRO – NP	Y	Y
61	011306008000	0.22	WBSP-MX	WBSP	Vacant Building/ Parking	60	11	P	The first parcel in this group and those adjacent (marked with P in the "Consolidation Potential" column to the left) contain a single-story vacant building (formerly a supermarket) and its associated parking areas. The parcel is	Lower	S/T – P SRO – NP	Y	Y
62	011306006000	0.17	WBSP-MX	WBSP	Vacant Building/ Parking	60	9	P		Lower	S/T – P SRO – NP	Y	Y
63	011306003000	0.10	WBSP- RH/MX	WBSP	Vacant Building/ Parking	25	1	P		Lower	S/T – P SRO – NP	Y	Y
64	011306004000	0.10	WBSP- RH/MX	WBSP	Vacant Building/	25	1	P		Lower	S/T – P SRO – NP	Y	Y

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity ¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
					Parking				designated as Mixed-Use (MX), which is intended to accommodate a well-integrated mix of uses, including residential uses. The current use is inconsistent with the Specific Plan designation. With a vacant building, this property offers excellent opportunity for redevelopment. Currently there are serious development talks underway for the site, with two potential developers approaching the owners with proposals. Within the same block across the street, a property owner of a 72,000-square-foot lot is proposing for development at 80 units per acre. Therefore it is reasonable to assume projects in the area would be developed closer to the maximum allowable density. The density for Site P is assumed at 50 units per acre for MX zoning and 20 units per acre				

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

<u>Site ID</u>	<u>APN</u>	<u>Acres</u>	<u>Existing Zoning</u>	<u>Proposed General Plan</u>	<u>Existing Land Use</u>	<u>Proposed GP Density</u>	<u>Proposed GP Realistic Capacity¹ (50%)</u>	<u>Conso- lidation Potential</u>	<u>Status</u>	<u>Income Affordability</u>	<u>SRO/ Supportive Housing?²</u>	<u>Infra- structure/ Dry Utilities?</u>	<u>In Prior Housing Element?</u>
									for RH/MX zoning 				

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity¹ (50%)	Conso- ligation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
65	011301030000	0.17	WBSP-MX	WBSP	Parking Lot	60	5	I	The first parcel in this group is currently occupied by a vehicle storage facility. The parcel is designated as Mixed-Use (MX), which is intended to accommodate a well-integrated mix of uses, including residential uses. The parcel is located adjacent to another underutilized parcel (marked with T in the "Consolidation Potential" column to the left), which makes it more appropriate for redevelopment.	Moderate	S/T – P SRO – NP	Y	N
66	011301029000	0.17	WBSP-MX	WBSP	Parking Lot	60	5	I		Moderate	S/T – P SRO – NP	Y	N

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
67	011301006000	0.09	WBSP-MX	WBSP	Auto Repair	60	2	Y (with vacant parcel 011301007 000)	This parcel is currently occupied by a small single-story building. This building is a small office, possibly associated with the auto repair business located to the southwest. As noted in the column to the left, this parcel is located directly adjacent to a vacant parcel, which increases its potential for redevelopment. Both this parcel and the vacant parcel are designated as Mixed-Use (MX) in the Specific Plan. As such, it is intended to accommodate a well-integrated mix of high intensity residential, commercial, office and civic uses. The current use is not consistent with the MX designation and represents a marginal use of the land.	Moderate	S/T – P SRO – NP	Y	Y
68	011555010000	0.09	WBSP-MX	WBSP	Vehicle Storage	60	2	Q	The first parcel in this group and adjacent	Moderate	S/T – P SRO – NP	Y	Y

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
69	011555009000	0.09	WBSP-MX	WBSP	Vehicle Storage	60	2	Q	parcel (marked as Q in this table) are currently being used for vehicle storage. Vehicle storage is screened by vegetation along Broadway Avenue. There is no improvement on the property, making the property an excellent candidate for redevelopment. The Specific Plan designates these parcels as Mixed-Use (MX). As such, they are intended to accommodate a well-integrated mix of high intensity residential, commercial, office and civic uses. The current use is not consistent with the MX designation and represents a marginal use of the land.	Moderate	S/T – P SRO – NP	Y	Y
70	011555006000	0.09	WBSP-MX	WBSP	Car Wash	60	2	R	The first parcel in this group and the adjacent	Moderate	S/T – P SRO – NP	Y	Y
71	011555005000	0.09	WBSP-MX	WBSP	Car Wash	60	2	R	parcels (marked with R	Moderate	S/T – P SRO – NP	Y	Y

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity¹ (50%)	Conso- ligation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
72	011555004000	0.08	WBSP-MX	WBSP	Car Wash	60	2	R	in the "Consolidation Potential" column to the left) are currently occupied by a self-service car wash. This type of uses usually generates limited incomes and does not provide for a significant number of jobs. With the limited improvements on site, this property provides an excellent opportunity for redevelopment given the increased density and height in the Specific Plan area. 	Moderate	S/T – P SRO – NP	Y	Y

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity ¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
73	011301010000	0.06	WBSP-MX	WBSP	Small Retail	60	1	S (With Vacant Parcel 011301023 000)	The first parcel in this group and the adjacent parcel (marked with S in the "Consolidation Potential" column to the left) are currently occupied by a small restaurant. This parcel is identified in the Specific Plan as being underutilized. Both parcels are designated as Mixed-Use (MX) in the Specific Plan. As such, these parcels are intended to accommodate a well-integrated mix of high intensity residential, commercial, office and civic uses. The current use is not consistent with the MX designation. As noted in the column to the left, this parcel is located directly adjacent to a vacant parcel, which increases its potential for redevelopment.	Moderate	S/T – P SRO – NP	Y	Y
74	011301011000	0.03	WBSP-MX	WBSP	Small Retail	60	0	S (With Vacant Parcel 011301023 000)		Moderate	S/T – P SRO – NP	Y	Y
	Total	3.386					116				S/T – P SRO – NP		

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing?²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
<u>79</u>	<u>012371063000</u>	<u>1.29</u>	<u>CC</u>	<u>Mixed Use High</u>	<u>Parking Lot</u>	<u>60</u>	<u>38</u>	<u>W</u>	<u>This site is zoned Community Commercial (CC). The new General Plan proposes to change the land use designation to Mixed Use High. The site was previously occupied by a single-family home, which has recently been removed.</u>	<u>Lower</u>	<u>S/T – P SRO – NP</u>	<u>Y</u>	<u>N</u>
<u>80</u>	<u>012371062000</u>	<u>1.19</u>	<u>CC</u>	<u>Mixed Use High</u>	<u>Parking Lot</u>	<u>60</u>	<u>35</u>	<u>W</u>	<u>The two parcels are currently used as parking for a medical facility that is sited far back from these parcels. It is entirely feasible that the lots be developed as a parking structure with high density residential uses fronting Fremont. Currently, Fremont Avenue is experiencing increased real estate activities, with neighboring properties recycling to higher and better uses. With the single-family home removed, these parcels are essentially vacant and ripe for development.</u>	<u>Lower</u>	<u>S/T – P SRO – NP</u>	<u>Y</u>	<u>N</u>
<u>Total</u>		<u>2.48</u>					<u>73</u>						

Table App-47: Potential Development on Underutilized Sites under Proposed General Plan (2019)

Site ID	APN	Acres	Existing Zoning	Proposed General Plan	Existing Land Use	Proposed GP Density	Proposed GP Realistic Capacity ¹ (50%)	Conso- lidation Potential	Status	Income Affordability	SRO/ Supportive Housing? ²	Infra- structure/ Dry Utilities?	In Prior Housing Element?
	12191025000	0.31	CMX	Mixed Use Low	Only two buildings are located in this area. A 3,272 sf building that is used for personal services and a 5,289 building that has been vacated.	45	105	X	Parcels owned by the Successor Agency identified in the LRMP for disposal. The City is in the process of reviewing a current proposal for the site – totaling 105 units, including 16 lower income units.	16 Lower 89 Above Moderate	S/T = P SRO = NP	Y	N
	12191021000	0.24											
	12191029000	0.23											
	12191017000	0.24											
	12191023000	0.24											
	12191001000	0.18											
	12191022000	0.18											
	12191024000	0.23											
	12191013000	0.19											
	12191003000	0.16											
	12191016000	0.16											
	12191004000	0.16											
	12191028000	0.16											
	12191002000	0.16											
	Total	2.68					105						

Notes:

1. In estimating potential, fractional unit is rounded down to the nearest whole number, except that a legally created parcel is assumed to allow at least one unit.
2. Housing Element program to amend zoning code to accommodate transitional/supportive housing in a similar manner as other similar housing is permitted. SRO will be conditionally permitted in CMX zone.

2. West Broadway Urban Village Specific Plan

Parcels in the West Broadway Urban Village Specific Plan Area are designated for a range of residential densities. For example, the Mixed-use (MX) designation for parcels in the Specific Plan Area allows between 30 and 60 units per acre within a total FAR of 3.0, including high intensity residential, commercial, office, and civic uses. Residential High and Mixed Use (RH/MX) designation allows residential and mixed use developments using the Residential High development standards at a density of 25 units per acre. The Specific Plan area currently contains about 80 units but envisions close to 500 units at buildout along with approximately 317,000 square feet of nonresidential development, as shown in [Table App-48](#). Vacant and underutilized properties included in the sites inventory for this Housing Element total to a capacity of 172 units.

Table App-48: Development Potential in West Broadway Urban Village Plan								
New Use	Phase I		Phase II		Phase III		Phase IV	
	Sq. Ft.	DU	Sq. Ft.	DU	Sq. Ft.	DU	Sq. Ft.	DU
Mixed-Use Residential	15,100	41	87,600	58	58,000	114	160,700	213
Mixed-Use Office	--	--	116,100	--	--	--	116,100	--
Library/Parking Project ¹	40,000	82	--	--	--	--	40,000	82
Transit Center ²	28,700	--	--	--	--	--	28,700	--
Gateway Hotel Project	50,000	--	--	--	--	--	50,000	--
Multifamily Housing	--	14	--	61	--	124	--	199
Total per Phase	133,800	137	203,700	119	58,000	238	395,500	494

Notes:

1. Square footage of the library/parking mixed-use project includes the library, retail and housing, but does not include the parking structure.
2. Square footage in the transit station project accounts for office above the ground floor.

Source: City of Seaside, West Urban Village Specific Plan, 2010

Campus Town Specific Plan

The Campus Town site comprises about two neighboring tracts called the "Surplus II site" south of Gigling Road and the "26 Acres" site south of Lightfighter Drive. The following parcels make up the Specific Plan area:

031-151-013 (Portion)	031-151-040
031-151-018	031-151-041
031-151-024	031-151-042
031-151-029	031-151-043
031-151-031	031-151-044
031-151-032	031-151-054
031-151-036 (Portion)	031-151-055
031-151-037	031-151-056
031-151-038	031-261-003
031-151-039	031-261-004

This planning area consists of 120 acres of vacant and underutilized properties just south of California State University Monterey Bay on the former Fort Ord. Most of the existing buildings were originally a part of the Fort Ord base and will be demolished by FORA. As of July 2019, FORA had removed most of the buildings in the Specific Plan Area that had been identified for demolition, with the exception of eight buildings.

In May 2017, the City issued a Request for Proposal to develop a specific plan for this area, envisioned to provide arts, entertainment, retail, recreation, and housing opportunities to students, faculty, and to the region at-large. The Draft Campus Town Specific Plan is available for public review as of July 3, 2019, along with the Environmental Impact Report. The Draft Specific Plan provides for a maximum 1,485 housing units (885 single-family and 600 multifamily units) to be developed. The exact breakdown of housing unit types is not yet known, but it will be a mix of single-family detached, single-family attached, and multifamily buildings. Pursuant to the City's inclusionary housing program, 20 percent (297 units) of the 1,485 units in Campus Town would be required to be set aside as affordable housing – at least one-third very low income units and one-third low income units, with the balance (no more than one-third) as moderate income units.

According to the Specific Plan, construction of Phase 1 (about 36.5 percent of the plan development area) could begin in October 2022, within the fifth cycle Housing Element planning period. As a general estimate based on the ratio of development area, 542 housing units could occur in Phase 1, yielding an inclusionary housing requirement of 108 units (36 very low income units, 36 low income units, and 36 moderate income units). Since much of the Urban Block use type is located in Phase 1, a large portion of the Specific Plan's 600 multifamily units could occur within this Housing Element planning period.

Figure App-10: Campus Town Specific Plan



Conceptual Phasing Plan - Phase 1



Conceptual Phasing Plan - Phase 2

3. Adequacy of Sites Inventory

State law requires that adequate sites are available to accommodate the City's RHNA for the entire duration of the RHNA planning period (January 1, 2014 through December 31, 2023). This analysis assesses the adequacy of the sites inventory based on the existing General Plan that is in effect at the writing of this Housing Element. Adoption of the proposed General Plan is anticipated to occur in 2019/2020. Table App-49 summarizes development potential under the existing General Plan and Table App-50 evaluates development potential by the proposed General Plan designations.

Existing General Plan

Table App-49 summarizes the City's ability to meet its share of the region's housing need as determined by the Association of Monterey Bay Area Governments (AMBAG), based on the existing General Plan as of the writing of this Housing Element. To facilitate the development of housing for lower income households under the existing General Plan, the City focuses its efforts on sites designated for multifamily residential development at 25 units per acre and mixed-use sites at 25 to 60 units per acre. Vacant and underutilized sites in these areas could potentially accommodate 191 high density multifamily units, based on the City's existing General Plan and a conservative density factor of 50 percent.

Specifically, while most sites are comprised of small parcels given the City's subdivision and development patterns as a beach community, consolidation of smaller parcels can create five sites that are larger than 0.5 acre and designated for a density of at least 25 units per acre under the existing General Plan. These are parcel groups: C – 0.68 acre; P – 0.59 acre; W – 2.48 acres; Library Site – 1.83 acres; and X - Broadway and Terrace – 2.68 acres (refer to Table App-44 and Table App-45). These sites are considered feasible for facilitating multifamily development for affordable housing for lower income under new State law on adequate sites. These sites could yield 157 lower income units, 42 moderate income units, and 122 above moderate income units at conservative density factor of just 50 percent of the allowable density for the majority of sites. Site P is assumed at a higher density based on the density trend of a current proposal for another site across the street.

Furthermore, the proposed Campus Town would add an additional capacity for about 542 units with 108 affordable units through the City's inclusionary housing requirement. This inventory of sites exceeds the City's remaining RHNA of 157 lower income units, two moderate income units, and seven above moderate income units.

Table App-49: Site Capacity under Existing General Plan

Existing GP	Number of Parcels	Acres	Existing Density (units/acre)	Potential Density at 50% (units/acre)	Realistic Capacity	Potential Income/ Affordability
Vacant Sites						
WBSP - MX	7	0.83	60	30	21	Moderate
Community Commercial (CC)	4	0.72	25	12.5	7	Moderate
Mixed Use (CMX)	3	0.68	25	12.5	7	Lower
Mixed Use (CMX)	2	0.23	25	12.5	2	Moderate
High Density Residential (RH)	1	0.19	25	12.5	2	Moderate
Medium Density Residential (RM)	8	1.01	15	7.5	8	Moderate
Medium Density SF Residential (RMS)	18	2.46	12	6.0	18	Above Moderate
Low Density SF Residential (RLS)	7	3.96	8	4.0	15	Above Moderate
___ Total Vacant	50	10.08		---	80	
Underutilized						
WBSP - MX	12	2.22	60	30	100	Lower
WBSP - MX	10	0.96	60	30	23	Moderate
WBSP - MX/RH	2	0.20	25	20	4	Lower
Community Commercial (CC)	2	2.48	25	12.5	30	Lower
CMX (Broadway/Terrace)	14	2.68	25	39.0	105	16 Lower 89 Above Moderate
___ Total Underutilized	40	8.54		---	251	
All Sites	90	18.62		---	331	157 Lower 63 Moderate 122 Above Moderate
Campus Town SP (Ph. 1)	---	43.83	---	---	542	72 Lower 36 Moderate 434 Above Moderate

Note:

1. As part of Site P
2. Site P assumed at 50 du/ac for MX and 20 du/ac for RH/MX based on density proposed by another project across the street
3. Actual density of proposed project

Proposed General Plan

The proposed General Plan Land Use Element offers increased opportunities for higher density residential development. The vacant and underutilized sites inventory could yield a total of **403** additional units, including **207** units at densities of 25 units per acre or above and on sites larger than 0.50 acre. With the adoption of the proposed General Plan, the City continues to have adequate capacity to accommodate its remaining RHNA of 166 units (157 lower income units, two moderate income units, and seven above moderate income units). Furthermore, the proposed Campus Town would add an additional capacity for about 542 units with 108 affordable units through the City's inclusionary housing requirement.

Table App-50: Site Capacity under Proposed General Plan

Proposed GP	Number of Parcels	Acres	GP Proposed Density (units/acre)	Potential Density at 50% (units/acre)	Realistic Capacity	Potential Income Affordability
Vacant Sites						
Mixed Use Low	3	0.68	45	22.5	14	Lower
Mixed Use Low	10	1.47	45	22.5	28	Moderate
Neighborhood General	8	1.08	30	15	10	Moderate
Neighborhood Medium	16	2.15	15	7.5	16	Moderate
Neighborhood Low	6	3.87	8	4	14	Above Moderate
WBSP (MX)	7	0.83	60	30	21	Moderate
Total Vacant	50	10.08		---	103	
Underutilized						
Mixed Use High	2	2.48	60	30	73	Lower
WBSP (MX)	12	2.22	60	30	100	Lower
WBSP (MX)	10	0.96	60	30	23	Moderate
WBSP (RH/MX)	2	0.20	25	20	4	Lower
CMX (Broadway/Terrace)	14	2.68	45	39.0 ³	105	16 Lower 89 Above Moderate
Total Underutilized	40	8.54		---	294	
All Sites	90	18.62		---	397	207 Lower 98 Moderate 103 Above Moderate
Campus Town SP (Ph. 1)	---	43.83	---	---	542	72 Lower 36 Moderate 434 Above Moderate

Note:

1. As part of Site P.

2. Site P assumed at 50 du/ac for MX and 20 du/ac for RH/MX based on density proposed by another project across the street

3. Actual density of proposed project

4. Availability of Water

Development in the Monterey Bay area has long been constrained by the lack of water and the City of Seaside is among one of the most constrained communities. A cease and desist order from the State Water Resources Control Board prohibits the installation of new water meters until July 2021. Therefore, while the City has rights to a certain amount of water in the next five years, the City does not currently have access to that water.

The City of Seaside is pursuing multiple strategies to make water available for development:

- **Private Water:** Some developers have access to private water for development. For example, the proposed 105-unit project at Broadway and Terrace will utilize private water.
- **Diverting Potable Water used at the Bayonet and Black Horse Golf Course:** The City of Seaside owns the land but leased it out for the golf course. Currently the golf course is watered with potable water. The City is in the midst of a legal battle to take the potable water from the golf course for human consumption and redirect reclaimed stormwater for the golf course.
- **In-Lieu Storage and Recovery Program:** The City has proposed partnering with MCWD to develop an in-lieu storage and recovery program involving a portion of MCWD's 600 AF per year entitlement to advanced-treated recycled water from the Pure Water Monterey Project. MCWD has plans to increase the use of recycled water to offset potable water demand, up to 453 AFY by 2035 (MCWD 2016). Additional projects to replace potable water with recycled water for golf course uses (see below) is being considered by the City. The increased use of recycled water will offset the increased potable water demand anticipated by future projects.
- **Pure Water Monterey:** The City is participating in the Pure Water Monterey project, which will provide a clean, safe and sustainable source of water for Monterey County. It emphasizes advanced water recycling technology, replenishment of the groundwater supply and protection of the environment. Pure Water Monterey provides both purified potable water for domestic use, as well as a supply for irrigating agricultural areas in the Salinas Valley. This project, once implemented, will have the potential of removing the cease and desist order for Seaside.
- **California American Water Desalination Project:** CalAm Water is pursuing plan to construct a desalination plant that would provide water for the region.

5. Future Residential Development Potential

In addition to vacant and underutilized sites identified in the detailed sites inventory, the General Plan update also sets aside areas for future residential development.

Seaside East Future Growth Area

This Seaside East Area is comprised of 495 acres within the City of Seaside, on property that was formerly part of the Fort Ord Army base. The Area includes parcels along both sides of General Jim Moore Boulevard and Eucalyptus Road. The Former Fort Ord Base Reuse Plan identifies the Area as part of the Reuse Plan's Planned Residential Extension Districts and calls for a variety of uses. As part of the General Plan update, this Area is designated Future

Growth Area, envisioning for a range of designations such as Employment, Habitat Management, and Neighborhood Low (at eight units per acre). While land use designations are not specified on the map at this time, the General Plan will include appropriate mix of residential development.

Financial Resources

As a small community, and especially since the loss of Redevelopment Agencies statewide, the City has limited availability of funds for affordable housing activities. Key funding sources now include limited Community Development Block Grant funds and the City's Inclusionary Housing Program. Through these funding sources, the City has achieved affordable housing for lower and moderate income households.

1. Community Development Block Grant (CDBG) Funds

Through the CDBG program, HUD provides funds to local governments for a range of community development activities. The eligible activities include, but are not limited to: acquisition and/or disposition of real estate property, public facilities and improvements, relocation, rehabilitation and construction (under certain limitations) of housing, home ownership assistance, and also clearance activities. In addition, these funds can be used to acquire or subsidize at-risk units. The City of Seaside typically receives approximately \$365,000 annually from the U. S. Department of Housing and Urban Development (HUD).

2. Inclusionary Housing In-Lieu Fund

Seaside's Inclusionary Housing Program (IHP) provides alternative means of compliance for the inclusionary housing requirements as provided in Section 17.32.060 of the City's Zoning Ordinance. The IHP requires developers of any residential development, to provide at least 20 percent of the total units as inclusionary units made available as affordable rental housing on-site, off-site, through land dedication, or through the payment of an in-lieu fee (or any combination of the above listed, that at least equal the cost of providing inclusionary units on-site).

The City collects an in-lieu fee for projects unable to provide on-site affordable units. In the past, the City has used in-lieu funds to assist non-profit developers by providing grants to purchase existing housing or to finance the construction of new affordable housing. As of 2017, approximately \$2.6 million was available in the in-lieu fund.

3. Public Financing

The State Housing and Community Development Agency, and HUD, offer construction, rehabilitation, and permanent financing as low as three percent to qualified applicants such as housing authorities or private not-for-profit developers. These funds are competed for based on participation of other funding sources and local need.

Partnership Resources

Described below are public and non-profit agencies that can serve as resources in the implementation of housing activities in Seaside. These agencies play an important role in meeting the housing needs of the City. In particular, they are critical in the production of affordable housing and the preservation of at-risk housing units in Seaside. There are additional nonprofit agencies that are developing a local track record; these agencies may also assist in this area during the life of this Housing Element.

Housing Authority of the County of Monterey (HACM)

HACM administers the Housing Choice Voucher program that covers also the City of Seaside. In addition, HACM actively pursues affordable housing development, especial farm labor housing, through its developer arm – Monterey County Housing Authority Development Corporation (MCHADC).

Community Housing Improvement Systems and Planning Association (CHISPA)

CHISPA is a Community Housing Development Organization (CHDO) operating in the Central Coast area. As the largest private, nonprofit developer in Monterey County, CHISPA has completed more than 2,200 affordable single-family, multifamily, and senior housing units since its incorporation in 1980.

Mid-Peninsula Housing

Mid-Pen is also an active nonprofit affordable housing developers in the Silicon Valley and Monterey Bay area. Currently Mid-Pen is working a 90-unit affordable SRO project in Salinas' Chinatown area.

Interim, Inc.

This nonprofit organization provides supportive services and affordable housing for persons with mental disabilities. It provides a range of housing options throughout the County.

Habitat for Humanity

Habitat for Humanity is a community service organization that renovates and builds homes with the goal of eliminating poverty and providing decent shelter for all. Through volunteer labor and tax deductible donations of money and materials, Habitat for Humanity constructs or rehabilitates homes in partnership with the families that will become the owners of the properties. Rehabilitated or newly constructed homes are sold to the families for the cost of materials through a mortgage that does not include interest or profit. Habitat for Humanity, Monterey County is located in Monterey and actively works with jurisdictions to find and acquire appropriate properties for residential development and redevelopment.

Alliance on Aging of Monterey County

The Alliance on Aging offers a homeshare program that pairs senior home owners with a companion who is willing to assist with household chores such as cooking or driving in exchange for a place to live at a reduced rate. The stated mission of the program is to help seniors stay in their homes as long as possible, to prevent early institutionalization. At the

same time, the program makes available affordable housing opportunities for companion seniors.

Monterey Bay Economic Partnership

Monterey Bay Economic Partnership (MBEP) is a regional nonprofit, membership organization consisting of public, private and civic entities located throughout the counties of Monterey, San Benito and Santa Cruz. Founded in 2015, its mission is to improve the economic health and quality of life in the region.

In 2016, MBEP launched its housing initiative to support an increase in the supply of all housing at all income levels in the Monterey Bay region. The initiative starts with a broad, regional coalition of individuals and organizations to advocate for the construction of all types of housing through our MBEP Action Center. To encourage development, MBEP joined forces with Housing Trust Silicon Valley to create the Monterey Bay Housing Trust: a local housing trust fund that provides a new loan pool to bring affordable housing projects throughout the region. In the Trust Fund's first year, MBEP raised \$12 million and funded three projects.

TerraCorp and Terrex Companies

TerraCorp Financial Inc. is a real estate services company located in Lafayette, California. In concert with its sister company Terrex Development Corporation, TerraCorp Financial provides full-service real estate development and management of multifamily and commercial properties in Northern California including affordable housing. In August 2019, the Seaside City Council provided an \$800,000 bridge loan for TerraCorp/Terrex with an understanding that they are pursuing LIHTC and providing \$20 million in improvements to Del Monte Manor, the City's largest affordable housing project. Improvements are expected to begin in 2020.

Section 5. Evaluation of Adopted Housing Element

In order to draft an effective housing plan for the 2015-2023 Housing Element, the City must evaluate the effectiveness and continued appropriateness of existing housing programs and actions. This evaluation includes the following:

- The effectiveness of the adopted Housing Element in the attainment of the State housing goal;
- An analysis of the significant differences between the adopted goals and the actual accomplishments; and
- A description of how the goals, objectives, policies and programs of the 2015-2023 Housing Element incorporate lessons learned from the results of the 2009-2014 Housing Element adopted in 2011.

Accomplishments of Adopted Housing Element

This section presents a comparison of the five-year objectives established for each housing program adopted under the 2009-2014 Housing Element with the actual accomplishments from 2009 to the present, [Table App-51](#) summarizes the City's accomplishments in the areas of:

- Providing Adequate Site;
- Housing Rehabilitation and Improvement;
- Housing Affordability;
- Preservation of Affordable Housing;
- Removing Constraints; and
- Fair Housing

The previous Housing Element was adopted in 2011 and initially covers the planning period of July 1, 2009 through June 30, 2014. However changes in State law adjusted the statutory deadline for the AMBAG region to a new update cycle to December 15, 2015. Due to staff and budgetary limitations, as well as the anticipation of a comprehensive update to the General Plan, the City has delayed updating its Housing Element. Therefore, this section summarizes the City's achievements through May 2017 (as of writing of this housing element).

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
Goal: Maintain and improve existing neighborhoods and housing.		
1. Code Enforcement/ Housing Assistance/ Neighborhood Improvement Coordination: This program ties code enforcement efforts to the housing assistance program by coordinating housing assistance, administrative code enforcement, fire prevention, neighborhood policing, redevelopment and related neighborhood improvement activities.	• Establish protocol for coordination among the various departments and agencies in 2010. • Focus code enforcement efforts in the target areas with concentrated issues of code violations. • Distribute information regarding the new program at public counters.	Accomplishments: The City conducts general code compliance citywide through the Building and Code Enforcement Division of the Building Department. Code compliance in Seaside is complaint-based and City staff works with individuals to correct violations, which can include improvement of substandard housing conditions and blight, as well as neighborhood safety. However, with the dissolution of redevelopment, the City lacks funding to implement in-house housing rehabilitation programs. Continued Appropriateness: This program continues to be appropriate and is modified and included in the 2015-2023 Housing Element.
2. Homeowner Rehabilitation Loans: This program currently offers loans for owner-occupied, low and moderate income households for major repairs at zero to three-percent simple APR.	• Modify program in 2010. • Issue six rehabilitation loans per year. • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Mail out brochures to target areas. • Advertise through local media. • Enhance application displays at City Hall. • Utilize the City's house of the month and other NIPC programs as outreach vehicles.	Accomplishments: In 2013, the City contracted Rebuilding Together Monterey/Salinas (RTMS), a nonprofit organization, to implement the City's Residential Façade Improvement Program which provides façade and weatherizing improvements, as well as corrects any code violations. RTMS identified and completed two projects during FY 2013-14. However, funding for this program was discontinued at the end of the fiscal year. No rehabilitation loans have been issued after the loss of staff and redevelopment funding. The goals associated with those activities were not met and these programs have proven challenging to implement on a small scale with limited staffing.

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
		Continued Appropriateness: The City recognizes the need to maintain and improve the quality of its housing stock. A modified program for housing rehabilitation efforts is included in the 2015-2023 Housing Element.
3. House Paint Program/ Operation Paintbrush: This program uses Redevelopment funds to reimburse lower and moderate income homeowners for the cost of repainting the exterior of their homes. Property owners with multifamily housing units under contract with the Housing Authority of Monterey County Section 8 program are also eligible.	• Modify program in 2010. • Reimburse ten eligible property owners a year (including two extremely low income households). • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Mail out brochures to target areas. • Advertise through local media. • Enhance application displays at City Hall. • Utilize the City's house of the month and other NIPC programs as outreach vehicles. • Seek support from local paint and hardware stores, painting contractors, and other businesses.	Accomplishments: This program was discontinued due to lack of funding and staffing. Continued Appropriateness: A modified program for housing rehabilitation efforts is included in the 2015-2023 Housing Element.
4. Emergency Home Repair Grants: The current program provides financial assistance for minor health and safety repairs to lower and moderate income households, including extremely low income households.	• Modify program in 2010. • Provide ten emergency home repair grants a year (including two grants for extremely low income households) • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Mail out brochures to target areas. • Advertise through local media. • Enhance application displays at City Hall. • Utilize the City's house of the month and other NIPC programs as outreach	Accomplishments: This program was discontinued due to lack of funding and staffing. Continued Appropriateness: A modified program for housing rehabilitation efforts is included in the 2015-2023 Housing Element.

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
5. Energy Conservation: The City will promote energy conservation through a number of actions.	vehicles. - Continue to implement state building standards (Title 24 of the California Code of Regulations) regarding energy efficiency in residential construction. - Review proposed developments for solar access, site design techniques, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs. - Provide access to information on energy conservation and financial incentives (tax credit, utility rebates, etc.) through public information to be provided at the City's public counter, on the City's web site, at public libraries and community centers.	Accomplishments: The City continues to promote energy conservation by implementing State Title 24 energy performance requirements through building codes. In addition, in July 2015, the City adopted an ordinance (No. 1024) to expedite the permitting procedures for small residential rooftop solar systems. The purpose of the ordinance is to promote and encourage the installation and use of solar energy systems by limiting obstacles to their use and by minimizing the permitting costs of such systems. The City will continue to work with energy suppliers and distributors to institute energy conservation programs, and inform the public of these programs. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
Goal: Maintain a range of housing opportunities to address the existing and projected needs of the community.		
6. Land Use Element: The Land Use Element provides adequate sites to meet the City's share of regional housing needs of 598 units for the 2007-2014 planning period.	- Provide residential sites inventory to interested developers. - Market opportunity sites to the development community by providing the conceptual site plans to potential developers, communicating to the development community regarding the City's desired affordable housing options at those locations, and potential funding available. - Pursue development of Fort Ord	Accomplishments: The 2015-2023 Housing Element is updated as part of the comprehensive update to the Seaside General Plan. As part of this update, the City is proposing several key changes to its land use strategy, especially pertaining to the mixed use areas, to facilitate and encourage development in the City. Continued Appropriateness: The City has a new RHNA allocation for the 2015-2023 Housing Element. This program is updated to

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
	through specific or master planning techniques. Monitor the sites inventory on an annual basis to ensure the City's ability in accommodating its Regional Housing Needs Allocation (RHNA) of 598 units.	incorporate the City's new land use strategy for meeting its RHNA.
7. Lot Consolidation: Most of the City's vacant and underutilized sites are smaller and require lot consolidation to allow development of at least ten units.	- Encourage lot consolidation by assisting interested developers in identifying sites with consolidation potential. - Augment the CDBG Incentive Program to provide low-interest loans in the acquisition of adjacent properties for the purpose of lot consolidation for affordable housing projects.	Accomplishments: Due to the moratorium on water meters issued under a cease and desist order by the State Water Resources Control Board that prohibits intensifying existing uses or adding new water connection combined with a collapsed housing market, residential development in the City was in a standstill during the past few years. No lot consolidation activities occurred. However, as part of the City's comprehensive General Plan update program, the City is proposing modifications to its standards and incentives to encourage residential and mixed use development. Continued Appropriateness: This program continues to be appropriate and a modified version is included in the 2015-2023 Housing Element.
8. Housing for Extremely Low Income Households: The Zoning Ordinance is the primary implementation tool for the Land Use Element and can be used to encourage the development of housing for extremely low income households.	Amend the Zoning Ordinance provisions related to emergency shelters, transitional housing, supportive housing, and target housing groups within one year of the adoption of the Housing Element.	Accomplishments: The City expects to amend the Zoning Ordinance as part of the comprehensive update to implement the General Plan. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
Goal: Use public-private partnerships and collaborative efforts to ensure that all segments of the community have access to safe and decent housing that meets their special needs.		
9. First-Time Homebuyer Downpayment Assistance: This program provides financial assistance to moderate, low, and very low income first-time homebuyers at three percent simple APR.	• Modify program in 2010. • Issue six loans a year. • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Advertise through local media. • Enhance application displays at City Hall. • Distribute application packages through local lenders.	Accomplishments: The City's housing programs became inactive after the loss of staff and redevelopment funding. The goals associated with those activities were not met and these programs have proven challenging to implement on a small scale with limited staffing. Continued Appropriateness: A new program that focuses on connecting households with available State and federal resources is included in the 2015-2023 Housing Element.
10. City Personnel Home Purchase Incentive Loan Program: This program provides low interest loans to City of Seaside employees to assist them in obtaining housing in Seaside to help attract and retain quality City employees.	• Continue to offer program and promote program as part of the City's recruitment information.	Accomplishments: See accomplishments for Program 9. Continued Appropriateness: A new program that focuses on connecting households with available State and federal resources is included in the 2015-2023 Housing Element.
11. Foreclosure Crisis Response: The City will establish a Foreclosure Crisis Response program. Under this program, the City will, in coordination with Monterey County, require notice by lenders of units being foreclosed on. Residents will be provided with foreclosure counseling and acquisition of foreclosed units will be a last resort. Units acquired through foreclosure will be provided through the	• Establish program in 2010. • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Mail out brochures to target areas. • Advertise through local media. • Distribute brochures to local lenders.	Accomplishments: In March 2011, the City adopted an ordinance (No. 996) that establishes an abandoned residential property registration program as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of abandoned properties. The program requires mortgage lenders to inspect defaulted properties to confirm occupancy. If a property is found to be vacant, the ordinance requires that the lender exercise the abandonment clause within their mortgage contract, register the property with the City and immediately

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
downpayment assistance program.		begin to secure and maintain the property to the "neighborhood standard." In short, the program requires that the absentee lender/owner "be a good neighbor" and maintain its property as if the residence were its own neighborhood. Continued Appropriateness: This program continues to be appropriate and a modified version will be included in the 2015-2023 Housing Element.
12. Section 8 Housing Choice Voucher Program: The Section 8 Housing Choice Voucher program provides rental subsidies to very low income families and elderly households who spend more than 30 percent of their gross income on housing.	• Offer incentives through the House Paint (Operation Paintbrush) Program to property owners who accept Section 8 vouchers. • Maintain assistance to 200 households (at least 70 percent must be extremely low income households pursuant to HUD regulations). • Support HAMC's efforts to pursue additional funds by writing letters of support to be included in HAMC's annual application packages to HUD. • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Advertise through local media.	Accomplishments: The Housing Choice Voucher program represents an important resource for the City's extremely low and very low income households. As of May 2017, 124 households in Seaside are utilizing Housing Choice Vouchers, with another 666 households on the waitlist for assistance. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
13. Preservation of Publicly Assisted Low Income Housing: Three of the four affordable housing projects in the City are considered at risk of converting to market-rate housing. The City will work with existing and potential owners, as well as tenants to	• Keep in regular contact with the property owners of the at-risk projects to determine the status of that building. • Ensure that no affordable rental unit is allowed to convert to a condominium without meeting the requirements of the City's adopted condominium conversion ordinance in	Accomplishments: No publicly assisted housing was converted to non-low income use during the past Housing Element planning period. Continued Appropriateness: This program continues to be appropriate and is updated in the 2015-2023 Housing Element to reflect the status of the affordable housing projects.

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
keep the 405 assisted units affordable to lower income households and to avoid tenant displacement.	Chapter 17.42 of the Zoning Ordinance. • Work with tenants to inform them of their rights under federal and state regulations. • Maintain regular contact with the Housing Authority and with other non-profit agencies that express an interest in purchasing and/or managing the units at-risk and assist them in acquisition or establishing management of the units if they are sold.	
14. Affordable Housing Construction: To implement the West Broadway Specific Plan and promote jobs-housing balance in the community, the City will pursue mixed use developments, particular those with affordable housing.	• Pursue mixed use projects with affordable housing. • Prioritize projects with affordable housing (especially extremely low income units) for funding and water allocation.	Accomplishments: The City's affordable housing development efforts have been significantly hindered by several major obstacles during the previous planning period. The loss of redevelopment funds has severely hindered any and all housing initiatives since 2012. In addition, the City of Seaside continues to have ongoing issues regarding limited water resources to supply toward new development that would be subject to affordable inclusionary housing programs. The City's water provider Cal-American is under a cease and desist order by the State Water Resources Control Board that prohibits intensifying existing uses or adding new water connections. However, the moratorium on water meters within the City of Seaside proper may be removed in in the future. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
Goal: Removing Governmental Constraints		

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
15. Affordable Attached Single-Family Unit: The City will amend the Zoning Ordinance to provide consistent treatment for market-rate and affordable attached single-family homes.	Amend Zoning Ordinance within one year of Housing Element adoption.	Accomplishments: The City has not amended the ordinance to address this discrepancy in its Zoning Ordinance. This revision will be incorporated as part of the comprehensive update to the Zoning Ordinance to implement the new General Plan. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
16. Inclusionary Housing Program: The City will review development applications on a case-by-case basis to assess the obligations under the City's Inclusionary Housing Program and determine the necessary incentives and/or concessions required to enhance project feasibility.	Review development applications on a case-by-case basis to determine incentives and/or concessions needed to enhance project feasibility.	Accomplishments: The City continues to implement its Inclusionary Housing Program and reviews development applications on a case-by-case basis to determine incentives and/or concessions needed to enhance project feasibility. However, as discussed under Program 15, little housing construction occurred since 2010 due to water meter moratorium and rebounding housing market. Limitations on infill development also presents some difficulty with assembling small parcels into a single lot. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
17. Adequate Water Supply for the Development of New Housing: There is currently a lack of adequate water on the Monterey Peninsula for new development to occur. Remaining water allocation	- Prioritize projects with affordable housing (especially extremely low income units) for funding and water allocation. - Support efforts by the MPWMD to expand the water supply. - Continue to work to have the MPWMD	Accomplishments: The City acknowledges the fact that limited water supply is a constraint to the provision of housing and requires new and redevelopment projects to install and to utilize water conservation measures per Section 13.18.010 of the Seaside Municipal Code. This includes installation/retrofitting of low water-

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
credits within Seaside are limited to mixed-use and commercial economic development projects. Currently, the City is working with other jurisdictions and agencies to maintain and augment the existing water supply.	reverse its policy decision of prohibiting the transfer of water credits from one property to another. • Continue to implement guidelines for the allocation of remaining water credits to give priority for the construction of low income units. • Continue to require new public and private development and redevelopment projects to install and utilize water conservation.	use plumbing and fixtures. The City also continues to support all efforts by the Monterey Peninsula Water Management District (MPWMD) to expand the water supply. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
18. Reasonable Accommodations: The City will amend the reasonable accommodation procedure to provide flexibility in the application of planning and development regulations for disabled residents via an administrative procedure.	• Amend the reasonable accommodations procedure within one year of the adoption of the Housing Element. • Develop brochures to publicize the availability of reasonable accommodation for persons with disabilities. • Advertise the program in English and Spanish on the City’s website, at the library, and at the public counter. • Advertise through local media.	Accomplishments: The City has not amended the ordinance to establish formal procedures for processing reasonable accommodation requests. This revision will be incorporated as part of the comprehensive update to the Zoning Ordinance to implement the new General Plan. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
Goal: Promote equal housing opportunities		
19. Fair Housing Education: The City will continue to disseminate information to the public in English and Spanish regarding fair housing services, rights, illegal practices, and agencies that are available to assist in resolving housing discrimination issues.	• Coordinate with the HAMC to provide brochures and other pertinent fair housing materials in English and Spanish at City Hall, the library, and the Post Office, Oldemeyer Center. • Advertise the program in English and Spanish on the City’s website, at the library, and at the public counter. • Advertise through local media.	Accomplishments: The City’s priorities in affirmatively furthering fair housing remain focused on educating the general public on fair housing issues and policies to keep individuals aware of their rights and remedies under state and federal laws, and keeping housing providers and real estate persons knowledgeable on housing discriminatory practices and consequences. Fair housing information is sent free of charge

Table App-51: Summary of Program Accomplishments

Program	Housing Element Goals and Objectives	Accomplishments/Continued Appropriateness
		to those who request it. In addition, the City promotes fair housing awareness in its housing programs and works with housing providers in the city to ensure the fair and equitable treatment of persons and households seeking housing in Seaside. The City also makes available to the public through its website the HUD brochure entitled "Are You a Victim of Housing Discrimination?" that lists illegal housing discrimination actions under the Fair Housing Act and a complaint form for mailing to HUD Fair Housing Hub in San Francisco. Continued Appropriateness: This program continues to be appropriate and is included in the 2015-2023 Housing Element.
20. Rental Mediation Service: The City will continue to sponsor mediation services for tenant/landlord disputes on matters including, but not limited to, discrimination, rent, property maintenance, repair, and eviction.	• Continue to support and provide funds to the Conflict Resolution & Mediation Center of Monterey County. • Advertise the program in English and Spanish on the City's website, at the library, and at the public counter. • Advertise through local media.	Accomplishments: The County no longer provides rent mediation services. Continued Appropriateness: This program is removed from the Housing Element.

Section 6: Community Engagement

This Housing Element was prepared as part of the comprehensive update to the General Plan. An extensive community engagement program was implemented to give opportunities for all residents and stakeholder to participate in the process of developing a long-term vision for Seaside. The engagement activities provide a wide variety of opportunities for participation and are targeted at reaching out to members of the community who are typically not involved in civic projects and government meetings. The Community Engagement Plan includes various components. Spanish translation was available at all public meetings for the General Plan program. The specific activities that pertain to the Housing Element are described below:

Stakeholder Interviews

Between April 2016 and June 2016, Raimi + Associates conducted ten stakeholder interviews with Seaside resident leaders about the unique characteristics of Seaside, key issues and opportunities, vision for the future, and community engagement opportunities. Stakeholder responses touched on a wide variety of topics. The housing-related responses are summarized below:

- **Housing affordability, housing age, and overcrowding.** Homes are more affordable in Seaside than any other place in the Peninsula. However, homes are more affordable in Seaside than any other place in the Peninsula.
- **Gentrification.** Gentrification is happening in the City.
- **Overcrowding.** Multiple families are living together in one home. Some families live in the garage and others are building illegal attachments to homes.
- **Overcrowding.** Multiple families are living together in one home. Some families live in the garage and others are building illegal attachments to homes.
- **Housing ownership.** Most housing is sold to outside investors.

With regard to their vision for the community, stakeholders expressed the following:

- **Upscale housing.** A diversity of housing, including upscale-housing to allow for people to move up.
- **Affordable housing for all.** Seaside with reasonable housing prices for everyone, including senior citizen homes in the City.
- **Housing for CSUMB students.** University students need more housing, and the City can encourage housing development near the college.

In addition to the Raimi + Associates interviews, Veronica Tam and Associates also interviewed CHISPA, an affordable housing developer active in the Monterey Bay. Representative from CHISPA expressed the difficulty of affordable housing as a mixed use product in the area due to limited funding for such product type and lack of experience in leasing the commercial component. Also, rents for existing retail space in the region are relatively low and therefore it would be difficult to find retailers willing to pay higher rents for the new space. The City recognizes this constraint and therefore, introduced standalone residential uses in mixed use neighborhoods in the new General Plan.

Community Open Houses

Housing was included as a topic in the Community Open House conducted on February 27, 2017 at the Oldemeyer Center. The workshop was organized in an open house format with eleven interactive workshop stations. The activities allowed participants to provide feedback on the General Plan Vision and Designations for neighborhoods within the City, prioritize housing issues and programs, review preliminary park and open space concepts, and prioritize potential park programs.

Mailing List

A special mailing was sent out to housing developers, professionals, community stakeholders with an interest in housing, and agencies and organizations that serve the housing and supportive service needs of lower and moderate income households and those with special housing needs.

seaside2040

your city. your future.

Your voice matters / Su voz importa

The City of Seaside is hosting an Open House to discuss the location and character of future development & transportation in Seaside. Come meet your neighbors and share your thoughts about Seaside!

La ciudad de Seaside está organizando una "Casa Abierta" para conversar sobre la ubicación y el carácter del transporte y el desarrollo futuro de Seaside. ¡Ven conoce a tus vecinos y comparte tus ideas sobre tu ciudad!

Open House

FEBRUARY
27

6:00 PM to 8:00 PM
Oldemeyer Center,
Laguna Grande Room
986 Hilby Ave.
Seaside, CA 93955

Light refreshments
and childcare will
be provided.

Casa Abierta

FEBRERO
27

6:00 PM a 8:00 PM
Centro Oldemeyer,
Salon Laguna Grande
986 Hilby Ave.
Seaside, CA 93955

Habrá aperitivos,
cuidado de niños y
traducción en español.

Oldemeyer to Pachetti Park
Starts at 5:45

Hot Rods, Cool Nights
Cars on Display

SWAG
Seaside Walking Action
Group

Join our mailing list / únete a nuestra lista de correo

www.seaside2040.com

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Marina, CA 93933

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Monterey, CA 93940

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Seaside First Baptist Church
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Seaside, CA 93955

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LandWatch Monterey County
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Summary of Comments

General Plan Vision and Designations



Residential Neighborhoods

The residential neighborhoods station allowed meeting participants to comment on the General Plan vision and designations for the residential neighborhoods. Overall, participants agreed with the future direction of Neighborhood types and densities as shown in following table.

Comment Board - Did we hit the mark?	Tally
Yes	14 (2)
Yes/Maybe	3
Maybe	6 (1)
Maybe/No	1
No	0

Participants identified the following ideas for additional consideration:

- Residential area near Fremont & Broadway (General/Orange) has very limited parking. Single family and apartments together.
- Promote public transportation; More buses with shorter distance routes (within Seaside) to assist shopping local without car use
- Small electric trolleys
- City sponsored bike rentals, as per San Jose.
- Too high on Fremont and Kimball area
- Need more pocket parks for families with small children and zoning allowance for childcare and building of childcare centers
- Care should be taken not to obstruct the view of the beach & ocean from low & mid Seaside
- Need code enforcement to clean up sloppy yards
- Park space on Broadway (no green zones indicated)
- Smaller units for affordability
- Control for speed > safety for pedestrians
- Housing: will the new developments be affordable?
- Develop empty lots East of Broadway

- Community housing for seniors and single parents, as per the Swedish model for low-income individuals and families
- Mixed-use: low height rather than taller, less attractive
- Some distinguishing structure at City Center (rebuild Del Rey Theatre, for example, with art deco neon)
- Make sure there are accommodations for parents with small children - playgrounds and childcare centers or family child care home accommodation

Housing Issues and Program Preferences

The meeting also solicited community feedback on the top three housing issues, specific groups to target new housing to, and the most important housing programs. For housing question one, participants were provided a list of thirteen issues and asked to prioritize the top three housing issues in the City. Participants were also provided additional spaces for other ideas. The responses are in the table below. Participants strongly agreed that the high cost of housing is the most important issue in Seaside.

<i>Are there any specific groups we should target new housing for?</i>	Tally
High Cost of Housing	17 (4)
Lack of affordable rental and for-sale housing	7
Lack of financial assistance for homebuyers	0
Lack of financial assistance to homeowners to make necessary repairs and improvements	2
Lack of financial assistance for renters, such as subsidies and vouchers	2
Lack of home improvement programs and incentives	6 (2)
Substandard housing conditions, especially in the rental housing stock	7
Inadequate code enforcement services	9 (2)
Lack of financial assistance or community resources to make code corrections	1
Overcrowding	7 (2)
Limited housing choices in terms of type, size, and location	3
Illegal conversion of garages and unpermitted expansion, resulting from overcrowding and rental housing cost	8 (1)
Lack of educational resources on state and federal housing programs and services, including tenant/landlord dispute resolution and tenant rights	1
Other ideas: • Need to help the homeless • Code enforcement of parking a must • Micro-loans for small businesses • Homeless facilities in conjunction with social service agencies • Mental health facilities • Intentionally design for child care units • Poor landscape maintenance by landlords – even with drought toe(?) plants • Fines for junky housing - garbage in yard, etc. • Need stable, steady, high paying jobs and employment opportunities for sustaining housing prices • Need greater job opportunities	

<i>Are there any specific groups we should target new housing for?</i>	Tally
• More affordable housing • Plant more trees – green city	

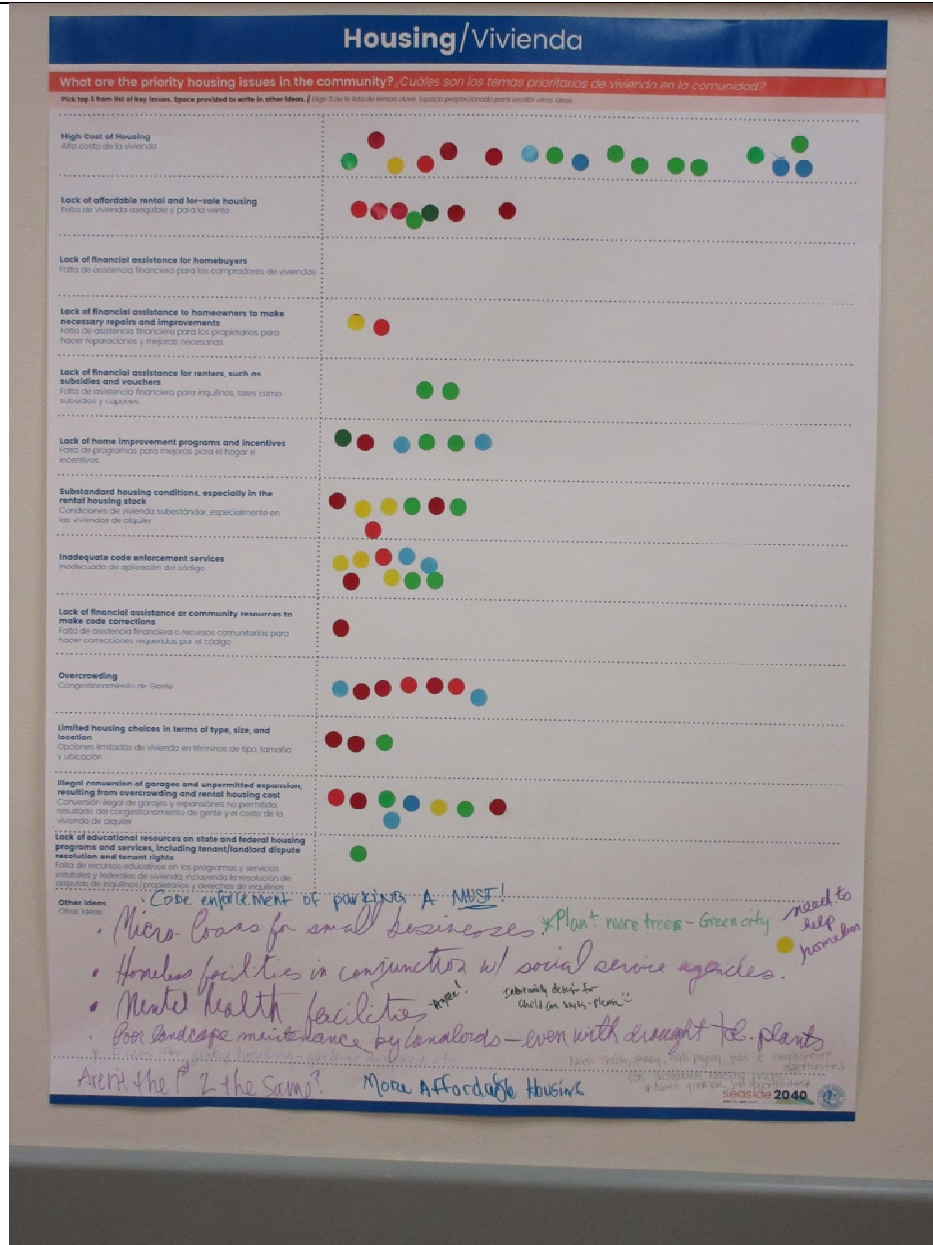
Housing question number two asked participants to identify specific groups to target new housing and provided a list of seven potential options. Participants were also provided space to list any other groups or ideas. Participants were particularly interested in providing new housing for seniors, in addition to young families.

<i>Are there any specific groups we should target new housing for?</i>	Tally
Seniors	15 (1)
College Students	10 (1)
Veterans	4
Persons with Disabilities	2 (1)
Farmworkers and other seasonal workers	(1)
Homeless and formerly homeless	10 (1)
Young Families	13 (3)
Other ideas: At Risk Youth (18-24)	

Housing question number three allowed participants to prioritize the top three housing programs or services in the City. Participants were provided a list of seven services and programs, in addition to space for additional ideas. Participants expressed strong interest in increased code enforcement and assistance for code correction.

<i>With limited funding, what are the most critical housing programs or services to fund?</i>	Tally
Homebuyer Assistance	5 (1)
Financial Literacy and Homebuyer Education	1
Renter Assistance	4 (2)
Financial Assistance to homeowners to help with repairs and home improvements, energy efficiency improvements	12 (1)
Financial assistance to landlords to help with repairs and improvements in exchange for affordable units	7 (2)
Increased code enforcement and assistance for code correction	16 (1)
Fair housing and tenant/landlord services	2
Other ideas: • Homeless Shelter • Communicating the assistance and benefit programs that exist • Renters often have more incentives for energy improvements, etc. than landlords (help encourage that) • Energy saving incentives within City • Code enforcement for: - o Parking – our roads are too crowded - o Remove blight/trash/non-working vehicles - o Codes for trailers/RVs/boats	

With limited funding, what are the most critical housing programs or services to fund?	Tally
o Airbnb and Rental of rooms in home	



Housing/Vivienda

Are there any specific groups we should target new housing for? / ¿Hay algún grupo específico al que debemos dirigir la vivienda?

Please review list and add any additional groups. Space provided to write in additional groups. / Por favor revise la lista y agregue cualquier grupo adicional. Espacio proporcionado para escribir grupos adicionales.

- Seniors/Personas de tercera edad
 - College students/Estudiantes Universitarios
 - Veterans/Veteranos
 - Persons with disabilities/Personas con Discapacidades
 - Farmworkers and other seasonal workers/Trabajadores de campo y otros trabajadores de temporada
 - Homeless and formerly homeless/Personas sin techo o previamente sin techo
 - Young families/Familias Jovenes
 - Other Ideas/Otros Ideas
- AX-RGR Youth (1F-24)

With limited funding, what are the most critical housing programs or services to fund? / Con fondos limitados, ¿cuáles son los programas o servicios de vivienda más importantes para financiar?

Pick top 3 from list of key issues. Space provided to write in other ideas. / Elige 3 de la lista de temas clave. Espacio proporcionado para escribir otras ideas.

Homebuyer assistance (e.g., downpayment, mortgage subsidies)

Asistencia para compradores de vivienda (por ejemplo, pago inicial, subsidios hipotecarios)

Financial literacy and homebuyer education

Educación financiera y educación para compradores de vivienda

Renter assistance (e.g., emergency rent/utility payments, security deposit, rent subsidies)

Asistencia al inquilino (por ejemplo, renta de emergencia/pagos de servicios públicos, depósito de seguridad, subsidios de alquiler)

Financial assistance to homeowners to help with repairs and home improvements, energy efficiency improvements

Asistencia financiera a propietarios para ayudar con reparaciones y mejoras en el hogar, mejoras en la eficiencia energética

Financial assistance to landlords to help with repairs and improvements in exchange for affordable units

Asistencia financiera a los propietarios para ayudar en las reparaciones y mejoras a cambio de unidades asequibles

Increased code enforcement and assistance for code correction

Mejorar la aplicación de códigos y asistencia para infracciones de código

Fair housing and tenant/landlord services

Vivienda justa y servicios de arrendatario/arrendador

Other Ideas

Otras ideas

How is station
I like this step board best. Other side boards are too busy.
Communicating the assistance/benefit programs that exist

Renters often have more incentive for energy improvements etc than landlords - help encourage that.
Energy saving incentives with City

Seaside 2040

General Plan Task Force

A General Plan Task Force comprised of 15 individuals was convened early in the process. The Task Force is advisory and non-voting. It includes interested citizens, business owners, advocates, and other stakeholders from Seaside, with an emphasis on providing a broad diversity of perspectives. A Task Force meeting that focused on the Housing Element was held on June 8, 2017. The Task Force reviewed the draft housing goals and policies.

Community Workshops

On July 27, 2017, the City conducted a community workshop to review goals and policies with the emphasis on sustainability. The topics covered in this workshop were: environmental sustainability; economic development; arts and culture; community health; and affordable housing. The following is a brief summary of the housing-related comments received:

- Live/work and shopkeeper units are in high demand in other Monterey Bay communities.
- Housing is needed for CSUMB students, faculty, and staff.
- The City needs a mix of housing for different income levels, including for higher income households. Different housing options would allow households to trade up or down depending on their needs.
- Housing is too expensive. The City needs more multifamily rental and ownership housing.
- Assisted living, independent living, and other senior housing options should be planned with services and amenities.
- Accessory dwelling units may be an appropriate affordable housing option.
- Housing is also needed for farmworkers and hospitality workers. However, most of these workers cannot rely on public transportation to go to work. Therefore housing for these workers needs to provide adequate space for parking.
- With many homes being used as rentals, absentee landlords present an issue with maintenance and repairs.

Planning Commission Meetings

The Draft Housing Element was presented to the Planning Commission on August 23, 2017. One public comment was received regarding the City's need for affordable housing.

Public Comments

Written Comments Received



August 21, 2017

John Owens, Chair
Seaside Planning Commission
Seaside City Hall
440 Harcourt Avenue
Seaside, CA 93955

RE: Draft Seaside General Plan Housing Element

Dear Mr. Owens:

Founded in 1997, LandWatch Monterey County is a nonprofit, land conservation and planning organization representing more than 1000 residents of Monterey County. Providing affordable housing for local working families, located within mixed-income neighborhoods, is one of the five fundamental planning principles that guide our advocacy. This principle guides LandWatch's comment on the draft Seaside General Plan Housing Element.

General Comments

The current draft apparently meets State requirements in some areas:

- The Land Use Element provides adequate sites to meet the City's share of AMBAG's regional housing needs allocation of 393 units for the 2015-2023 planning period.
- Quantified objectives for 2015 to 2023 include 400 units for extremely low, very low, low, moderate and above average incomes, 10 units for rehabilitation, and 133 units to be conserved. (p.18)
- Potential development sites are identified in the Appendix. They assess inclusionary housing requirements on a case-by-case basis and allow in-lieu fees.
- Importantly, the draft makes clear that future growth depends on a new water supply.

The City has included some important "smart growth" policies (pp. 6-7)

- A variety of housing types;
- Affordability by design;
- Aging in place;
- Innovative housing options;

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- De-concentration of affordable units;
- Accessory dwelling units.

Comments Regarding Implementing Programs

There are other good policies included in the Housing Element. However, we are concerned that the policies are largely precatory, phrased in terms of “encouraging” and “supporting” and “promoting” certain activities, and that the draft housing Element lacks sufficient implementing programs. HCD recommends that effective policies specify measureable outcomes; identify the City’s agencies and officials responsible for these outcomes; specify the time frame for implementation; describe the City’s specific role and action steps; identify funding sources; and demonstrate a firm commitment by the City to take action. HCD, RHNA, Building Blocks, Program Overview and Quantified Objectives, (available at <http://hcd.ca.gov/community-development/building-blocks/program-requirements/program-overview.shtml#developing>).

As written, the draft Housing Element appears to lack the kind of enforceable, concrete, policies that HCD recommends. Furthermore, the organization of the document does not lend itself to an easy determination whether the goals and policies are adequately implemented because the implementing programs 1 through 17 on pages 10 through 18 are listed separately from Goals H-1 through H-9 and the various policies in support of those goals on pages 5 through 9. LandWatch’s specific comments on the goals, policies, and implementing programs follow.

Goal H-1, intended to ensure well-maintained neighborhoods and housing conditions, depends on policies without any specific measureable outcomes.

- The implementing programs 1, 2, and 4 call for code enforcement, abandoned property registration, and promoting resource conservation. It is not clear that these existing efforts are likely to be effective if they have not been in the past.
- The proposal in program 3 to partner with nonprofits to acquire and rehab multifamily residential properties appears to be underfunded if the \$2.6 million balance in the Inclusionary Housing In-Lieu Fee account is the only available funding. Although the policy calls for pursuing State and federal funding, more specifics as to the funding sources that will be pursued would be welcome.

Goals H-2 through H-4, to ensure housing production, diversity, and opportunities also depends on policies phrased in terms of “encouraging” and “supporting” without clearly supported, measureable outcomes. It is not clear that the implementing programs are sufficient.

Goal H-2 - ensure a range of housing:

- Policies in support of Goal H-2 to ensure a range of housing (at page 6) call for encouraging smaller and more affordable residential units, including micro-units and “co-housing arrangements.” None of the implementing programs identified as supporting housing production, diversity, and opportunities (implementing programs 5 through 8 on pages 12-13) address these policies. Will these policies be implemented through a change in development standards? If not, how will they be implemented? What resources or city agency will be assigned to implementing this policy? When will implementation occur?

- Another policy under Goal H-2 calls for promoting geographic dispersal of affordable units. How will this be measured? What specific actions would the City take to implement this policy? It is not clear how criteria applied through the City's permitting process could result in geographic dispersal since a permitting decision addresses only the project proposed by a specific developer for a specific location.
- The policy under Goal H-2 calling for allowing development of accessory dwelling units in single family neighborhoods is apparently to be implemented by a zoning change within six months to ensure compliance with state law regarding ADUs (per implementing program 8 at page 13). The discussion at page 13 states that this is anticipated to result in 10 ADUs. How was that determined?

Goal H-3 – ample affordable housing

- A policy calls for implementing the State density bonus program. There is no corresponding implementing program. Compliance with state law is, of course, mandatory. What specific steps will the City take that would result in projects that actually take advantage of the density bonus program? Will the City adopt application procedures and timelines? What incentives in the form of relaxed development standards or design requirements or other regulatory incentives will the City adopt to ensure cost reductions for affordable housing? What parking ratio concessions are planned?
- A policy calls for the City to "encourage the construction" of multi-family housing in specified areas. There is no corresponding implementing program. Without this, the policy is vacuous.
- A policy calls for prioritizing allocation of water and sewer services for affordable housing in compliance with State law. There is no corresponding implementing program that explains how the City will act to ensure that its limited water supply actually gets allocated to affordable housing instead of other housing or non-housing development. Implementing program 15 acknowledges that there is insufficient water supply for new development and calls for working with other jurisdictions to augment the supply. However, until then, the City should have a clear program that would ensure that any available water supply is allocated only to affordable housing until the affordable housing needs are met.

Goal H-4 – streamline development process

- A policy at page 7 calls for regular review of development standards and procedures to mitigate constraints on development. There is no implementing program. What specific steps will the City take to ensure timely review and mitigation of constraints? When will the first of these reviews take place? What procedures will be considered for revision? Will the City consider housing-by-right programs, i.e., ministerial approval programs? What development standards might be targeted for revision?

Goals H-5 through H-7 are intended to address housing affordability and protections.

- Program 6 at page 12 is apparently intended to implement the no net loss policy at page 8 under Goal H-6. As written, the program would apparently allow new mixed-use development to cause a net loss in housing because mixed-use development could replace housing stock. It is not clear that the City should permit this; if it does, it should not claim to have a no net loss housing policy. As noted below, the City has in fact had a net-loss of affordable housing in the 2007-

2014 period. Program 6 would also permit a reduction in available land zoned for residential use below that required to implement the RHNA. It would also only require that sufficient land be re-zoned for housing to correct this within two years. The City should not permit non-residential mixed-use development to deplete land zoned for housing below the RHNA requirements in the first place. If a project has that effect, the City should require contemporaneous rezoning to mitigate the loss of land zoned for housing.

- A policy under Goal H-5 at page 7 call for deed restrictions or “other reasonable mechanisms” to maintain affordability. What other mechanisms are contemplated? There is no implementing program for this policy.
- Policies under Goal H-5 at page 7 call for monitoring affordable housing and short-term rentals. A policy under Goal H-6 calls for monitoring condo conversions. There is no implementation for these monitoring programs, other than program 11 to monitor the Hannon Apartments for condominium conversion. Who will monitor affordable housing, short-term rentals, and condominium conversions generally and how often? How will the results be reported?
- A policy under Goal H-6 calls for right of first refusal for displaced households during housing redevelopment. There is no implementing program. How will a displaced household assert its right of first refusal without at least an implementing ordinance? Who will write the ordinance and when?
- Program 13 calls for case-by-case application of the City’s inclusionary housing program and annual review of its effectiveness. That program currently calls for 20% inclusionary housing. While the Inclusionary Housing Ordinance is not an integral part of the Housing Element, we recommend that it be reviewed in the near future with consideration given to similar ordinances throughout the county. For example, the 2010 Monterey County General Plan requires the revision of its inclusionary housing ordinance to require a minimum of 25% affordable units for projects of five or more lots. It is unclear how the City would determine the effectiveness of the inclusionary housing ordinance under implementing Program 13, particularly in light of ongoing debates about whether inclusionary housing ordinances help or hinder housing production. The City should determine what measureable outcomes it expects from its inclusionary housing ordinance and identify this in an implementing program.

Additional Comments

With regard to the following statement that identifies areas for future housing

Seaside East future growth area and future specific plan area offer long-range residential growth potential for a variety of single-family detached, townhomes, row houses, and multifamily dwelling units. (p. 4).

LandWatch recommends that the final Housing Element make clear that development in Seaside East should only take place once the “core” areas of Seaside are developed, filled-in (vacant lots), or redevelopment. The plan should identify specific criteria that define when this future growth area would be appropriate.

Seaside provides more housing (10,913) than jobs (9,650), according to AMBAG data from 2015. A positive jobs/housing balance means that people who work in Seaside have more opportunities to live there than they would in other cities in Monterey County.

However, future economic development in Seaside will be critical to relieving significant inequities in per capita city revenue and providing resources to support housing. For comparison, among Peninsula cities, Seaside has the lowest city revenues per capita.

Sand City	\$14,706	Marina	\$638
Carmel	\$3,280	Seaside	\$572
Monterey	\$1,509	Salinas	\$517
Pacific Grove	\$980		

Historically, Seaside has a mixed record of providing housing in relation to other cities in Monterey County. Some data suggest that Seaside has done a comparatively better job at maintaining housing as permanently affordable. According to AMBAG's 2015 data, of the 10,913 housing units in Seaside, 441 or 4.0% are permanently affordable. This compares with 2.6% of all housing units countywide.

However, during the most recent measuring period, Seaside has not done as well as other cities in Monterey County in attaining its Regional Housing Needs Allocation. According to HCD, California Housing Future, Exhibit B2, page 13 (available at <http://www.hcd.ca.gov/policy-research/plans-reports/docs/California%27s-Housing-Future-Full-Public-Draft.pdf>), Seaside made negative progress in attaining its RHNA over the period 2007-2014, attaining -8.7% of its RHNA in that period, ahead of only Marina (-16.6%) and the unincorporated County (-17.8%). In light of this record, it is critical that the City focus its housing element on affordable housing production.

Note that Table 1 does not add up. The number of new units to be constructed comes to 350, not 400.

Thank you for your consideration.

Sincerely,



Michael DeLapa
Executive Director

General Response

Letter from Land Watch Monterey County, Dated August 21, 2017

In response to the LandWatch Monterey County comment letter regarding the City of Seaside Draft 2015–2023 Housing Element, the City would like to highlight that the Housing Element is a policy document and does not prescribe specific implementation parameters requested in the letter. Specifically, many of the requested implementation details will be determined as part of the City’s comprehensive update to its Zoning Ordinance, anticipated to begin works in 2018, in order to implement the new General Plan.

Specific Responses		
Goal	Summary of Issue(s)	Response
Goal H-1	Programs 1, 2, and 4 have not previously been effective and are not likely to be effective in the future.	Programs 1, 2, and 4 of the HE have been as best possibly implemented within the scope of the available budget. The City has operated these programs under limited resources and will continue operating these programs to preserve and improve the City’s housing stock.
	Program 3 appears underfunded and lacks specificity in which funding sources will be pursued to acquire and rehabilitate multifamily residential properties.	- Given today’s market condition and financial resources at the local, state, and federal levels, multiple layers of financial support are necessary to develop an affordable housing project. Depending on the specifics of the potential projects, funding opportunities would vary and could not be prescribed in the Housing Element. - The City will monitor agencies and available funding opportunities (such as LIHTC, State HOME funds etc.) for affordable housing in the City.
Goal H-2	It is not clear that the implementing programs for Goals H-2 through H-4 (housing production, diversity and opportunity) are sufficient.	- With the General Plan Update, the City’s land use policies will be revised to provide new opportunities for different land use types. To implement the new General Plan, the City will update the Zoning Ordinance, considering different incentives, such as: - Density Bonus Ordinance - Increased lot coverage - Reduced parking requirements - Increased permissible building heights - Decreased setback requirements - Program 12 has been revised to indicate the types of incentives the City may consider as part of the comprehensive update to the Zoning Ordinance.
Goal H-3	Need corresponding	Program 12 has been revised to include

	implementing programs for: ▪ Implementation for Density Bonus program ▪ Encouraging construction of MF housing in specified areas ▪ Prioritization of water and sewer services for affordable housing compliance w/State law	potential incentives to be considered by the City as part of the comprehensive update to the Zoning Ordinance. ▪ The proposed General Plan Land Use Element offers increased opportunities for multifamily and high density residential development either as stand-alone or mixed use projects. ▪ During 2015-2023 Housing Element Update cycle, the City will seek to provide water for affordable housing within larger, mixed use developments an larger residential subdivisions and provide water as an incentive for development which includes additional affordable housing as a density bonus request.
Goal H-4	Streamline development process: What specific steps will the City take to ensure timely review and mitigation of constraints?	▪ There has been little development in the City in the past ten years, specifically due to the recession and lack of water for new projects. Under these circumstances, the City has no benchmark to evaluate its review process. ▪ As the economy continues to improve, the City will re-evaluate their process, specifically updating the Zoning Ordinance, through which the City will conduct a comparison to other local jurisdictions.
Goal H-5 through H-7	▪ Address housing affordability and protections. ▪ Issue: Program 6 implementation of no net loss policy.	▪ The sites inventory is not exhaustive enumeration of all development potential in the community. It identifies potential sites that may be more likely to be developed over the short term (timeframe of the Housing Element) due to its current use and location. Other sites with potential for future development include the future growth area and future specific plan area. ▪ For housing affordability and protections, the Housing Element includes policies/programs related to condominium conversions and short-term rentals.
Goal H-6	There is no implementing program for right of first refusal for displaced households during redevelopment.	▪ Any project funded with State and federal funds would be required to adhere to address relocation and displacement issues. ▪ Program 13: There has been little development in the City in the past ten years, specifically due to the recession and lack of water for new projects. The City has no benchmark to evaluate its inclusionary housing program. As the economy continues to improve, the City will re-evaluate this program, in concurrence with the City's Housing Element update in 2019.

RESOLUTION NO. 19-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING A NEGATIVE DECLARATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT FOR THE 2015-2023 HOUSING ELEMENT TO THE GENERAL PLAN

WHEREAS, for the purposes of compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the draft Review of the Draft 2015-2023 Housing Element to determine if the project could have a significant impact on the environment, and;

WHEREAS, the Initial Study determined that a Negative Declaration (ND) of no significant environmental impact is appropriate (**EXHIBIT A**) for the 5th Cycle 2015-2023 Housing Element Update, herein incorporated by reference, and;

WHEREAS, the Negative Declaration was circulated for public review from October 17, 2019 to November 15, 2019, and no comments were received, and;

WHEREAS, the California Environmental Quality Act (CEQA) Statutes and Guidelines provide that a Negative Declaration may be adopted for a project where the project will not have a significant effect on the environment and that mitigation measures are not required, and;

WHEREAS, the Planning Commission of the City of Seaside, following the posting of Notice of Intent to Adopt a Negative Declaration, conducted a duly noticed public hearing on the draft Negative Declaration for the proposed Housing Element at its meeting on December 4, 2019, and considered the information in the staff report, any written comments received prior to or during the meeting, and oral testimony presented at the public hearing in making its recommendation to the City Council for the adoption of a Negative Declaration for the Draft 2015-2023 Housing Element, and;

WHEREAS, the City Council of the City of Seaside, conducted a duly noticed public hearing on the draft Negative Declaration for the proposed Housing Element at its meeting on December 19, 2019, and considered the information in the staff report, any written comments received prior to or during the meeting, and oral testimony presented at the public hearing

NOW, THEREFORE, BE IT RESOLVED, that the City Council

adopts a Negative Declaration of no significant environmental impact for the Draft Review of the 2015-2023 Housing Element to the General Plan with the following required findings:

Negative Declaration Findings

1. That an Initial Study and Negative Declaration was prepared by the City of Seaside as the Lead Agency and was properly circulated for public review and comment for a minimum of 20 days from October 17, 2019 to November 15, 2019.
2. That on the basis of the whole record before it, there is no substantial evidence that the Draft Review of the 2015-2023 Housing Element will have a significant effect on the environment.
3. That the Initial Study and proposed Negative Declaration for Draft Review of the 2015-2023 Housing Element were independently reviewed and analyzed by the Planning Commission and reflect the independent judgment and analysis of the Planning Commission.
4. That such independent judgment is based on substantial evidence in the record.
5. That the Project complies with CEQA, and that the proposed ND is legally adequate.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 19th day of December, 2019, by the following vote:

AYES:

NOES:

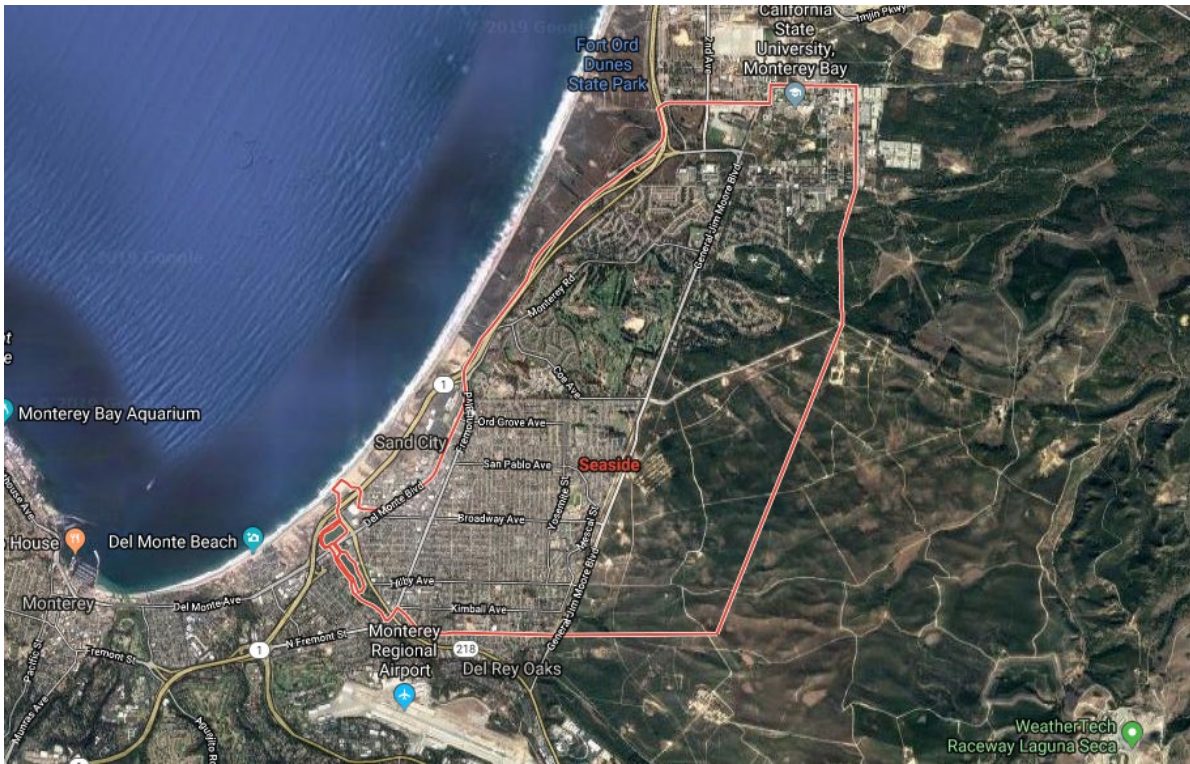
ABSENT:

ABSTAIN:

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk



2015-2023 Housing Element Update

Initial Study –Negative Declaration

prepared by

City of Seaside

Community and Economic Development Department

440 Harcourt Avenue

Seaside, California 93955

Contact: Gloria Stearns, Community Development Director

prepared with the assistance of

Rincon Consultants, Inc.

437 Figueroa Street, Suite 203

Monterey, California 93940

October 2019



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

rinconconsultants.com

2015-2023 Housing Element Update

Initial Study –Negative Declaration

prepared by

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Initial Study

1. Project Title

City of Seaside Housing Element Update

2. Lead Agency Name and Address

City of Seaside
440 Harcourt Avenue
Seaside, California 93955

3. Contact Person and Phone Number

Gloria Stearns, Community Development Director
(831) 899-6830

4. Project Location

City of Seaside (citywide). Figure 1 and Figure 2 show the regional context and location of the City of Seaside in the Monterey Bay region.

5. Project Sponsor's Name and Address

City of Seaside
440 Harcourt Avenue
Seaside, California 93955

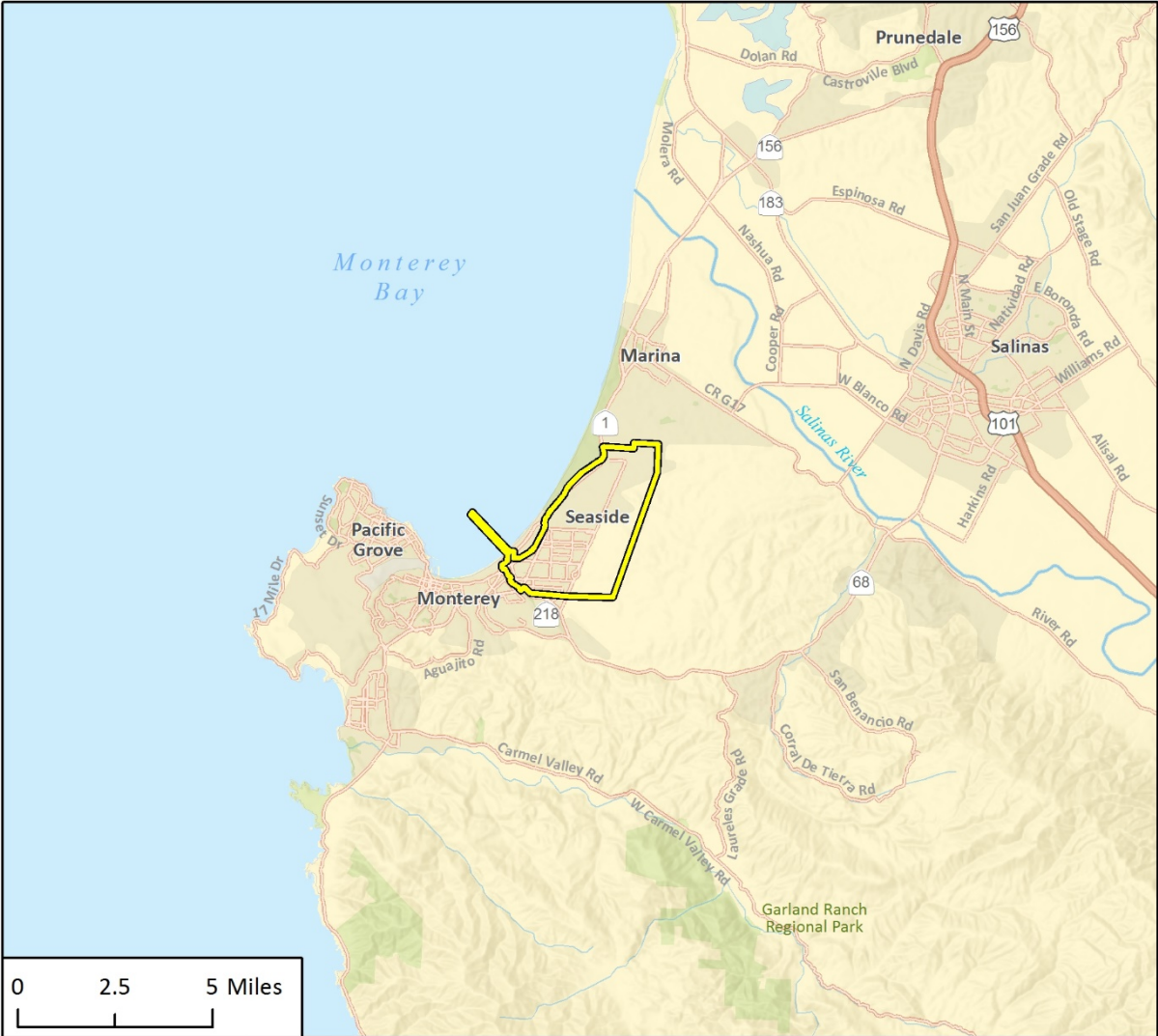
6. General Plan Designation

Various (see Land Use Policy Map on file at the City; Figure LU-2 of the General Plan), including parks and open space, residential, commercial, public and institutional, military, habitat management, and mixed use land uses.

7. Zoning

Various (see Seaside Zoning Districts map on file at the City, revised May 2010), including residential, commercial, mixed use, public and institutional, military, and parks and open space districts.

Figure 1 Regional Location

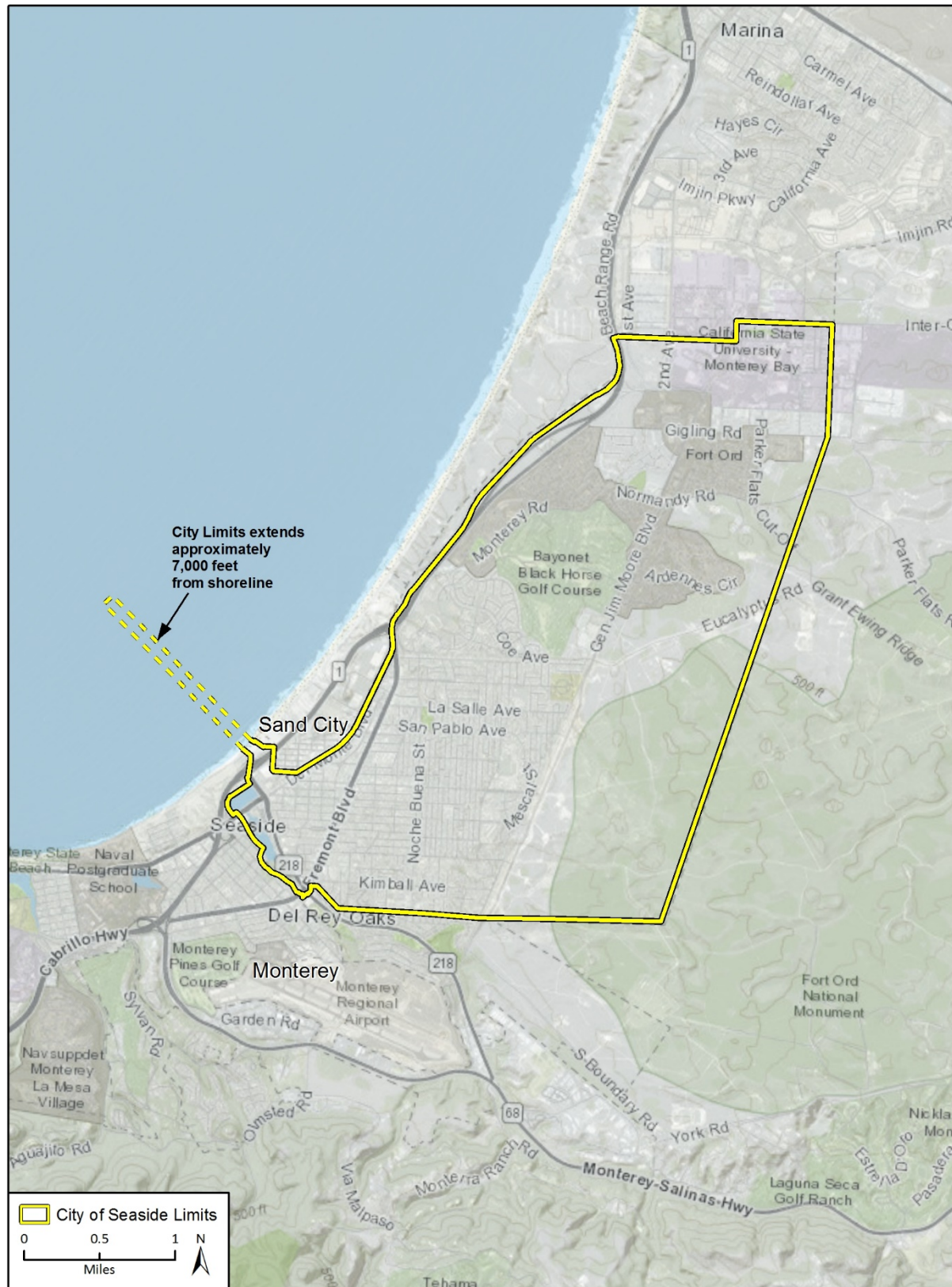


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 City of Seaside Limits



Fig 1 Regional Location

Figure 2 Project Location

8. Description of Project

The City of Seaside prepared the 2015-2023 Housing Element Update to comply with the legal mandate that requires each local government to plan adequately to meet the existing and projected housing needs of all economic segments of the community. The Housing Element is one of the seven state-mandated elements of the local general plan and is required to be updated every five years. The 2015-2023 Housing Element Update has been revised to maintain consistency with the existing (2004) and proposed (2040) General Plan, as adoption of the General Plan Update (Draft Seaside 2040) has been delayed.

The updated Housing Element is a policy document. It implements the different types of single-family, multi-family, and mixed-use developments envisioned by the 2004 General Plan Land Use Element, Draft Seaside 2040 Land Use and Community Design Element, and Draft Seaside 2040 Healthy and Sustainable Community Element. As such, the updated Housing Element would not result in any additional physical environmental impacts, beyond those evaluated as part of the review of the 2004 General Plan Land Use Element.¹

Section 65588(a) of the California Government Code requires each City to update its Housing Element as frequently as appropriate, but at least every eight years, to evaluate all of the following:

- 1) The appropriateness of the City's housing goals, objectives, and policies in contributing to the attainment of the state housing goal
- 2) The effectiveness of the City's housing element in attaining of the community's housing goals and objectives
- 3) The progress of the City's implementation of the Housing Element

As part of the Housing Element Update, the City's local housing needs are evaluated, and a realistic set of programs are developed to meet those needs. Section 65583(a) of the California Government Code requires housing elements to include an assessment of housing needs, an inventory of resources, and an assessment of constraints relevant to meeting the needs, including the following:

- An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels
- An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition
- An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and analysis of the relationship of zoning and public facilities and services to these sites
- The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit
- An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels

¹ The environmental review for Draft Seaside 2040 has not been completed at this time. The updated Housing Element has been designed to comply with both the 2004 General Plan and Draft Seaside 2040; however, the environmental effects will be compared only to the 2004 General Plan EIR.

- An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels
- An analysis of any special housing needs, such as those of the elderly; persons with disabilities; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter
- An analysis of opportunities for energy conservation with respect to residential development
- An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use

The California Government Code requires that the appropriate council of governments determine each locality's share of the region's existing and future housing needs. The State Department of Housing and Community Development establishes the "future housing need" for each region and the responsible Council of Governments distributes this need by defining the number of additional housing units that are to be accommodated in each jurisdiction's Housing Element Update.

The Association of Monterey Bay Area Governments (AMBAG) is responsible for establishing the regional housing needs allocations for all jurisdictions in Monterey, San Benito, and Santa Cruz counties. On June 11, 2014, AMBAG adopted a Regional Housing Needs Allocation (RHNA) Plan for 2014-2023. The RHNA Plan distributes housing unit allocations among its member agencies, including the City of Seaside. The City is required to demonstrate how its planning programs include provisions for meeting the projected increases in the number and type of housing units. The City is required by state law (California Government Code 65584[d]) to demonstrate how, through the Housing Element Update, the City would:

- Increase the housing supply and the mix of housing types, tenure, and affordability in an equitable manner
- Promote infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns
- Promote an improved intraregional relationship between jobs and housing
- Allocate a lower portion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category
- Affirmatively further fair housing

According to AMBAG, the projected need for new housing construction by December 2023 in Seaside is 393 units (AMBAG 2014). Table 1 shows this housing needs allocation and the percentage in each income category of the total allocation.

Table 1 Seaside 2014-2023 Regional Housing Need Allocation by Income

Income Group	Households	Percentage
Very Low	95	24.1%
Low	62	15.7%
Moderate	72	18.2%
Above Moderate	164	42.0%
Total	393	100.0%

Source: AMBAG 2014

The Housing Element itself does not provide specific new housing projects to meet the RHNA allocations. Rather, it identifies sites that can accommodate growth under existing land use and zoning designations to demonstrate compliance with the RHNA. The Housing Element does not create new or additional housing, nor result in zoning amendments that would increase residential development potential in the unincorporated areas. Under existing land use policies, the 393 units could be constructed independent of the adoption of the Housing Element. As development projects are proposed in the future, California Environmental Quality Act (CEQA) review on a project-by-project basis will be required.

Revisions to the Housing Element

The 2019 Housing Element Update (analyzed within this document) includes the following revisions and updates:

- Explanation of the Housing Element Update's relationship to the Draft Seaside 2040
- New policy added regarding collaboration with Fort Ord Reuse Authority (FORA) and post-FORA agencies
- Updated RHNA housing needs in the City
- Addition of Campus Town Specific Plan housing estimates
- Discussions of Assembly Bill (AB) 1397 and AB 2162 in relation to required 2020 Zoning Code amendments and permitting supportive housing in multi-family housing zoned areas
- Revised timeframes for various housing programs
- Updated information regarding a Regional Analysis of Impediments (AI) to Fair Housing Choice. Additional implementation recommendations related to the AI

The Housing Element Technical Appendix was updated as follows:

- Added discussion of Del Monte Manor upgrades, funding, and long term use as affordable housing
- Additional discussion of market constraints related to construction labor costs
- Updated development costs for 2018
- Updated home purchase, refinance, and home improvement loan outcomes for 2017
- New information on foreclosure activities and community response to housing intensification
- AB 686-required fair housing discussion
- Land use designation information for the 2004 General Plan, Draft Seaside 2040, and existing Zoning Districts
- Description of the City's Housing Program Manager position and responsibilities
- Updated emergency shelter zoning amendment to allow shelters by right without discretionary review within designated area of sufficient capacity, including funding of a new facility within the city
- Updated RHNA housing needs in the City, including credits toward RHNA between January 2014 and July 2019
- Updated status for the Shoppette Site/Seaside Senior Living Project
- Description of the Broadway (between Terrace Street and San Lucas Street) Project, including total units and unit breakdown by affordability

- Tables describing the development potential of both vacant and underutilized sites for the existing 2004 General Plan and Draft Seaside 2040
- Description of the Campus Town Specific Plan, including total units and unit breakdown by assumed affordability
- Updated adequacy of sites inventory discussion to incorporate recent projects and the changes between the 2004 General Plan and Draft Seaside 2040
- Discussion of the Monterey Bay Economic Partnership and TerraCorp and Terrex Companies

These revisions have not constrained housing development in the city, including changes to the City's Zoning Ordinance to comply with recent Assembly Bills.

Housing Needs within the City of Seaside

Since 2014, 71 above moderate income single-family units and 12 above moderate income multi-family units have been completed, are under construction, or are permitted. The Senior Assisted Living Project, which would construct 70 moderate income units and 74 above moderate income units has been approved. These projects would add 227 units or varying affordability to the City's housing inventory.

While the RHNA requires a total of 393 housing units, given the construction of housing projects since 2014 listed above, as well as current approved projects that would be constructed during the 2014-2023 RHNA period also listed above, the remaining housing to be provided totals 166 units, as shown in Table 2.

Table 2 Overall RHNA Obligations

Income Group	Households	Percentage ¹
Very Low	95	57.2%
Low	62	37.3%
Moderate	2	1.2%
Above Moderate	7	4.2%
Total	166	100.0%

¹ Numbers may not add due to rounding.

Source: City of Seaside 2019b

The development potential on sites within the City of Seaside per the 2004 General Plan is estimated to realistically accommodate approximately 80 housing units on vacant sites (33 above moderate, 8 moderate, and 39 lower income), and 152 housing units on underutilized sites (all lower income) per the 2004 General Plan. Therefore, the city has a total capacity of 232 housing units under the 2004 General Plan, which meets the RHNA requirements to provide 166 total new housing units. Draft Seaside 2040, which is not likely to be approved and certified prior to adopting the 2019 Housing Element Update, would enhance the ability of the city to meet the RHNA obligations for housing by income level (refer to Table 2 for specific requirements), with 87 additional lower income units, 8 additional moderate income units and 19 fewer above moderate income units. Additional areas within the city have long-term development potential, including via the Broadway Urban Village Specific Plan, and Campus Town Specific Plan. The Campus Town Specific Plan is expected to contribute 72 lower income units, 36 moderate income units, and 434

above moderate income units (542 total units); however, these were not included in the total capacity estimates as this Plan has not been approved as of the date of this report.

With the Draft Seaside 2040, the city would have a total of 305 units (274 lower income, 16 moderate income, and 14 above moderate income units) in addition to the 542 units from the Campus Town Specific Plan, which would continue to meet the RHNA goals for the city. However, Draft Seaside 2040 does not need to be adopted in order to meet the RHNA obligation.

9. Surrounding Land Uses and Setting

The planning area for the updated Housing Element comprises all land in the City of Seaside. The city is in western Monterey County and comprises a mixture of urban uses including residential, commercial, military, and public land uses, as well as agricultural production, open space, public facilities, and some vacant land. The California State University, Monterey Bay campus is in the northern portion of the city. Surrounding land uses include mainly agriculture and open space in unincorporated areas of the county to the east, the cities of Del Rey Oaks and Monterey to the south, the City of Sand City and Fort Ord Dunes State Park to the west, and the City of Marina to the north. The Pacific Ocean borders a small portion of the city to the west and the Monterey Regional Airport is located south of the city.

10. Other Public Agencies Whose Approval is Required

The project requires the following discretionary approvals from the City:

- Adoption of the Initial Study-Negative Declaration
- Adoption of the 2015-2023 Housing Element Update

No discretionary approvals from other agencies are required.

11. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

The following tribes have a traditional or cultural affiliation with the project area: Amah Mutsun Tribal Band, Amah Mutsun Tribal Band of Mission San Juan Bautista, Costanoan Rumsen Carmel Tribe, Esselen Tribe of Monterey County, Indian Canyon Mutsun Band of Costanoan, and Ohlone/Costanoan-Esselen Nation. As part of the Draft Seaside 2040 General Plan Update, which initially included this Housing Element Update, tribal consultation was initiated on September 12, 2017, when the City sent out consultation letters to the above tribes. The City followed up with each of these tribes on September 22, 2017. With the exception of the Indian Canyon Mutsun Tribal Band of Costanoan, all tribes responded. Ohlone/Costanoan-Esselen Nation representatives met with the City on November 7, 2017, and Esselen Tribe of Monterey County representatives met with the City on January 5, 2018.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

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

Determination

Based on this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “less than significant with mitigation incorporated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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



Signature

Gloria Stearns

Printed Name

October 11, 2019

Date

Community Development
Director

Title

Environmental Checklist

1	Aesthetics			
	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |
| b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | ☐ | ☐ | ☐ | ☒ |
| d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area? | ☐ | ☐ | ☐ | ☒ |

- a. *Would the project have a substantial adverse effect on a scenic vista?*
- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*
- c. *Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*
- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

The city's central core is primarily developed, with open space and natural resources in the northern and eastern portions of the community. Surrounding hillsides offer scenic views of Monterey Bay

and the peninsula. Coastal dunes provide a unique identity to the city (City of Seaside 2004). State Route (SR) 1 passes through the city on its western boundary, along the Pacific Ocean, and SR 218 passes through the city on its southwestern boundary, perpendicular to the coastline. SR 68 is located approximately one mile south of the city. SR 1 and SR 68 are considered Officially Designated State Scenic Highways (California Department of Transportation 2019).

The Housing Element Update itself does not create physical residential growth and would not impact the scenic quality of designated scenic highways, communities, scenic vistas, or produce substantial light or glare beyond what is anticipated in the 2004 General Plan. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. The Housing Element Update does not specify designs of proposed housing units, nor does it compel construction of any kind. Future development would be reviewed to determine compliance with the City's development standards, as well as to determine impacts to scenic vistas, or resources that may be specific to future projects. In order to obtain the necessary land use entitlements, future projects would have to meet the requirements of the Zoning Ordinance that is already in place, including provisions to incorporate acceptable aesthetic designs in the City of Seaside. Future projects would be required to comply with applicable General Plan policies requiring new development to protect scenic resources. No mitigation measures are required for the Housing Element Update.

Furthermore, the following goals, policies, and implementation plans in the City's 2004 General Plan would limit light and glare from new development:

Goal COS-8: Encourage exterior lighting that preserves night skies.

Policy COS 8.1: Participate in local and regional efforts to reduce light pollution of night skies.

Implementation Plan COS-8.1.1 Shielded Street Lights.

The City Shall continue to implement its policy to require that all new street lights placed in the public right-of-way be fully shielded.

Implementation Plan COS-8.1.2 Design Guidelines for Exterior Light Sources.

The City shall develop design guidelines that require wherever possible that exterior light sources be controlled and/ or shielded to the downward direction so as not to glare or be directly visible beyond the limits of the parcel.

Development would also be required to comply with the outdoor lighting requirements Section 17.30.070 of the Seaside Municipal Code (SMC), which limits the height, position, and illumination of light fixtures. The Draft Seaside 2040 also includes goals and policies to install appropriate lighting and landscaping along streetscapes and within housing developments, which will go into effect when the plan is certified and adopted. Overall, the Housing Element Update would introduce no new impact related to light and glare.

NO IMPACT

2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------------	--	------------------------------------	-----------

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b. Conflict with existing zoning for agricultural use or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | ☐ | ☐ | ☐ | ☒ |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

-
- a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- b. *Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*
- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

- e. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

No Important Farmland or Williamson Act contracts exist in or around the City of Seaside (DOC 2016, 2018). No acreage in the city is designated for agricultural uses (City of Seaside 2004). None of the development anticipated under the City's 2004 General Plan would result in cancelation or termination of any current Williamson Act contracts. The Housing Element Update itself does not create residential growth and does not involve changes that would convert any Prime Farmland, Unique Farmland, Farmland of Statewide Importance, timberland, or forestland to nonagricultural or non-forest use beyond what is anticipated in the 2004 General Plan. Overall, the Housing Element Update would not directly change land use to conflict with existing zoning and existing Williamson Act contracts. Implementation of the Housing Element Update would not include the loss or conversion of forestland and no impact on agricultural resources would occur because of the Housing Element Update.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

- a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*
- c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*
- d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The City of Seaside is in the North Central Coast Air Basin. Air quality in this basin is monitored by the Monterey Bay Air Resources District (MBARD). MBARD maintains seven air quality monitoring stations (Carmel Valley, Hollister, King City, Pinnacles, SLV Middle School, Salinas, and Santa Cruz), three of which are in Monterey County (MBARD 2019). MBARD sets limits on the quantities of air pollution that may be emitted and has permit authority over new or major modifications to existing stationary sources of air pollution. Control of mobile sources is exercised at the state (California Air Resources Board) and federal (U.S. Environmental Protection Agency) levels for the Monterey Bay area.

The Housing Element Update itself does not create physical residential growth and would not impact air quality beyond what is anticipated in the 2004 General Plan. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA

requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. Projects that are consistent with the 2004 General Plan are deemed to be consistent with applicable air quality management plans since the regional air quality impacts associated with implementation of the 2004 General Plan have already been considered in the formulation of the plan. Residential uses typically do not create objectionable odors. No impacts would result beyond those anticipated in the 2004 General Plan because of the Housing Element Update, and no mitigation measures are required.

NO IMPACT

4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- c. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

While the majority of the city is developed with urban uses, some areas may include sensitive plant and animal species. Existing undeveloped lands provide open space and may support habitats considered sensitive to the region, particularly in the former Fort Ord.

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in biological resource impacts beyond that already anticipated by the 2004 General Plan. Adopting the Housing Element Update would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. The Housing Element Update itself would not have any impact on any riparian habitat or sensitive natural community.

The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. The level and significance of environmental impacts resulting from future residential development projects would be further assessed on a project-specific basis in accordance with CEQA. Each individual project would also be required to evaluate potential impacts to biological resources and to minimize or eliminate potentially adverse impacts to sensitive resources in conformance with City's Zoning Ordinance and General Plan policies, and all applicable FORA, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and U.S. Fish and Wildlife Service guidelines and policies. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in biological resource impacts beyond that which is already anticipated by the 2004 General Plan. Thus, no impacts related to biological resources would occur because of the Housing Element Update.

Future residential development would be reviewed on a project-by-project basis to determine compliance with the City's Zoning Ordinance and applicable General Plan policies,² as well as to determine impacts to migratory fish or wildlife species. Any potentially significant impacts to biological resources would be mitigated on a project-specific basis to the extent feasible, in accordance with all applicable state and federal agency guidelines set forth by California Department of Fish and Wildlife and (if appropriate) U.S. Fish and Wildlife Service, as a part of the application and review process for development in the city. Future developments would also be reviewed to determine compliance with the Fort Ord Habitat Management Plan (where applicable) and any other adopted Habitat Conservation Plans or Natural Community Conservation Plans, which will include the Fort Ord Habitat Conservation Plan when it is adopted. Projects would be required to minimize or eliminate potential impacts on a project specific basis. It is not anticipated that buildout of the Housing Element would interfere with the provisions of an adopted Habitat Conservation Plan or any other similar plans. No mitigation measures are required for the Housing Element Update.

NO IMPACT

² The 2004 General Plan is currently applicable to new projects; however, once the Draft Seaside 2040 is adopted, its goals and policies will supersede the 2004 General Plan goals and policies.

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*
- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*
- c. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

The city is known to contain significant archaeological resources, architecturally and historically significant sites, and nearby areas are known to have high prehistoric archaeological sensitivity. The project area lies within an area traditionally occupied by the Ohlone (or Costanoan) people. Ohlone territory extends from the point where the San Joaquin and Sacramento Rivers issue into the San Francisco Bay to Point Sur, with the inland boundary most likely constituted by the interior Coast Ranges (Kroeber 1925:462). The pre-contact Ohlone were semi-sedentary, with a settlement system characterized by base camps of tule reed houses and seasonal specialized camps (Skowronek 1998).

Ohlone subsistence was based on hunting, gathering, and fishing (Kroeber 1925: 467, Skowronek 1998). Mussels were a particularly important food resource (Kroeber 1925: 467). Sea mammals were also important; sea lions and seals were hunted and beached whales were exploited (Kroeber 1925: 467). The acorn nut was an important staple and was prepared by leaching acorn meal both in openwork baskets and in holes dug into the sand (Kroeber 1925: 467). Sites inhabited by the Ohlone peoples can be found at the confluence to streams, other areas of similar topography along streams, or in the vicinity of springs.

Historic resources related to more recent settlement exist on lands in the city, including historic structures and districts. The 2004 General Plan includes goals, policies, and programs that would protect historically and culturally significant archeological resources and sites from future development so that they are conserved for future generations. The Draft Seaside 2040 also

includes goals and policies to preserve and enhance cultural and historic resources within the city, which will go into effect when the plan is certified and adopted.

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in cultural resource impacts beyond that anticipated by the adopted Land Use Element of the 2004 General Plan. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, adopting the Housing Element Update itself would not cause any substantial adverse change in the significance of a historical, cultural, or archaeological resource. In addition, each future housing development project would be required to be evaluated for the potential for occurrence of historical resources on site. On a case-by-case basis appropriate mitigation measures would be identified to prevent the loss of important historical and archeological resources in accordance with CEQA. Specific projects would also be analyzed for compliance with all applicable state and federal guidelines for the preservation of historical and archeological resources. In addition, specific housing projects would be reviewed for compliance with City development standards and would be required to comply with CEQA Guidelines Section 15000 et seq. which set procedures for notifying the County Coroner and Native American Heritage Commission for identification and treatment of human remains if they are discovered during construction. No mitigation measures are required for the Housing Element Update.

NO IMPACT

6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*
- b. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The 2004 General Plan contains policies to prevent excessive energy consumption of resources related to new developments, including the following goals, policies, and implementation plans:

Goal COS-7: Encourage energy conservation.

Policy COS-7.1: Participate in local, regional, and State programs that promote energy conservation.

Implementation Plan COS-7.1.1 Title 24 Construction Standards.

Enforce State Title 24 building construction requirements and apply standards that promote energy conservation.

Implementation Plan COS-7.1.2 Energy Conservation in Public Buildings.

Implement energy conservation measures in public buildings through the following actions:

- Promote energy efficient buildings and site design for all new public buildings during the site development permit process; and
- Install energy saving devices in new public buildings and retrofit existing public buildings.

Implementation Plan COS-7.1.3 Energy Efficient Building Design.

Support building design that incorporates the principles of Sustainable Development, Transit Oriented Development and Environmentally Friendly Building Design, including using "green" building material and energy conservation measures of the "Leadership in Energy and Environmental Design (LEED) certification program.

Additionally, the Draft Seaside 2040 also includes goals and policies to implement stricter energy efficiency standards, which will go into effect when the plan is certified and adopted. Further, the

city is served by Monterey Bay Community Power (in cooperation with Pacific Gas and Electric [PG&E], which is responsible for billing and maintenance), which provides carbon-free electricity. The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in increased energy demand. All future residential development projects would be reviewed for consistency with applicable General Plan goals and policies, as well as the California Building Code. Thus, no impacts related to the inefficient use of energy are anticipated to occur because of the Housing Element Update.

NO IMPACT

7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☒
2. Strong seismic ground shaking?	☐	☐	☐	☒
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
4. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

- a.1. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*
- a.2. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*
- a.3. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*
- a.4. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

The city is located in a region characterized by moderate to high levels of seismic activity. The principal active fault in the region include the San Andreas Fault, which is approximately 20 miles east-northeast of the city (U.S. Geological Survey [USGS] 2019a). The Ord Terrace Fault and Seaside Fault are located in the southwestern portion of the city (City of Seaside 2004, Figure S-1). Other geologic hazards in the city and in the vicinity include flooding, liquefaction, erosion, and high shrink-swell potentials (City of Seaside 2004).

Seismic activity caused by active and potentially active faults in the region, as with anywhere in California, could result in seismic ground shaking in the city. The 2004 General Plan requires development projects be relocated if a proposed site's hazardous geological or seismic condition cannot be mitigated to protect human health (City of Seaside 2004). Soils reports and structural engineering in accordance with local seismic influences would be required in conjunction with new development proposals, where appropriate. Policies in the 2004 General Plan would control the density and type of development permitted in areas with identified geologic constraints. The Draft Seaside 2040 also includes goals and policies to protect residents and structures from geologic hazards, which will go into effect when the plan is certified and adopted.

The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. The proposed Housing Element Update does not establish a growth need that would result in geologic impacts beyond those anticipated by the 2004 General Plan. Future projects would be evaluated for impacts related to seismic ground shaking, ground failure, inundation, landslides, and flooding, as well as for consistency with relevant General Plan policies³ and Zoning Ordinance requirements. Seismic safety issues would be addressed through California Building Code, California Residential Code, and implementation of the recommendations on foundation and structural design contained in geotechnical investigations for specific projects. No mitigation measures are required for the Housing Element Update.

NO IMPACT

³ The 2004 General Plan is currently applicable to new projects; however, once the Draft Seaside 2040 is adopted, its goals and policies will supersede the 2004 General Plan goals and policies.

b. Would the project result in substantial soil erosion or the loss of topsoil?

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in geologic or soil impacts beyond that already anticipated by the 2004 General Plan. As such, adopting the Housing Element Update would not by itself result in substantial soil erosion or the loss of topsoil, creating substantial risk to life or property. SMC Section 18.02.070(G)(4) requires the preparation of erosion control and landscape plans for all construction projects, which must include temporary best management practices (BMPs). As discussed above, the City's established development review process would ensure that impacts to soil erosion and loss of topsoil would be mitigated to the extent feasible. No mitigation measures are required for the Housing Element Update.

NO IMPACT

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

There are potential unstable soil units that have expansive properties in the southeastern portion of the city (City of Seaside 2004). The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in geologic or soil impacts beyond that already anticipated by the 2004 General Plan. As such, adopting the Housing Element Update would not by itself result in development located on unstable or expansive soils. The City's established development review process would ensure that impacts from unstable soil would be mitigated to the extent feasible. Future development projects would be subject to environmental review, and would be required to comply with development standards and building code regulations as required by state law and City policy. No mitigation measures are required for the Housing Element Update.

NO IMPACT

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

All new development in the city is anticipated to be connected to the municipal waste disposal system. However, the Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in increased demand in the municipal waste disposal system. Thus, no impacts related to the use of septic systems are anticipated to occur because of the Housing Element Update.

NO IMPACT

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Numerous resources have been discovered in the county (University of California Museum of Paleontology 2019). The 2004 General Plan includes goals, policies, and implementation plans that would protect paleontologically significant resources and sites from future development so they are conserved for future generations, including the following:

Goal COS-5: Protect high sensitivity archaeological resources, architecturally significant buildings, and historic places.

Policy COS-5.1: Identify and conserve archeological, architectural, and historic resources within Seaside.

Implementation Plan COS-5.1.1 Assess and Mitigate Impacts to Cultural Resources.

Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).

- a. For structures that potentially have historic significance, require that a study be conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development in accordance with CEQA Guidelines Section 15064.5. The City may require modification of the project and/ or mitigation measures to avoid any impact to a historic structure, when feasible.
- b. Assess development proposals for potential impacts to significant paleontological resources pursuant to of the California Environmental Quality Act Guidelines. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, or require mitigation measures to mitigate the impacts.

The Draft Seaside 2040 also includes goals and policies to preserve and enhance paleontological resources within the city, which will go into effect when the plan is certified and adopted. The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in paleontological resource impacts beyond that anticipated by the adopted Land Use Element of the 2004 General Plan. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, adopting the Housing Element Update itself would not cause any substantial adverse change in the significance of a paleontological resource. On a case-by-case basis, appropriate mitigation measures would be identified to prevent the loss of important paleontological resources in accordance with CEQA. Specific projects would also be analyzed for compliance with all applicable state and federal guidelines for the preservation of paleontological resources. No mitigation measures are required for the Housing Element Update.

NO IMPACT

8 Greenhouse Gas Emissions

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

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The Housing Element Update itself does not create physical residential growth and would not generate greenhouse gas (GHG) emissions beyond what is anticipated in the 2004 General Plan. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. Existing regulations that would apply to any future residential development, including the California Green Building Standards Code (SMC Section 15.04.100), would substantially reduce GHG emissions associated with future projects. While future projects would still emit GHGs, there is adequate vacant and underutilized land zoned for residential development in the city to meet the RHNA, and the proposed Housing Element does not recommend any land use designation or zoning map changes. No impacts would result beyond those anticipated in the 2004 General Plan because of the Housing Element Update, and no mitigation measures are required.

NO IMPACT

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9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

Within the city there are typical human-related hazardous conditions, including hazardous materials handling or generating activities. This includes automotive repair facilities, paint contractors, medical service providers, and dry cleaner services. Buildout of the Housing Element Update would not include these types of facilities, and is not anticipated to create any health hazards. Development of vacant and underutilized sites in the city may expose people to hazards resulting from exposure existing businesses that use or generate hazardous materials.

Areas of northern and eastern Seaside contain unexploded ordnance and hazardous materials associated with these past military activities (City of Seaside 2004). The city contains one Federal Superfund site, portions of the former Fort Ord, which would expose people to hazards. Fort Ord was a major U.S. Army Base and added to the Superfund: National Priorities List of Hazardous Waste Sites on February 21, 1990 (California Department of Toxic Substances Control 2019, Fort Ord Cleanup 2019). While most of the former Fort Ord is now part of the Fort Ord National Monument, other areas have been converted from military to civilian land uses under the direction of FORA. While many old military buildings and infrastructure remain abandoned, others have been demolished. Hazardous and toxic waste materials and sites at the former Fort Ord consist of a wide variety of materials including: industrial chemicals, petrochemicals, domestic and industrial wastes (landfills), asbestos and lead paint in buildings, above- and underground storage tanks, and ordnance and explosives, including unexploded ordnance. Although the former Fort Ord base is a listed Superfund site, the Army is undergoing remediation of the base, which will ensure contamination is removed from the site. Therefore, this site would not cause a significant hazard to new residential developments in the city upon remediation.

If any individual projects within 0.25 mile of a school are proposed, CEQA would require the City to make individual determinations as to whether construction could result in hazardous materials exposure.

The Housing Element Update itself does not create physical residential growth. Implementation of the Housing Element Update's assigned growth need would not require the use of any significant amounts of hazardous materials. No significant amounts of hazardous materials would be transported, used, or disposed of in conjunction with housing units specified by the Housing Element Update. There would be no long-term significant hazards associated with the Housing Element. Incidental amounts of hazardous materials could be used during construction or operation of future residential projects. However, each development would be subject to environmental review and an analysis of hazards and hazardous materials. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- d. *Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Future residential development anticipated by the Housing Element Update may be located on or near sites identified on hazardous material lists. Through the City's development review process, it would be determined whether a Phase 1 Environmental Site Assessment would be necessary to determine whether a proposed development site is on or in the immediate vicinity of any known hazardous material sites. Where appropriate, mitigation measures would be required at that time to reduce potential hazards to the public to a level that is less than significant. No impacts related to hazardous material sites because of the Housing Element Update itself are anticipated to occur. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The Monterey Regional Airport is located south of the city. The southern portion of the city is in the Monterey Regional Airport influence area, per the Airport Land Use Compatibility Plan (Monterey County Airport Land Use Commission 2019). However, the Housing Element Update itself does not create physical residential growth. Implementation of the Housing Element Update's assigned growth need would not place housing within the airport land use plan area, and the Housing Element does not involve changes that would result in hazards related to the Monterey Regional Airport. However, each development would be subject to environmental review and an analysis of a project's proximity to the airport. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- f. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Development under the Housing Element Update is not anticipated to interfere with any emergency response programs or plans. Individual development would need to be evaluated for specific impacts regarding emergency response issues on a case by case basis. The Housing Element Update itself does not create physical residential growth and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Without specific details regarding future residential developments, it is infeasible to identify specific potential conflicts with an emergency response plan with any precision. However, through the City's development review process, future development projects would be evaluated for consistency with adopted emergency response plans and would include measures if necessary to reduce impacts to the extent feasible. No mitigation measures are necessary.

NO IMPACT

- g. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

The California Department of Forestry and Fire Protection (CAL FIRE) identifies the city as an area of local responsibility, with the former Fort Ord area as a federal responsibility area (CAL FIRE 2007a).

Wildfire hazards are low to high throughout the city, with very high fire hazard areas in portions of the undeveloped southwestern and central portions of the city (County of Monterey 2015, CAL FIRE 2007b). The undeveloped northern and eastern portions of the city containing grasslands and steeper slopes are highly prone to wildland fires (City of Seaside 2004). Through the City's development review process, future residential development projects would be evaluated to determine potential hazards related to the exposure of people or structures to a significant risk of loss due to wildland fires. The review process would ensure consistency with applicable 2004 General Plan policies setting standards and would impose mitigation for ensuring fire safety, where appropriate. Each future development project would be required to demonstrate consistency with the goals, policies, and implementation plans of the 2004 General Plan.⁴ No mitigation measures are required for the Housing Element Update.

NO IMPACT

⁴ The 2004 General Plan is currently applicable to new projects; however, once the Draft Seaside 2040 is adopted, its goals and policies will supersede the 2004 General Plan goals and policies.

10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
(iv) Impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Surface waters may be affected by development associated with buildout of the Housing Element. Future land uses replacing undeveloped areas may discharge substantial pollutants into local surface waters, potentially including the Pacific Ocean located west of the city and Laguna Grande Lake and Roberts Lake located along the southern boundary of the city. Development has the potential to result in increased surface runoff that could affect surface water quantities. As housing units are developed in conformance with the Housing Element Update, wastewater would discharge into the local sewer system and stormwater drainage would be retained on-site. As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control both construction and operation (occupancy-phase) storm water discharges. In California, the State Water Quality Control Board administers the NPDES permitting program and is responsible for developing permitting requirements. Each proposed future project would be evaluated as appropriate on an individual basis for reduction of impacts in conformance with the NPDES program, and in conformance with any requirements for the preparation of an erosion and sediment control program, otherwise termed a Stormwater Pollution Prevention Plan. These measures are part of the existing development review process for development projects in the city, and would ensure that impacts are reduced to the extent feasible. The Housing Element Update does not provide for development of industrial or commercial uses for which waste discharge requirements may be required. No impact related to water-quality standards or waste treatment requirements would occur because of the Housing Element Update.

NO IMPACT

- b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

California American Water Company, Seaside Municipal Water District, and Marina Coast Water District (MCWD) are the water purveyors for the city, including portions of the former Fort Ord. California American Water Company provides water resources to city residents through pumping of ground water from the Seaside Groundwater Basin. MCWD provides water resources to city residents through pumping of groundwater from the Salinas Valley Groundwater Basin, which lies completely within the Salinas River Valley and consists of six hydrologically linked sub-areas. The groundwater basins are currently the sole source of all potable water for Seaside (MCWD 2019a).

Construction of identified RHNA units would result in increased water consumption in the city. Development may also affect the quality and quantity of groundwater. The Housing Element itself does not provide specific new housing projects to meet the RHNA allocations. Rather, it identifies sites that can accommodate growth under existing land use and zoning designations to demonstrate compliance with the RHNA. Therefore, the proposed Housing Element Update does not establish a growth need that would result in an increase in water demand beyond that anticipated by the 2004 General Plan.

In addition, the City has proposed partnering with MCWD to develop an in-lieu storage and recovery program involving a portion of MCWD's 600 acre-feet per year (AFY) entitlement to advanced-treated recycled water from the Pure Water Monterey Project. MCWD has plans to increase the use of recycled water to offset potable water demand, up to 453 AFY by 2035 (MCWD 2016). Additional projects to replace potable water with recycled water for golf course uses is being considered by the

City. The increased use of recycled water will offset increased potable water demand anticipated by future projects. Through the City's development review process, future development would be evaluated as appropriate for potential impacts to groundwater supply and recharge on a local as well as regional basis as each future development project is proposed. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?*
- c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?*

Drainage patterns may be altered because of buildout of the Housing Element. In addition, development in undeveloped areas would result in changes to absorption rates and the rate and amount of surface runoff. The Housing Element Update itself does not create physical residential growth and would not impact hydrology and water quality beyond that which is anticipated in the 2004 General Plan. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. Ultimate buildout of the assigned dwelling units is not expected to substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site. All developed sites would connect to the storm drain system and as such are not anticipated to generate significant erosion, siltation, or stormwater impacts. Each future residential development would be evaluated on a project-by-project basis regarding drainage patterns and stormwater runoff on an individual basis to retain stormwater on-site in order to obtain building permit approval. No mitigation measures are required for the Housing Element Update.

The city participates in the National Flood Insurance Program, which provides flood insurance to residents and businesses in known flood hazard areas (Federal Emergency Management Agency

[FEMA] 2019a). The 2004 General Plan includes policies designated to mitigate such flooding hazards. The Draft Seaside 2040 also includes goals and policies to require flood control measures at new developments, which will go into effect when the plan is certified and adopted. Future developments that would occur in conformance with the Housing Element Update would be subject to floodplain development requirements to limit the personal and property damage that may occur due to flooding and inundation. Each development would be evaluated on an individual basis and would be required to comply with building codes and regulations, FEMA rules, and the City's 2004 General Plan and Zoning Ordinance. The SMC includes requirements for development in flood prone areas to prevent flood damage and restrict development to ensure safety standards are met. No impact related to flood hazards would occur because of the Housing Element Update, and no mitigation measures are required.

NO IMPACT

- d. *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

Seaside is adjacent to the Pacific Ocean, and a tsunami event strong enough to inundate a portion of the city is possible. Most of the city is located approximately 2,000 feet inland from the coastline, which is anticipated to be sufficient distance to provide protection from tsunamis (City of Seaside 2004). The majority of the City of Seaside west of General Jim Moore Boulevard is within Zone X in an area within the 500-year floodplain, and the remainder of the city is within Zone X outside the 500-year floodplain (FEMA 2019b). Seiches also pose a potential threat to areas of the city near Roberts Lake and Laguna Grande. An additional flood hazard is posed by potential damage to or rupture of existing reservoirs in the upper Salinas Valley; however, dam failures are not anticipated to impact any area of the city (County of Monterey 2015).

The Housing Element Update would not increase exposure to tsunami risk because it would not directly facilitate new housing development. The Housing Element Update does not establish a growth need beyond that anticipated by the 2004 General Plan. Individual projects to be constructed under the Housing Element Update would be evaluated for consistency with the Zoning Ordinance, California Building Code, and 2004 General Plan, and would be subject to individual environmental review. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The Central Coast Regional Water Quality Control Board (RWQCB) maintains a Water Quality Control Plan for the basin (Central Coast RWQCB 2019) and the Monterey County Water Resources Agency maintains the Monterey County Groundwater Management Plan (Monterey County Water Resources Agency 2006). These plans include objectives and implementation actions for the preservation of water quality and groundwater supply in the County. The proposed Housing Element Update does not establish a growth need that would result in an increase in water demand beyond that anticipated by the 2004 General Plan. Through the City's development review process, future development would be evaluated as appropriate for potential impacts to water quality, and groundwater supply and recharge on a local as well as regional basis as each future development project is proposed. No mitigation measures are required for the Housing Element Update.

NO IMPACT

11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

- a. *Would the project physically divide an established community?*
- b. *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Implementation of the Housing Element Update would not significantly divide any community or reduce access to community amenities. The Housing Element identified where development could occur to meet RHNA in existing land use and zoning designations; it would not result in land use changes or future development that could not otherwise occur. All future residential development projects would be reviewed for consistency with the 2004 General Plan, Zoning Ordinance, the Installation-Wide Multispecies Habitat Management Plan for Former Ford Ord (U.S. Army Corps of Engineers 1997), and other applicable plans and policies. No mitigation measures are required for the Housing Element Update.

Chapter 633, Statutes of 2007 (Senate Bill 2) strengthens housing element law to ensure zoning encourages and facilitates emergency shelters by right within specific zones and/or areas of sufficient size and limits the denial of emergency shelters. The City's Zoning Code lists "Emergency/Transitional Shelters" as a permitted use in Census Tract 137 and portions of the Community Commercial (CC) Zoning District that lie within and abut Census Tract 137. No physical impact would occur with this action.

NO IMPACT

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12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

- a. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The western majority of the city has been classified under the Surface Mining and Reclamation Act as Mineral Resources Zone (MRZ)-2, a portion near the southern boundary as MRZ-1, and a portion along the central-eastern portion of the MRZ-2 area as MRZ-4 (California Division of Mines and Geology 1999). MRZ-1 indicates areas where no significant mineral deposits are present, MRZ-2 indicates areas where significant mineral deposits are present, and MRZ-4 indicates areas where there is inadequate information (California Division of Mines and Geology 1999). However, there are not current major mining operations within the city (USGS 2019b). The Housing Element Update itself does not create physical residential growth and would not result in the loss of locally important mineral resources or recovery sites beyond that anticipated by the 2004 General Plan. Without specific details regarding future residential developments, it is infeasible to identify specific potential conflicts with mineral resource areas with any precision. However, through the City's development review process, future development projects would be evaluated for compatibility with mineral resources and would include measures if necessary to ensure that impacts are less than significant. No mitigation measures are necessary.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

- a. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- b. *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*
- c. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. This development may produce increased noise levels. Short-term noise and vibration increases could arise from project construction, while long-term increases are typically associated with increased traffic.

The Housing Element Update itself does not create physical residential growth and does not involve changes that would result in noise levels beyond those anticipated by the 2004 General Plan. Housing units developed in conformance with the Housing Element Update may increase noise levels because of construction activities, increased vehicular traffic, and equipment usage. However, future development would be required to comply with General Plan noise and land use compatibility guidance as well as the City noise standards (SMC Section 17.30.060). Individual projects to be constructed in support of the assigned housing need would be evaluated for consistency with the City's 2004 General Plan and Zoning Ordinance, and would be analyzed under CEQA on a project-by-project basis. No mitigation measures are required for the Housing Element Update.

NO IMPACT

14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

- a. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

As of January 2019, the population of Seaside was 33,776 (California Department of Finance 2019). The 2004 General Plan describes the pattern and intensity of future development, including residential, commercial, industrial, recreation, and open space land uses. Infill and redevelopment in the city would avoid urban sprawl by making efficient use of lands designated for community development purposes. Land uses proposed under the 2004 General Plan would result in additional housing and employment opportunities. Additionally, AMBAG predicts a population increase to 37,802 residents in 2040 in the City of Seaside (AMBAG 2018), which is a 4,026-person increase from the 2019 population.

The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, the proposed Housing Element Update does not establish a growth need that would result in population beyond that anticipated by the General and Specific Plans. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Future developments that would be constructed in conformance with Housing Element Update would be on vacant or underutilized land in the city. No existing housing is anticipated to be displaced that would not be replaced, and provision of replacement housing for certain types of housing is addressed in the Housing Element policies. Implementation of the Housing Element Update would increase access to housing to meet housing needs in the city. No impact related to housing displacement would occur, and no mitigation measures are required for the Housing Element Update.

NO IMPACT

15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1 Fire protection?	☐	☐	☐	☒
2 Police protection?	☐	☐	☐	☒
3 Schools?	☐	☐	☐	☒
4 Parks?	☐	☐	☐	☒
5 Other public facilities?	☐	☐	☐	☒

- a.1. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*
- a.2. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*
- a.3. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*
- a.4. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

- a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

Fire protection services are provided by the Seaside Fire Department, and police protection services are provided by the Seaside Police Department. The Presidio of Monterey Fire Department, located at 4400 General Jim Moore Boulevard, provides fire protection services to areas located on the former Fort Ord and adjacent properties to the City of Seaside. Schools in the city include Monterey Peninsula Unified School District schools, California State University, Monterey Bay, and several private and charter schools. Parks in the city include 27 park and recreational sites totally 55 acres. Other public facilities in the city include the Seaside Library.

The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, the proposed Housing Element Update does not establish a growth need that would result in a need for public services beyond that anticipated by the 2004 General Plan. In addition, as growth in conformance with the Housing Element Update occurs, any needs that arise would be addressed and met as each development is proposed, and would be funded through the payment of development fees or project specific mitigation, as appropriate and in accordance with Section 65995(h) of the California Government Code (Senate Bill 50, August 27, 1998). Each project would also be evaluated for compliance with the 2004 General Plan and Zoning Ordinance. No mitigation measures are required for the Housing Element Update.

NO IMPACT

16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, the proposed Housing Element Update does not establish a growth need that would result in a need for parkland or recreational facilities beyond that anticipated by the 2004 General Plan. Future residential development in conformance with the Housing Element Update would be subject to the City's development review process where impacts to parkland would be further evaluated and developers required to pay Quimby fees, or funding equivalent to the provision of parkland. No mitigation measures are required for the Housing Element Update.

NO IMPACT

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17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

New trips would be generated by buildout of RHNA-required housing units. This planned development and associated potential population increase may generate additional vehicular movement, impact existing transportation systems, and create a demand for additional parking. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, the proposed Housing Element Update does not establish a growth need that would result in traffic impacts beyond that anticipated by the 2004 General Plan. Through the City's development review process, future development projects would be evaluated for potential traffic impacts. Appropriate mitigation measures would be required to reduce potential project specific traffic impacts in order to maintain consistency with the 2004 General Plan and the Zoning Ordinance. No mitigation measures are required for the Housing Element Update.

The Housing Element Update does not involve the alteration of existing alternative transportation-oriented policies or the creation of policies that would conflict with the 2004 General Plan⁵ or other adopted transportation-oriented policies or plans. No impacts related to conflicting transportation policies would occur because of the Housing Element Update, and no mitigation measures are required.

NO IMPACT

- b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Implementation of the Housing Element Update would increase access to housing to meet housing needs in the city. However, RNHA housing is anticipated to be proposed on vacant and underused sites in the city, which would primarily be considered infill development. Future projects are therefore likely to reduce vehicle miles travelled compared to regional averages, due to close proximity to commercial, office, and other developments. The Housing Element Update would not substantially increase vehicle miles travelled in the city, as the total required increase in housing units (166) was anticipated for development under 2004 General Plan and existing Zoning designations. Additionally, public transit options are provided by Monterey-Salinas Transit, which serves the Edgewater Transit Exchange transit center at the western boundary of the city, and provides five bus routes that serve the City of Seaside (City of Seaside 2004). Furthermore, bicycle routes are present on city roadways, including the Monterey Bay Coastal Trail, which provide additional alternate transportation options (Transportation Agency for Monterey County 2011). Therefore, the Housing Element Update would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b).

NO IMPACT

- c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*
- d. Would the project result in inadequate emergency access?*

The Housing Element Update would not change air traffic patterns, increase hazards due to a road design feature, or result in inadequate emergency access. Implementation of the 2004 General Plan is not expected to interfere with emergency access or create road hazards. All future residential development in conformance with the Housing Element Update would continue to be reviewed on a project specific basis by the Seaside Fire Department and other agencies to ensure that adequate emergency access is provided and no unsafe access conditions would result. No mitigation measures are required for the Housing Element Update.

NO IMPACT

⁵ The 2004 General Plan is currently applicable to new projects; however, once the Draft Seaside 2040 is adopted, its goals and policies will supersede the 2004 General Plan goals and policies.

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☐	☒
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

As part of the Draft Seaside 2040 General Plan Update, which initially included this Housing Element Update, tribal consultation was initiated on September 12, 2017, when the City sent out consultation letters to the Amah Mutsun Tribal Band, Amah Mutsun Tribal Band of Mission San Juan Bautista, Costanoan Rumsen Carmel Tribe, Esselen Tribe of Monterey County, Indian Canyon Mutsun Tribal Band of Costanoan, and Ohlone/Costanoan-Esselen Nation. The City followed up with each of these tribes on September 22, 2017. With the exception of the Indian Canyon Mutsun Tribal Band of Costanoan, all tribes responded. Ohlone/Costanoan-Esselen Nation representatives met with the City on November 7, 2017, and Esselen Tribe of Monterey County representatives met with

the City on January 5, 2018. Through the consultation process, no specific tribal cultural resources were identified and no significant tribal cultural resource impacts were identified.

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in impacts to tribal cultural resources. The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, adopting the Housing Element Update itself would not cause any substantial adverse change in the significance of tribal cultural resource. In addition, each future housing development project would be required to be evaluated for the potential for occurrence of tribal cultural resources on site. On a case-by-case basis appropriate mitigation measures would be identified to prevent the loss of important tribal cultural resources in accordance with CEQA. Specific projects would also be analyzed for compliance with all applicable state guidelines for the preservation of tribal cultural resources. No mitigation measures are required for the Housing Element Update.

NO IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

- a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*
- b. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*
- c. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Water

The protection of water quality in the region is under the jurisdiction of the Central Coast RWQCB. The federal and state Clean Water Acts provide regulatory authority over RWQCBs. The Central Coast RWQCB Basin Plan sets standards for water contaminant levels (Central Coast RWQCB 2019). The Housing Element Update identifies available sites for residential development during the 2015-2023 period that could accommodate the required 166 housing units. Sites that were anticipated for development under 2004 General Plan and existing Zoning designations include identified vacant and underutilized sites. Undeveloped areas in the city, including those listed in the subsection *Housing Needs within the City of Seaside* to Section 8, *Description of Project*, have the ability to satisfy the total 166-unit RHNA requirement. The Draft Seaside 2040 will identify additional vacant and underutilized sites, providing a wider range of potential development areas that would enable the city to more easily meet and exceed the RHNA housing goal for the city. As such, the proposed Housing Element Update does not establish a growth need that would result in water supply needs beyond that anticipated by the 2004 General Plan. Future residential development projects would be required to maintain consistency with all City standards. Appropriate mitigation measures would be required of individual residential developments to reduce potential project specific water quality impacts to the extent feasible. No mitigation measures are required for the Housing Element Update.

California American Water Company, Seaside Municipal Water District, and MCWD are the water purveyors for the city, including the former Fort Ord. There are three supply wells in Central Marina located in the 900-foot aquifer of the Salinas Valley Water Basin and three groundwater wells in the Ord Community located in the lower 180-foot and 400-foot aquifers of the Salinas Valley Groundwater Basin (MCWD 2019a). Water is treated at each well site to disinfect and remove the naturally occurring hydrogen sulfide that can sometimes cause odor problems (MCWD 2019a). MCWD also has a desalination plant with capacity to supply up to 300,000 gallons of potable water per day. However, with the recent rise in energy costs and the fact that the additional water supply is not needed at this time, the desalination plant is not being operated (MCWD 2019b). The MCWD Urban Water Management Plan calculated existing and future water demands in the city, and determined whether the existing and proposed water infrastructure could adequately serve the city's residents over the 20-year planning period. A total shortage of 2,428 AFY was identified, and increased usage of recycled water and desalinated water is proposed in order to meet the anticipated water demand (MCWD 2011). The City has proposed partnering with MCWD to develop an in-lieu storage and recovery program involving a portion of MCWD's 600 AFY entitlement to advanced-treated recycled water from the Pure Water Monterey Project. MCWD has plans to increase the use of recycled water to offset potable water demand, up to 453 AFY by 2035 (MCWD 2016). Additional projects to replace potable water with recycled water for golf course uses is being considered by the City. The increased use of recycled water will offset increased potable water demand anticipated by future projects. The proposed Housing Element Update does not directly establish a growth need that would result in increased groundwater pumping or demand of water supplies beyond that anticipated by the 2004 General Plan. No mitigation measures are required for the Housing Element Update.

Wastewater

Monterey One Water (M1W), formerly the Monterey Regional Water Pollution Control Agency, provides wastewater treatment for Seaside, and the Seaside County Sanitation District (SCSD) provides wastewater collection services to the cities of Seaside, Sand City, and Del Rey Oaks.

Wastewater generated from the city is treated at the M1W regional treatment plant located approximately four miles northeast of Seaside. The regional facility has a design capacity of 29.6 million gallons per day and currently receives average flows of 18.5 million gallons per day (M1W 2019a). The M1W Sewer System Management Plan requires a System Evaluation and Capacity Assurance Plan which ensures that the system would be able to meet the needs of future population growth (M1W 2019b).

The proposed Housing Element Update does not directly establish a growth need that would result in water or wastewater infrastructure needs beyond that anticipated by the 2004 General Plan. Future residential development in conformance with the Housing Element Update would be evaluated to determine adequacy of utility infrastructure as part of the standard City development review process. No mitigation measures are required for the Housing Element Update.

Electricity, Natural Gas, and Telecommunications

PG&E and Monterey Bay Community Power jointly provide electricity services to Seaside, PG&E provides natural gas, and multiple telecommunications companies provide services, including AT&T, Xfinity, Viasat, and HughesNet (Highspeedinternet.com 2019). The proposed Housing Element Update does not directly establish a growth need that would result in electricity, natural gas, and telecommunications infrastructure needs beyond that anticipated by the 2004 General Plan. Future residential development in conformance with the Housing Element Update would be evaluated to determine adequacy of utility infrastructure as part of the standard City development review process. No mitigation measures are required for the Housing Element Update.

NO IMPACT

- d. *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*
- e. *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The city is served by the Monterey Regional Waste Management District. Solid waste is taken to Monterey Peninsula Landfill approximately 4.5 miles northeast of the city. The Monterey Peninsula Landfill has an approximate capacity of 49.7 million cubic yards, of which 48.6 million cubic yards is remaining (California Department of Resources Recycling and Recovery 2019). The remaining capacity is expected to last until February 2107, at present recycling and disposal rates (California Department of Resources Recycling and Recovery 2019). The proposed Housing Element Update is a policy document for the provision of housing opportunities that would fulfill resident needs from market and below market rates and would not directly impact solid waste facilities. Furthermore, the Housing Element Update does not establish a growth need that would result in solid waste disposal needs beyond that anticipated by the 2004 General Plan. Future development in conformance with the Housing Element Update would be reviewed for compliance with applicable federal, state, and City policies and development standards. No mitigation measures are required for the Housing Element Update.

NO IMPACT

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20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

- a. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*
- b. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*
- c. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

- d. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The CAL FIRE identifies the city as an area of local responsibility, with portions of the city within the former Fort Ord area as a federal responsibility area (CAL FIRE 2007a). Wildfire hazards are low to high throughout the city, with very high fire hazard areas in portions of the undeveloped southeastern and central portions of the city (County of Monterey 2015, CAL FIRE 2007b). The undeveloped northern and eastern portions of the city containing grasslands and steeper slopes are highly prone to wildland fires (City of Seaside 2004). The proposed Housing Element Update does not directly establish a growth need that would result in increased impacts related to wildfires beyond that anticipated by the 2004 General Plan. Future residential development in conformance with the Housing Element Update would be evaluated for wildfire safety, including the ability of emergency vehicles to access the site, ease of evacuation, exacerbation of fire risk, and proximity to areas prone to flooding or landslide, as part of the standard City development review process. No mitigation measures are required for the Housing Element Update.

NO IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

- a. *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in reduced biological habitats or any biological or cultural resource impacts beyond that already anticipated by the 2004 General Plan. Adopting the Housing Element Update would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. In addition, the Housing Element Update itself would not have a substantial adverse effect on any riparian habitat or sensitive natural community. In addition, through the City's development review

process, future development projects would be evaluated for potential direct and indirect impacts on biological and cultural resources. Appropriate mitigation measures would be required to reduce potential impacts to the extent feasible and would be required to comply with the 2004 General Plan and Zoning Ordinance via project-specific CEQA review. No mitigation measures are necessary for the Housing Element Update.

NO IMPACT

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in contribution to potential cumulative impacts beyond that already anticipated by the 2004 General Plan, as analyzed in the 2004 General Plan EIR regarding cumulative impacts (refer to Section 7.1 of the 2004 General Plan EIR). In addition, through the City’s development review process, future development projects would be evaluated for potential cumulative impacts and for consistency with all applicable policies of the City’s 2004 General Plan⁶ and Zoning Ordinance. Through this review process, potential cumulative impacts to various natural and human-made resources would be evaluated and mitigated as appropriate. No mitigation measures are necessary as the existing City development review process is sufficient to maintain impacts at a less than significant level.

NO IMPACT

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The Housing Element Update itself does not create physical residential growth and does not establish a growth need that would result in substantial direct or indirect adverse impacts on human beings. Through the City’s development review process, future residential development projects would be evaluated for potential direct and indirect impacts on human beings. Appropriate mitigation measures would be required to reduce potential impacts to a level that is less than significant. No impact related to environmental effects that would have adverse effects on humans would occur because of the Housing Element Update, and no mitigation measures are necessary.

NO IMPACT

⁶ The 2004 General Plan is currently applicable to new projects; however, once the Draft Seaside 2040 is adopted, its goals and policies will supersede the 2004 General Plan goals and policies.

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List of Preparers

Rincon Consultants, Inc. prepared this Initial Study-Negative Declaration under contract to the City of Seaside. Persons involved in data gathering analysis, project management, and quality control are listed below.

RINCON CONSULTANTS, INC.

Megan Jones, MPP, Principal
 Aileen Mahoney, Lead Analyst, Associate Environmental Planner
 Hannah Haas, MA, RPA, Archaeologist
 Jonathon Schuhrke, GIS Analyst
 Debra Jane Seltzer, Document Formatting and Production Specialist

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



October 24, 2019

Gloria Stearns, Director
Department of Community Development
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Dear Gloria Stearns:

RE: Review of the City of Seaside's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting Seaside's revised draft Housing Element received for review on September 19, 2019, along with revisions received on October 3, 4, 7, and 18, 2019. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a telephone conversation on September 25, 2019 with you; Sharon Mikesell, Administrative Analyst; Rick Medina, Senior Planner; and the city's consultant, Veronica Tam.

The revised draft element meets the statutory requirements described in HCD's November 09, 2017, review as well as new statutory requirements effective January 1, 2018. The Housing Element will comply with state Housing Element law (Article 10.6 of the Government Code) when it is adopted, submitted to and approved by HCD, in accordance with Gov. Code section 65585, subdivision (g).

Government Code Section 65588(e)(4) requires a jurisdiction that failed to adopt its Housing Element, including the submittal of a draft element and the consideration of the HCD's findings, within 120 calendar days from the statutory due date (December 31, 2015 for AMBAG localities) to revise its element every four years until adopting at least two consecutive revisions by the applicable due dates. As result, the due date for the city to revise its next element is December 31, 2019. For more information on Housing Element adoption requirements, please visit HCD's website at:
http://www.hcd.ca.gov/hpd/SB375/sb375_final100413.pdf

Public participation in the development, adoption and implementation of the Housing Element is essential to effective housing planning. Throughout the Housing Element process, the city must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate.

For your information, some general plan element updates are triggered by Housing Element adoption. Please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

Several federal, state, and regional funding programs consider Housing Element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and the SB 2 Planning Grants as well as ongoing SB 2 funding consider Housing Element compliance and/or annual reporting requirements pursuant to Gov. Code section 65400. With a compliant Housing Element, Seaside meets Housing Element requirements for these funding sources.

HCD appreciates the hard work and dedication the city's consultant Veronica Tam, provided in preparation of the Housing Element and looks forward to receiving Seaside's adopted Housing Element. If you have any questions or need additional technical assistance, please contact Divya Ram, of our staff, at (916) 263-7442.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West", written in a cursive style.

Shannan West
Land Use & Planning Manager

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: 2015-2023 Housing Element Update

Lead Agency: City of Seaside

Contact Person: Gloria Stearns

Mailing Address: 440 Harcourt Avenue

Phone: (831) 899-6830

City: Seaside

Zip: 93955

County: Monterey

Project Location: County: Monterey

City/Nearest Community: Seaside

Cross Streets: n/a

Zip Code: 93955

Longitude/Latitude (degrees, minutes and seconds): 36 ° 36 ' 57 " N / 12 ° 50 ' 3.6 " W Total Acres: approx. 6,000

Assessor's Parcel No.: n/a

Section: Various Twp.: 15S Range: 1E, 2E Base: Mt Diablo

Within 2 Miles: State Hwy #: 1, 218

Waterways: Monterey Bay, Roberts Lake, Laguna Del Rey

Airports: Monterey Regional Airport

Railways: n/a

Schools: Various

Document Type:CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☒ Neg Dec

(Prior SCH No.)

☐ Draft EIS☐ Other:☐ Mit Neg Dec

Other:

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☒ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:**Development Type:**☐ Residential: Units

Acres

☐ Office: Sq.ft.

Acres

Employees

☐ Transportation: Type☐ Commercial: Sq.ft.

Acres

Employees

☐ Mining: Mineral☐ Industrial: Sq.ft.

Acres

Employees

☐ Power: Type

MW

☐ Educational:☐ Waste Treatment: Type

MGD

☐ Recreational:☐ Hazardous Waste: Type☐ Water Facilities: Type

MGD

☒ Other: Housing Element Update; no proposed development**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☒ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Growth Inducement☒ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Other: energy, wildfire**Present Land Use/Zoning/General Plan Designation:**

Various: residential, commercial, mixed use, public and institutional, military, habitat management, parks and open space

Project Description: (please use a separate page if necessary)

The City of Seaside prepared the 2015-2023 Housing Element Update to comply with the legal mandate that requires each local government to plan adequately to meet the existing and projected housing needs of all economic segments of the community. The Housing Element implements the different types of single-family, multi-family, and mixed-use developments envisioned by the 2004 General Plan Land Use Element, Draft Seaside 2040 Land Use and Community Design Element, and Draft Seaside 2040 Healthy and Sustainable Community Element. The Housing Element identifies sites that can accommodate growth under existing land use and zoning designations to demonstrate compliance with the RHNA, which requires 393 new units. The Housing Element does not create new or additional housing, nor result in zoning amendments that would increase residential development potential in the unincorporated areas.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

☒ Air Resources Board	☐ Office of Historic Preservation
☐ Boating & Waterways, Department of	☐ Office of Public School Construction
☐ California Emergency Management Agency	☐ Parks & Recreation, Department of
☐ California Highway Patrol	☐ Pesticide Regulation, Department of
☒ Caltrans District # 5	☐ Public Utilities Commission
☐ Caltrans Division of Aeronautics	☒ Regional WQCB # 3
☐ Caltrans Planning	☐ Resources Agency
☐ Central Valley Flood Protection Board	☐ Resources Recycling and Recovery, Department of
☐ Coachella Valley Mtns. Conservancy	☐ S.F. Bay Conservation & Development Comm.
☐ Coastal Commission	☐ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
☐ Colorado River Board	☐ San Joaquin River Conservancy
☐ Conservation, Department of	☐ Santa Monica Mtns. Conservancy
☐ Corrections, Department of	☐ State Lands Commission
☐ Delta Protection Commission	☐ SWRCB: Clean Water Grants
☐ Education, Department of	☐ SWRCB: Water Quality
☐ Energy Commission	☐ SWRCB: Water Rights
☒ Fish & Game Region # 4	☐ Tahoe Regional Planning Agency
☐ Food & Agriculture, Department of	☒ Toxic Substances Control, Department of
☒ Forestry and Fire Protection, Department of	☐ Water Resources, Department of
☐ General Services, Department of	☐ Other: _____
☐ Health Services, Department of	☐ Other: _____
☐ Housing & Community Development	
☒ Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date October 15, 2019 Ending Date November 15, 2019

Lead Agency (Complete if applicable):

Consulting Firm: <u>Rincon Consultants</u>	Applicant: <u>City of Seaside</u>
Address: <u>437 Figueroa Street, Suite 203</u>	Address: <u>440 Harcourt Avenue</u>
City/State/Zip: <u>Monterey, California 93940</u>	City/State/Zip: <u>Seaside, California 93955</u>
Contact: <u>Megan Jones, MPP</u>	Phone: <u>(831) 899-6830</u>
Phone: <u>(831) 333-0310</u>	

Signature of Lead Agency Representative:  Date: 10/11/2019

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



COMMUNITY DEVELOPMENT DEPARTMENT | PLANNING DIVISION

440 Harcourt Avenue
Seaside, CA 93955

Phone (831) 899-6737

Fax (831) 899-6211

<http://www.ci.seaside.ca.us/>

FILED

OCT 16 2019

**Notice of Intent to Issue a Negative Declaration for
2015-2023 Housing Element Update**

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

The City of Seaside (the City) has prepared an Initial Study and Negative Declaration for the City of Seaside 2015-2023 Housing Element. In compliance with State CEQA Guidelines Section 15072, the City has prepared this Notice of Intent to inform responsible agencies and other interested parties about the City's intent to adopt a negative declaration for the Housing Element.

PROJECT APPLICANT: City of Seaside Community Development Department

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: The City has prepared the 2015-2023 Housing Element Update to comply with the legal mandate that requires each local government to plan adequately to meet the existing and projected housing needs of all economic segments of the community. The Housing Element is one of the seven state-mandated elements of the local general plan and is required to be updated every five years. The 2015-2023 Housing Element Update has been revised to maintain consistency with the existing (2004) and proposed (2040) General Plan, as adoption of the General Plan Update (Draft Seaside 2040) has been delayed.

The updated Housing Element is a policy document. It implements the different types of single-family, multi-family, and mixed-use developments envisioned by the 2004 General Plan Land Use Element, Draft Seaside 2040 Land Use and Community Design Element, and Draft Seaside 2040 Healthy and Sustainable Community Element. As such, the updated Housing Element would not result in any additional physical environmental impacts, beyond those evaluated as part of the review of the 2004 General Plan Land Use Element. The 2015-2023 Housing Element has also been developed to meet California State legal requirements, including the need to plan for the City's share of the Regional Housing Needs Assessment (RHNA), and is subject to review and certification by the State Department of Housing and Community Development (HCD).

AVAILABILITY OF ENVIRONMENTAL DOCUMENTATION: The draft 2015-2023 Housing Element and the Initial Study/Negative Declaration may be reviewed online at at https://www.ci.seaside.ca.us/DocumentCenter/View/10004/Seaside-Housing-Element-Initial-Study-Negative-Declaration_October-2019 or in person at the following locations:

1. Oldemeyer Center - 986 Hilby Avenue, Seaside, CA 93955
2. City of Seaside City Hall Permit Counter - 440 Harcourt Avenue, Seaside, CA 93955
3. City of Seaside Library - 550 Harcourt Avenue, Seaside, CA 93955
4. Seaside Creates Offices - 565 Broadway Avenue, Seaside, CA 93955

REVIEW PERIOD: As specified by the State CEQA Guidelines Section 15073, a 30-day public review period for the Negative Declaration will commence on **October 17, 2019** and end on **November 15, 2019**. The City of Seaside welcomes agency and public comments on the document during this period. Any comments on the Negative Declaration must be received within the public review period, in writing, by **5:00 p.m. on November 15, 2019** and addressed to:

Rick Medina, Senior Planner, City of Seaside 440 Harcourt Avenue, Seaside, CA 93955 Phone: (831) 899-6726 E-mail: rmedina@ci.seaside.ca.us.

Monterey County Clerk-Recorder
Stephen L. Vagnini, County Clerk-Recorder
168 West Alisal Street, First Floor
P.O. Box 29
Salinas, CA 93902

Receipt: 19-57297

Product	Name	Extended
CLKPOST	CLERK POSTING	\$0.00
	# Pages	1
	Document #	PST201900053
	Document Info:	CITY OF SEASIDE
	Document Info:	CITY OF SEASIDE
Total		\$0.00
Change (Cash)		\$0.00

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**COMMUNITY DEVELOPMENT DEPARTMENT | PLANNING DIVISION**

440 Harcourt Avenue
Seaside, CA 93955

Teléfono (831) 899-6737
Fax (831) 899-6211
<http://www.ci.seaside.ca.us/>

**Aviso de intención para emitir una declaración negativa para
la actualización del Elemento de Vivienda 2015-2023**

La Ciudad de Seaside ha preparado un Estudio Inicial y una Declaración Negativa para el Elemento de Vivienda de la Ciudad de Seaside 2015-2023. En cumplimiento con la Sección 15072 de las pautas del CEQA del Estado, la Ciudad ha preparado este Aviso de Intención para informar a las agencias responsables y otras partes interesadas sobre la intención de la Ciudad de adoptar una declaración negativa para el Elemento de Vivienda.

SOLICITANTE: Departamento de desarrollo comunitario de la Ciudad de Seaside

LOCALIZACIÓN DEL PROYECTO: Por toda la ciudad

DESCRIPCIÓN DEL PROYECTO: La Ciudad ha preparado la Actualización del Elemento de Vivienda 2015-2023 para cumplir con el mandato legal que requiere que cada gobierno local planifique adecuadamente para satisfacer las necesidades de vivienda existentes y proyectadas de todos los segmentos económicos de la comunidad. El Elemento de Vivienda es uno de los siete elementos obligatorios del Plan General local y debe actualizarse cada cinco años. La Actualización del Elemento de Vivienda 2015-2023 se ha revisado para mantener la coherencia con el Plan General existente (2004) y propuesto (2040), ya que la adopción de la Actualización del Plan General (Borrador Seaside 2040) se ha retrasado.

El Elemento de Vivienda actual es un documento de póliza. Implementa los diferentes tipos de desarrollos unifamiliares, multifamiliares y de uso mixto previstos por el Elemento de Uso de la Tierra del Plan General de 2004, el Elemento de Diseño de Comunidad y del borrador de Uso de la Tierra Seaside 2040 y del borrador de Elemento de Comunidad Saludable y Sostenible de Seaside 2040. Como tal, el Elemento de Vivienda actual no daría lugar a ningún impacto ambiental físico adicional, más allá de los evaluados como parte de la revisión del Elemento de Uso de la Tierra del Plan General 2004. El Elemento de Vivienda 2015-2023 también se ha desarrollado para cumplir con los requisitos legales del Estado de California, incluyendo la necesidad de planificar la participación de la Ciudad en la Evaluación Regional de Necesidades de Vivienda (RHNA, por sus siglas en inglés), y está sujeto a revisión y certificación por el Departamento de Vivienda del Estado y Desarrollo comunitario (HCD, por sus siglas en inglés).

DISPONIBILIDAD DE DOCUMENTACIÓN DEL MEDIO AMBIENTE: El borrador del Elemento de Vivienda 2015-2023 y el Estudio inicial / Declaración negativa se pueden revisar en línea en https://www.ci.seaside.ca.us/DocumentCenter/View/10004/Seaside-Housing-Element-Initial-Study-Negative-Declaration_October-2019 o en persona en los siguientes lugares:

1. Oldemeyer Center - 986 Hilby Avenue, Seaside, CA 93955
2. Ayuntamiento de la ciudad de Seaside: 440 Harcourt Avenue, Seaside, CA 93955
3. La biblioteca de la ciudad de Seaside - 550 Harcourt Avenue, Seaside, CA 93955
4. Oficinas de Seaside Creates - 565 Broadway Avenue, Seaside, CA 93955

PERÍODO DE REVISIÓN: Según como especifica la sección 15073 de las pautas del CEQA del Estado, el período de 30 días para revisión pública de la Declaración Negativa comenzará el 17 de octubre de 2019 y finalizará el 15 de noviembre de 2019. La Ciudad de Seaside apoya comentarios públicos de agencias y del público sobre el documento durante este período. Cualquier comentario sobre la Declaración Negativa debe recibirse dentro del período de revisión pública, por escrito, antes de las 5:00 p.m. el 15 de noviembre de 2019 y dirigido a:

Rick Medina, Senior Planner, Ciudad de Seaside 440 Harcourt Avenue, Seaside, CA 93955
Teléfono: (831) 899-6726 E-mail: rmedina@ci.seaside.ca.us.



COMMUNITY DEVELOPMENT DEPARTMENT | PLANNING DIVISION

440 Harcourt Avenue
Seaside, CA 93955

Phone (831) 899-6737
Fax (831) 899-6711
<http://www.ci.seaside.ca.us/>

FILED

OCT 16 2019

**Notice of Intent to Issue a Negative Declaration for
2015-2023 Housing Element Update**

**STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY**

The City of Seaside (the City) has prepared an Initial Study and Negative Declaration for the City of Seaside 2015-2023 Housing Element. In compliance with State CEQA Guidelines Section 15072, the City has prepared this Notice of Intent to inform responsible agencies and other interested parties about the City's intent to adopt a negative declaration for the Housing Element.

PROJECT APPLICANT: City of Seaside Community Development

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: The City has prepared the 2015-2023 Housing Element to comply with the legal mandate that requires each local government to update its Housing Element to reflect the existing and projected housing needs of all economic segments. The existing Housing Element is one of the seven state-mandated elements required to be updated every five years. The 2015-2023 Housing Element is being revised to maintain consistency with the existing (2004) and adopted (Draft Seaside 2040) General Plan Update.

The updated Housing Element is a policy document. It implements the City's vision for family, multi-family, and mixed-use developments envisioned in the 2004 General Plan Land Use Element, Draft Seaside 2040 Land Use and Community Element, and the 2040 Healthy and Sustainable Community Element. As such, the updated Housing Element would not result in any additional physical environmental impacts. The updated Housing Element is part of the review of the 2004 General Plan Land Use Element and the 2004 General Plan. It has also been developed to meet California State legal requirements for the City's share of the Regional Housing Needs Assessment. The updated Housing Element will be reviewed and certified by the State Department of Housing and Community Development (HCD).

AVAILABILITY OF ENVIRONMENTAL DOCUMENTATION: The draft 2015-2023 Housing Element and the Initial Study/Negative Declaration may be reviewed online at https://www.ci.seaside.ca.us/DocumentCenter/View/10004/Seaside-Housing-Element-Initial-Study-Negative-Declaration_October-2019 or in person at the following locations:

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Monterey County Clerk-Recorder
Stephen L. Vagnini, County Clerk-Recorder
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December 2, 2019

Board of Directors Officers

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President, CSU Monterey Bay

Matt Huffaker, Board Vice-Chair
City Manager, Watsonville

David Heald, Board Treasurer
CEO, Santa Cruz County Bank

Carrie L. Birkhofer, Board Secretary
President & CEO,
Bay Federal Credit Union

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Monterey County

Nanette Mickiewicz
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George Ow, Jr.
Chairman & CEO, Ow Family Properties

Carlos Palacios
CAO, County of Santa Cruz

Bruce Taylor
Chairman & CEO, Taylor Farms

Staff: Kate Roberts, President & CEO

City of Seaside Planning Commission
440 Harcourt Avenue
Seaside, CA 93955

Subject: State of California Housing Element Compliance

Dear Planning Commissioners,

Founded in 2015, Monterey Bay Economic Partnership (MBEP) consists of over 85 public, private and civic entities located throughout Monterey, San Benito and Santa Cruz counties with a mission to improve the economic health and quality of life in the Monterey Bay region. Our Housing initiative consists of a broad coalition of community members, local employers, and organizations to advocate for and catalyze an increase in housing of all types and income levels in the region. In 2018, MBEP partnered with Envision Housing to publish a Housing Policy White Paper, outlining several ways local governments can easily increase housing production and are pleased that the City of Seaside is working towards adopting several of these recommendations.

We commend the City for drafting an updated General Plan and Housing Element that addresses the growing and changing demand for housing. Amending the City's Zoning Ordinance and updating ADU and density bonus provisions to be consistent with State law are initial steps forward. As part of this effort, we recommend accelerating and advancing these comprehensive provisions to zone for density and the creation of smaller units by optimizing height and FAR limits, scaling all fees by square foot, and greatly reducing parking requirements as recommended by HCD.

We further recommend reducing commercial space requirements in mixed-use zones where housing density is least controversial, closest to jobs, and best served by transit and active transportation options. Additionally, analyzing traffic impacts in the 'vehicle miles traveled' framework rather than the 'level of service' framework recognizes that infill development is better overall for a community's traffic. Lastly, exploring other local funding sources beyond CDBG and inclusionary in-lieu funds can further help subsidize more affordable housing production.

We look forward to continuing our partnership and remain available for support. For questions, please contact Matt Huerta, MBEP's Housing Program Manager, at mhuerta@mbep.biz.

Thank you.

Sincerely,

Kate Roberts, President & CEO
Monterey Bay Economic Partnership

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey



CITY OF SEASIDE STAFF REPORT

Item No.: 9.C.

TO: City Council

BY: Craig Malin, City Manager

DATE: December 19, 2019

**SUBJECT: ADOPTION OF AN EXTENSION OF URGENCY ORDINANCE 1069
ADOPTING JUST CAUSE EVICTION PROTECTIONS AND RENTAL
RATE LIMITS EFFECTIVE IMMEDIATELY UNTIL DECEMBER 31,
2019**

PURPOSE & RECOMMENDATION

Adopt the Ordinance as presented.

BACKGROUND

On September 11, 2019, California State Assembly Bill 1482 passed the Legislature. On October 8, 2019, the Governor signed the bill into law. AB 1482 is set to limit annual rent increases across the state to 5 percent plus cost of living inflation, or 10 percent, whichever is lower. The bill will also prohibit an owner from terminating a tenancy without just cause if the tenant has lived in a unit for 12 months or more. After AB 1482 becomes effective, the prohibitions on eviction without just cause will go into effect on January 1, 2020 and if rents were increased after March 15, 2019, the rent on January 1, 2020 is reduced to the rent as of March 15, 2019 plus the maximum increase allowed by AB1482.

AB 1482 implements two concurrent protections on applicable units: (1) a cap on rent increases and (2) just cause eviction protection, which includes providing a one-month rent payment for relocation assistance when a landlord terminates a lease through no fault of the tenant. The relocation payment is paid without regard to a tenant's income or other characteristics. A discussion on each of these provisions follows.

Rent Cap

AB 1482 introduces a cap on rent increases that would allow a landlord to raise the rents by 5% per year plus the percentage change in the cost of living, or 10%,

whichever is lower. The increase is tied to annual April/April Bay Area Consumer Price Index (CPI). To provide historical context, staff researched the annual April CPI percentage change for the last four years. In 2018, 2017, 2016, and 2015, the CPI increase was approximately 3.2%, 3.8%, 2.7%, and 2.4%, respectively.

The April 2019 Bay Area CPI increase was 4.0%, which would result in a maximum rent increase of 9.0% once AB 1482 becomes effective.

Just Cause Eviction Protection

AB 1482 includes just cause eviction protections for tenants if they have lived in a unit for 12 months or more. Just cause eviction protection would require a landlord to have a valid reason for terminating a tenancy. Some examples of just cause include non-payment of rent, violation of a lease term, and nuisance.

The just cause eviction protections only apply to tenants who have resided in a unit for 12 months or more: AB 1482 does not apply to tenants who have been residing in the unit for less than 12 months.

Range of Applicable Units

Under AB 1482 certain housing units are not subject to provisions in the law. The just cause protections and the rent cap limitations do not apply to units:

- Issued a certificate of occupancy in the previous 15 years
- Dormitories owned by an educational institution
- Affordable housing restricted by a deed covenant, regulatory agreement or other recorded document
- Single family homes or condominiums provided the owner is not a real estate investment trust, a corporation, or a limited liability company where at least one member is a corporation, so long as the tenants are given notice of the exemption as required by the statute that the just cause protections do not apply to the tenant
- Duplexes where the owner occupied one of the units as the owner's principal residents at the commencement of the tenancy and continues to occupy the property

In addition to the unit types listed above, the following units are exempt from the just cause protections only:

- Transient and tourist hotel occupancies
- Housing in nonprofit hospitals, religious facilities, extended care facility, license care facility for the elderly or an adult residential facility
- Housing where the tenant shares bathroom or kitchen facilities with the owner and the housing is the owner's principal residence
- Owner-occupied homes where the owner rents no more than 2 units or

bedrooms, including accessory dwelling units

- Rental units covered by a local just cause ordinance if the ordinance was adopted on or before September 1, 2019, or rental units covered by a local ordinance adopted after September 1, 2019 that is more protective than the provisions of AB1482.

AB 1482 Enforcement

Regarding enforcement of the provisions of AB 1482 the law is unclear and does not specify how enforcement is to occur. It is assumed that tenants will need to enforce the law by way of a private cause of action (enforce by civil action).

AB 1482 Legal Challenge

On October 15, 2019, an anti-rent control group filed a lawsuit in U.S. District Court against California Governor Gavin Newsom and the City of Long Beach. The lawsuit, filed by attorney Paul Beard of Alston & Bird, argues that AB 1482 violates the Takings Clause in the California Constitution, as well as the Fourth, Fifth and Fourteenth Amendments of the U.S. Constitution. Other legal challenges to AB 1482 are rumored as well.

Extension of City Urgency Ordinance to Provide for Local Rent Stabilization

Since the prior adoption of the urgency ordinance staff will be meeting with additional stakeholders in reviewing a more permanent ordinance. There is a continuing need for additional analysis and evaluation through the end of the year. In order to reduce potential economic evictions in advance of January 1, 2020 when AB 1482 goes into effect, the City Council adopted an urgency ordinance on November 13. Passage of the attached ordinance would extend the protections through December 31, with AB 1482 taking effect on January 1, 2020.

ATTACHMENTS

1. Urgency Ordinance Extension-No Fault Evictions-sd revision

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. XXXX

AN URGENCY ORDINANCE OF THE CITY OF SEASIDE

ADOPTING JUST CAUSE EVICTION PROTECTIONS AND RENTAL RATE LIMITS EFFECTIVE IMMEDIATELY UNTIL DECEMBER 31, 2019

WHEREAS, on October 8, 2019, California Governor Gavin Newsom signed into law the Tenant Protection Act of 2019, Assembly Bill 1482 ("AB 1482"), an act adding Sections 1946.2 (Just Cause Eviction) and 1947.12 (Rent Caps), to the California Civil Code, effective beginning January 1, 2020, which will provide eviction protections and limits on rent increases in the State of California; and

WHEREAS, pursuant to Article XI, Section 7 of the California Constitution, the City of Seaside ("City") has broad authority to maintain the public peace, health and safety of its community and preserve the quality of life for its residents and may make and enforce all regulations and ordinances using its police powers in order to do so; and

WHEREAS, the City has one of the least affordable housing markets in California and the United States, which exacerbates the City's shortage of decent, safe, affordable, and sanitary rental housing; and

WHEREAS, on November 7, 2019 and November 13, 2019, the City Council heard testimony of rents increasing substantially to over 100% increase and the imminent threat of homeless amongst longtime Seaside community residents; and

WHEREAS, given the housing cost burden faced by many City residents, excessive rental increases threaten the public health, safety, and welfare of City residents, including seniors, those on fixed incomes, those with low and moderate income levels, and those with other special needs to the extent that such persons may be forced to choose between paying rent and providing food, clothing, and medical care for themselves and their families; and

WHEREAS housing instability threatens the public peace, health, and safety as eviction from one's home can lead to prolonged homelessness; increased residential mobility; loss of community; strain on household finances due to the necessity of paying rental application fees and security deposits; stress and anxiety experienced by those displaced; increased commute times and traffic impacts if displaced workers cannot find affordable housing within the city in which they work; and interruption of the education of children in the home; and

WHEREAS, eviction creates particular hardships for individuals and

households of limited means, given the shortage of housing, particularly affordable housing, within the City of Seaside and the Monterey Bay regional generally; and

WHEREAS, AB 1482 does not go into effect until January 1, 2020, landlords could seek to evict tenants without cause in order to implement rent increases that would not otherwise be permissible after the effective date; and

WHEREAS, the City Council wishes to prohibit exorbitant rental rate increases as well as evictions without just cause during this transition period and to protect renters from no-fault evictions through December 31, 2019, in advance of AB 1482's effective date, to prevent further homelessness and displacement.

WHEREAS, based upon the above-described facts and circumstances, and for these same reasons, the City Council finds that this ordinance is necessary as an emergency measure for preserving the public peace, health and safety, and therefore that it may be introduced and adopted at one and the same meeting, and shall take effect immediately upon its adoption.

WHEREAS, Government Code section 36937(b) authorizes the adoption of an urgency ordinance to protect the public peace, health or safety where there is a declaration of the facts constituting the urgency and the ordinance is adopted by a four-fifths of the Council; and

WHEREAS, this urgency ordinance would essentially establish the rental protections that will go into effect on January 1, 2020 under AB1482 immediately within the City of Seaside to (1) prohibit an owner of residential property (with specific exceptions) from terminating a tenancy without just cause; and (2) prohibit an owner of residential property from annually increasing rent more than 5% plus the percentage change in the cost of living; and

WHEREAS, In order to reduce potential economic evictions in advance of January 1, 2020 when AB 1482 goes into effect, the City Council adopted an urgency ordinance on November 13.

WHEREAS, since the adoption of the Ordinance, the City has met with stakeholders and will be meeting with additional stakeholders related to local rental issues. There is a continuing need for additional analysis and evaluation through the end of the year.

WHEREAS, The Urgency ordinance expired on December 13, 2019. Passage of the attached ordinance would extend the protections through December 31, with AB 1482 taking effect on January 1, 2020.

WHEREAS, an urgency ordinance that is effective immediately is necessary to avoid the immediate threat to the public peace, health and safety as failure to adopt this urgency ordinance could result in the displacement of the City's residents and community members.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as though fully set forth herein.

SECTION 2. Findings. The City Council hereby finds, determines and declares that this urgency ordinance adoption pursuant to Government Code section 36937 is necessary because:

- A. Housing, particularly affordable housing, is difficult to procure in Seaside and the Monterey County Central Coast. The rental increases and evictions without just cause occurring in advance of the effectiveness of AB1482 destabilize the housing market and can result in the loss of affordable housing.
- B. For the immediate preservation of the public peace, health and safety, the City Council finds that it is necessary to adopt an ordinance regulating rental rate increase and just cause evictions, for all of the reasons set forth in the recitals above, which are incorporated hereby reference.
- C. Without the imposition of this urgency ordinance, rental rate increases and evictions without just cause may result in the displacement of residential tenants who would be forced to find new housing in an ever-more expensive housing market before a non-urgency ordinance or AB1482 would become effective and would significantly increase the risk of residential tenants becoming homeless.
- D. There is a current and immediate threat to the public peace, health, and safety of the City and its community due in part to the adoption of AB1482 which increases the risk of tenant displacement prior to the effective date of the bill, thereby necessitating the immediate enactment of this urgency ordinance in order to ensure that tenants are not turned out of their homes without just cause.

SECTION 3. Urgency Need. Based on the foregoing recitals and findings, all of which are deemed true and correct, this ordinance is urgently needed for the immediate preservation of the public peace, health and safety. This

urgency ordinance shall take effect immediately upon adoption in accordance with the provisions set forth in Government Code section 36937.

SECTION 4. Just Cause Eviction Protections. The City Council of the City of Seaside hereby adopts to the Just Cause Eviction protections provided in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 5. Rent Rate Limit Provisions. The City Council of the City of Seaside hereby adopts the Rental Rate Limit protections provided in Exhibit B, attached hereto and incorporated herein by reference.

SECTION 6. Enforcement. Failure by a landlord to comply with the terms of this Ordinance shall be an affirmative defense to any unlawful detainer action pending or other action brought by the owner to recover possession of the rental unit. In addition, tenant may bring a civil suit in the courts of the state alleging that a Landlord has violated any of the provisions of this Ordinance. In a civil suit, a landlord found to violate this Ordinance shall be liable to the tenant for all actual damages, as well as an award of reasonable attorneys' fees and costs. Additionally, upon a showing that the Landlord has acted willfully or with oppression, fraud, or malice, the Tenant shall be awarded treble damages. No administrative remedy need be exhausted prior to filing suit pursuant to this Section."

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 8. Effective Date and Expiration Date. This ordinance shall take effect immediately upon its adoption and shall automatically expire at midnight on December 31, 2019. This ordinance shall also not apply to any tenancy where the eviction lawsuit has already been adjudicated as of the effective date. On January 1, 2020, this ordinance shall be repealed and shall be of no further force and effect.

SECTION 9. Environmental Determination.

The City Council finds that the adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)(3) in that the City Council finds there is no possibility that the implementation of this Ordinance may have significant effects on the environment. The ordinance would apply residential tenant protection measures to existing residential units in Seaside, which is solely an administrative process resulting in no physical change to the environment.

SECTION 10. Publication. The City Clerk is directed to cause this ordinance to be published in the manner required by law.

PASSED FOR FINAL ADOPTION as an emergency ordinance this 16th day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED: _____
Ian Oglesby, Mayor

ATTEST: _____
Lesley Milton, City Clerk

EXHIBIT A
JUST CAUSE EVICTION PROTECTIONS

DEFINITIONS.

The following words and phrases, whenever used in this Exhibit A and Exhibit B, shall be construed as defined in this section.

- A. City Council. The Seaside City Council.
- B. Landlord. An owner of record, lessor, sublessor, or any other person, entity or non-natural person entitled to receive Rent for the use and occupancy of any Rental Unit, or an agent, representative, predecessor, or successor of any of the foregoing.
- C. Property. All Rental Units on a parcel or lot or contiguous parcels or contiguous lots under common ownership that are subject to AB 1482.
- D. Rent. All periodic payments and all nonmonetary consideration including, but not limited to, the fair market value of goods, labor performed or services rendered to or for the benefit of the Landlord for use or occupancy of a Rental Unit and Housing Services under a Rental Housing Agreement.
- E. Tenant. A Tenant, subtenant, lessee, sublessee, or a person entitled under the terms of a Rental Housing Agreement to the use or occupancy of a Rental Unit.

PROHIBITION AGAINST EVICTIONS WITHOUT JUST CAUSE

- A. Notwithstanding any other law, after a tenant has continuously and lawfully occupied a residential real property for 12 months, the owner of the residential real property shall not terminate the tenancy without just cause, which shall be stated in the written notice to terminate tenancy. If any additional adult tenants are added to the lease before an existing tenant has continuously and lawfully occupied the residential real property for 24 months, then this subdivision shall only apply if either of the following are satisfied:
 - 1. All of the tenants have continuously and lawfully occupied the residential real property for 12 months or more.
 - 2. One or more tenants have continuously and lawfully occupied

the residential real property for 24 months or more.

B. For purposes of this section, "just cause" includes either of the following:

1. At-fault just cause, which is any of the following:
 - a) Default in the payment of rent.
 - b) A breach of a material term of the lease, as described in paragraph (3) of Section 1161 of the Code of Civil Procedure, including, but not limited to, violation of a provision of the lease after being issued a written notice to correct the violation.
 - c) Maintaining, committing, or permitting the maintenance or commission of a nuisance as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
 - d) Committing waste as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
 - e) The tenant had a written lease that terminated on or after January 1, 2020, and after a written request or demand from the owner, the tenant has refused to execute a written extension or renewal of the lease for an additional term of similar duration with similar provisions, provided that those terms do not violate this section or any other provision of law.
 - f) Criminal activity by the tenant on the residential real property, including any common areas, or any criminal activity or criminal threat, as defined in subdivision (a) of Section 422 of the Penal Code, on or off the residential real property, that is directed at any owner or agent of the owner of the residential real property.
 - g) Assigning or subletting the premises in violation of the tenant's lease, as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
 - h) The tenant's refusal to allow the owner to enter the residential real property as authorized by Sections 1101.5 and 1954 of this code, and Sections 13113.7 and 17926.1 of the Health and Safety Code.
 - i) Using the premises for an unlawful purpose as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
 - j) The employee, agent, or licensee's failure to vacate after their

termination as an employee, agent, or a licensee as described in paragraph (1) of Section 1161 of the Code of Civil Procedure.

- k) When the tenant fails to deliver possession of the residential real property after providing the owner written notice as provided in Section 1946 of the tenant's intention to terminate the hiring of the real property, or makes a written offer to surrender that is accepted in writing by the landlord, but fails to deliver possession at the time specified in that written notice as described in paragraph (5) of Section 1161 of the Code of Civil Procedure.

2. No-fault just cause, which includes any of the following:

- a)
 - i. Intent to occupy the residential real property by the owner or their spouse, domestic partner, children, grandchildren, parents, or grandparents.
 - ii. For leases entered into on or after November 13, 2019, clause (i) shall apply only if the tenant agrees, in writing, to the termination, or if a provision of the lease allows the owner to terminate the lease if the owner, or their spouse, domestic partner, children, grandchildren, parents, or grandparents, unilaterally decides to occupy the residential real property. Addition of a provision allowing the owner to terminate the lease as described in this clause to a new or renewed rental agreement or fixed-term lease constitutes a similar provision for the purposes of subparagraph (e) of paragraph (1).

b) Withdrawal of the residential real property from the rental market.

- c) i. The owner complying with any of the following:
 - a. An order issued by a government agency or court relating to habitability that necessitates vacating the residential real property.
 - b. An order issued by a government agency or court to vacate the residential real property.
 - c. A local ordinance that necessitates vacating the residential real property.
- ii. If it is determined by any government agency or court that the tenant is at fault for the condition or conditions triggering

the order or need to vacate under clause (i), the tenant shall not be entitled to relocation assistance as outlined in paragraph (c) of subdivision (4).

- d)
 - i. Intent to demolish or to substantially remodel the residential real property.
 - ii. For purposes of this subparagraph, "substantially remodel" means the replacement or substantial modification of any structural, electrical, plumbing, or mechanical system that requires a permit from a governmental agency, or the abatement of hazardous materials, including lead-based paint, mold, or asbestos, in accordance with applicable federal, state, and local laws, that cannot be reasonably accomplished in a safe manner with the tenant in place and that requires the tenant to vacate the residential real property for at least 30 days. Cosmetic improvements alone, including painting, decorating, and minor repairs, or other work that can be performed safely without having the residential real property vacated, do not qualify as substantial rehabilitation.
- 3. Before an owner of residential real property issues a notice to terminate a tenancy for just cause that is a curable lease violation, the owner shall first give notice of the violation to the tenant with an opportunity to cure the violation pursuant to paragraph (3) of Section 1161 of the Code of Civil Procedure. If the violation is not cured within the time period set forth in the notice, a three-day notice to quit without an opportunity to cure may thereafter be served to terminate the tenancy.
- 4.
 - a) For a tenancy for which just cause is required to terminate the tenancy under subdivision (A), if an owner of residential real property issues a termination notice based on a no-fault just cause described in paragraph (2) of subdivision (B), the owner shall, regardless of the tenant's income, at the owner's option, do one of the following:
 - i. Assist the tenant to relocate by providing a direct payment to the tenant as described in paragraph (c).
 - ii. Waive in writing the payment of rent for the final month of the tenancy, prior to the rent becoming due.

- b) If an owner issues a notice to terminate a tenancy for no-fault just cause, the owner shall notify the tenant of the tenant's right to relocation assistance or rent waiver pursuant to this section. If the owner elects to waive the rent for the final month of the tenancy as provided in subparagraph (ii) of paragraph (a), the notice shall state the amount of rent waived and that no rent is due for the final month of the tenancy.
 - c)
 - i. The amount of relocation assistance or rent waiver shall be equal to one month of the tenant's rent that was in effect when the owner issued the notice to terminate the tenancy. Any relocation assistance shall be provided within 15 calendar days of service of the notice.
 - ii. If a tenant fails to vacate after the expiration of the notice to terminate the tenancy, the actual amount of any relocation assistance or rent waiver provided pursuant to this subdivision shall be recoverable as damages in an action to recover possession.
 - iii. The relocation assistance or rent waiver required by this subdivision shall be credited against any other relocation assistance required by any other law.
 - d) An owner's failure to strictly comply with this subdivision shall render the notice of termination void.
5. This section shall not apply to properties deemed exempt in AB 1482, including the following types of residential real properties or residential circumstances:
- a) Transient and tourist hotel occupancy as defined in subdivision (b) of Section 1940.
 - b) Housing accommodations in a nonprofit hospital, religious facility, extended care facility, licensed residential care facility for the elderly, as defined in Section 1569.2 of the Health and Safety Code, or an adult residential facility, as defined in Chapter 6 of Division 6 of Title 22 of the Manual of Policies and Procedures published by the State Department of Social Services.
 - c) Dormitories owned and operated by an institution of higher education or a kindergarten and grades 1 to 12, inclusive, school.

- d) Housing accommodations in which the tenant shares bathroom or kitchen facilities with the owner who maintains their principal residence at the residential real property.
- e) Single-family owner-occupied residences, including a residence in which the owner-occupant rents or leases no more than two units or bedrooms, including, but not limited to, an accessory dwelling unit or a junior accessory dwelling unit.
- f) A duplex in which the owner occupied one of the units as the owner's principal place of residence at the beginning of the tenancy, so long as the owner continues in occupancy.
- g) Housing that has been issued a certificate of occupancy within the previous 15 years.
- h) Residential real property that is alienable separate from the title to any other dwelling unit, provided that both of the following apply:
 - i. The owner is not any of the following:
 - a) A real estate investment trust, as defined in Section 856 of the Internal Revenue Code.
 - b) A corporation.
 - c) A limited liability company in which at least one member is a corporation.
 - ii.
 - a) The tenants have been provided written notice that the residential property is exempt from this section using the following statement: "This property is not subject to the rent limits imposed by Section 1947.12 of the Civil Code and is not subject to the just cause requirements of Section 1946.2 of the Civil Code. This property meets the requirements of Sections 1947.12 (d)(5) and 1946.2 (e)(8) of the Civil Code and the owner is not any of the following: (1) a real estate investment trust, as defined by Section 856 of the Internal Revenue Code; (2) a corporation; or (3) a limited liability company in which at least one member is a corporation."
 - b) For a tenancy existing before November 13, 2019, the notice required under clause (i) may, but is not required

- to, be provided in the rental agreement.
- c) For any tenancy commenced or renewed on or after November 13, 2019, the notice required under clause (i) must be provided in the rental agreement.
 - d) Addition of a provision containing the notice required under clause (a) to any new or renewed rental agreement or fixed-term lease constitutes a similar provision for the purposes of subparagraph (e) of paragraph (1) of subdivision (B).
 - i) Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.
6. Any waiver of the rights under this section shall be void as contrary to public policy.

EXHIBIT B
RENTAL RATE LIMIT PROVISIONS

These rent cap provisions of the urgency ordinance shall be known as the "Rental Rate Limit Provisions"

(a) Subject to subdivision (b), an owner of residential real property shall not increase the gross rental rate for a dwelling or a unit more than 9 percent of the gross rental rate charged for that dwelling or unit prior to the effective date of these Rental Rate Limit Provisions. In determining the gross rental amount pursuant to this section, any rent discounts, incentives, concessions, or credits offered by the owner of such unit of residential real property and accepted by the tenant shall be excluded. The gross per-month rental rate and any owner-offered discounts, incentives, concessions, or credits shall be separately listed and identified in the lease or rental agreement or any amendments to an existing lease or rental agreement.

(b) For a new tenancy in which no tenant from the prior tenancy remains in lawful possession of the residential real property, the owner may establish the initial rental rate not subject to subdivision (a). Subdivision (a) is only applicable to subsequent increases after that initial rental rate has been established.

(c) A tenant of residential real property subject to this section shall not enter into a sublease that results in a total rent for the premises that exceeds the allowable rental rate authorized by subdivision (a). Nothing in this subdivision authorizes a tenant to sublet or assign the tenant's interest where otherwise prohibited.

(d) This section shall not apply to the following residential real properties:

(1) Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.

(2) Dormitories constructed and maintained in connection with any higher education institution within the state for use and occupancy by students in attendance at the institution.

(3) Housing that has been issued a certificate of occupancy after to January 1, 2005.

(4) Residential real property that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b), (d), or (f) of Section 11004.5 of the Business and Professions Code, provided that the following applies:

(A) The owner is not any of the following:

- (i) A real estate investment trust, as defined in Section 856 of the Internal Revenue Code.
- (ii) A corporation.
- (iii) A limited liability company in which at least one member is a corporation.

(5) A duplex in which the owner occupied one of the units as the owner's principal place of residence at the beginning of the tenancy, so long as the owner continues in occupancy.

(e) An owner shall provide notice of any increase in the rental rate, pursuant to subdivision (a), to each tenant in accordance with Section 827.

(f) For the purposes of this section, the following definitions shall apply:

(1) "Owner" and "residential real property" shall have the same meaning as those terms are defined in Section 1954.51.

(2) "Tenancy" means the lawful occupation of residential real property and includes a lease or sublease.

(g) This section shall apply to all rent increases subject to subdivision (a) effective on or after March 15, 2019. This section shall become operative November 13, 2019.

(h) Any waiver of the rights under this section shall be void as contrary to public policy.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner

DATE: December 19, 2019

**SUBJECT: APPEAL OF USE PERMIT NO. UP-15-04: THE CITY COUNCIL
WILL CONSIDER AN APPEAL RELATED TO A USE PERMIT
APPLICATION SUBMITTED BY SAC WIRELESS ON BEHALF OF
VERIZON WIRELESS FOR A WIRELESS FACILITY AT 1460
HILBY AVENUE, THE RS-8 ZONING DISTRICT**

PURPOSE & RECOMMENDATION

Consider an appeal from the Planning Commission's denial of Use Permit Application No. UP-15-04 and adopt a resolution approving Use Permit Application No. UP-15-04.

BACKGROUND

This project has evolved several times over its history. For clarity and brevity, this staff report summarizes the relevant information. The City Council staff report dated September 19, 2019 provides a more detailed timeline, and can be accessed through the web link below:

<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=1545>

Additional staff reports from the Planning Commission and City Council related to this project can be found in chronological order at the web links below:

Planning Commission meeting July 22, 2015 (Item B)

<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=59>

Planning Commission meeting August 12, 2015 (Item 6A)

<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=60>

Planning Commission meeting September 9, 2015 (Item 5A)
<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=255>
City Council meeting June 16, 2016 (Item 10B)
<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=694>
Planning Commission meeting July 24, 2019 (Item 7A)
<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=1591>
Planning Commission meeting August 14, 2019 (Item 7A)
<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=1705>
City Council meeting September 19, 2019 (Item 9C)
<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=1545>
City Council meeting October 3, 2019 (Item 10A)
<https://seasideca.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=1724>

On April 15, 2015, Verizon submitted a use permit application (File# UP-15-04) to construct and operate a new wireless telecommunications facility. The original proposal involved a 781 square-foot chain-link fenced enclosure for the ground-mounted equipment and a new 39' 10" church steeple to conceal the antennas and associated tower-mounted equipment. Both the enclosure and the steeple would be placed behind the existing Church (Faith Lutheran) located at 1460 Hilby Avenue (the "**Original Proposal**"). The Original Proposal is contained in the September 19, 2019 City Council Staff Report.

On July 22, 2015, the Planning Commission denied the application. Verizon timely appealed to the City Council and entered into several tolling agreements to extend the review period while it worked with City staff to evaluate possible alternative locations and designs.

On June 16, 2016, the City Council conducted a public hearing on the appeal from the Planning Commission. The staff report recommended approval subject to a revised, split-sector design that would reduce the overall height but allow Verizon to achieve its technical objectives. Several residents testified against the proposed project and the property owner testified in support. The City Council voted to continue its review in accordance with a tolling agreement with Verizon in order to allow Verizon to determine if there were any other alternatives to constructing a single cell tower at 1460 Hilby Avenue.

After the City Council continuance, Verizon and the City entered into several more tolling agreements to allow for a full and complete alternatives analysis. The tolling agreement also provided that Verizon would withdraw its application for the Original Proposal if the City Council approved a substitute facility.

Verizon evaluated 42 alternative candidate sites. See **Attachment 2** for the compiled alternatives analysis by Verizon. Among the alternatives, Verizon proposed a small cell deployment and an alternative design for the original church steeple site as substitutes for the Original Proposal.

Verizon ultimately filed a Master Use Permit application (File# UP-16-07) for the small cell deployment (the "**Small Cell Application**"). On August 14, 2019, the Planning Commission approved the Small Cell Application. However, both Verizon and a resident timely appealed the approval to the City Council. Verizon's appeal concerned a specific condition added by the Planning Commission and the resident's appeal sought to overturn the entire approval.

On September 19, 2019, the City Council conducted a public hearing on the appeals from the Small Cell Application. Staff recommended that the City Council approve the Small Cell Application as an alternative to the Original Proposal. Several residents spoke in opposition to the Small Cell Application and the Original Proposal. After a several-hours long hearing, the City Council voted to deny the Small Cell Application (File# UP-16-07). Immediately afterwards, upon advice from outside counsel that the Council must consider the Original Proposal notwithstanding the late hour, the City Council also voted to deny the Original Proposal (File# UP-15-04).

After the September 19, 2019 appeal hearings, Verizon agreed to toll the limitations period before the final resolutions to deny the Original Proposal were considered by the City Council so that it could present one final alternative to the City Council under Use Permit Application No.. This hearing provides the Council with an opportunity to consider a substantially different proposal at a lower overall height and determine whether to proceed with the denial or approve the updated design.

SITE DESCRIPTION

The project site is 91,330 square feet in area (2.09 acres) located at 1460 Hilby Avenue on the south side of Hilby Avenue. The project site is developed with an existing one-story 3,283 square-foot church building, a two-story 3,150 square foot multi-purpose building and two off-street parking areas on the front northern half of the site. Two driveways on each side of the site provide access to the off-street parking lots. A total of 28 off-street parking is currently provided on-site. The southern half of the parcel is undeveloped.

Location Map is provided as **Attachment 3**. Parcels adjacent to the site are various residential uses. Single-family detached dwellings are to the east, north and south. A mix of single-family detached dwellings, a six-unit condominium and a triplex unit is to the west (see **Attachment 4**). Site photos are provided as **Attachment 5**.

PROJECT DESCRIPTION

Verizon proposes to install a single cupola on the new auxiliary building adjacent to the church. The cupola would be 29' 6" in overall height and house eight panel antennas with nine remote radio units ("**RRUs**") and four DC power surge suppressors. The lowest point on any antenna would be approximately 24.5 feet above ground level. The cupola would be painted and textured to match the finishes on the new auxiliary building. Verizon also

proposed to place a crucifix on the north-facing cupola wall to blend with the church architecture.

All ground-mounted equipment would be contained within an eight-foot-tall wood-fenced enclosure placed behind the sanctuary near the center of the parcel. The equipment enclosure would include radio equipment cabinet, one cabinet for backup batteries, one standby diesel generator and various smaller cabinets for primary power and telephone utilities. Verizon's plans also depict additional space on the equipment pad for a "future" cabinet to be installed in a later modification.

See **Attachment 6** for Photo-simulated view from Hilby Ave. to show the finished facility as currently proposed.

The equipment enclosure and the cupola would be secured by solid gates made from the same materials used on the respective enclosure. No lights would be installed on or in the cupola but Verizon proposes to install three down-facing cannister lights within the equipment closure at ground level.

Access to the ground-mounted equipment enclosure would be via an existing paved driveway. The enclosure would not reduce any on-site parking.

The facility would be unattended during normal operations. Verizon's authorized personnel would visit the site every few weeks and large equipment would be used only during the initial installation and any modifications or removal work authorized by the City under a separate permit.

In the proposed configuration, the closest distance between the antennas and the nearest property line would be approximately 42 feet. The closest distance between the antennas and the nearest residential dwelling would be approximately 60.5 linear feet (a single-story residence at 1190 Waring Street), but the lowest point on the antennas would be approximately 10 feet above the highest point on the residential dwelling. The closest distance between the antennas and the nearest two-story residential dwelling would be approximately 183 linear feet (1196 Waring Street) with 4.5 horizontal clearance between the lowest point on the antennas and the highest point on the two-story residential dwelling.

The equipment enclosure, which includes the generator, would be near the center of the parcel further from adjoining property lines and residential dwellings. As measured from the approximate generator location, the nearest property line would be approximately 71 linear feet to the east (the next closest property line would be approximately 146 linear feet to the west). The nearest residential dwelling would be approximately 102.5 feet to the northeast (1478 Hilby Avenue).

See Attachment 7 for approximate distances between proposed equipment and nearest property lines and residential dwellings (measurements made through Google Maps).

LEGAL STANDARDS APPLICABLE TO WIRELESS FACILITIES

Various federal and state laws affect local land-use discretion over wireless facilities. The following discussion provides a summarized explanation for the key wireless-specific regulations applicable to Verizon's application.

Federal Telecommunication Act of 1996

Under the Telecommunications Act, State and local governments retain their local land use authority except that local regulations cannot (1) prohibit or effectively prohibit personal wireless services; (2) unreasonably discriminate among functionally equivalent services; (3) regulate based on environmental/health impacts from radio frequency ("RF") emissions. 47 U.S.C. § 332(c)(7)(B). The U.S. Supreme Court interprets Section 332(c)(7)(B) as a "specific limitation" on traditionally local zoning authority over personal wireless service facilities. *See City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115 (2005).

All wireless permit denials must be supported with "substantial evidence in a written record." *See* 47 U.S.C. § 332(c)(7)(B)(iii). The "substantial evidence" standard incorporates the applicable local law and requires that the written record contains reasonable evidence to support the jurisdiction's conclusion (*i.e.*, more than a scintilla, but less than a preponderance). *See Am. Tower Corp. v. City of San Diego*, 763 F.3d 1035, 1053 (9th Cir. 2014) (citing and quoting *Metro PCS, Inc. v. City and Cnty. of San Francisco*, 400 F.3d 715, 723-25 (9th Cir. 2005)). In other words, cities generally apply their own findings required by local law but must ensure any decision that a finding cannot be made is supported by evidence that meets a federal threshold.

Requirements to demonstrate a significant gap are preempted by the FCC's recent so-called "*Small Cell Order*." The FCC ruled that local regulations prohibit or have the effect of prohibiting service under the Telecommunications Act if they materially inhibit "densifying a wireless network, introducing new services, or otherwise improving service capabilities." The FCC rejected judicial interpretations that the Telecommunications Act limits the federal prohibition of service standard to "protecting only against coverage gaps or the like" as determined through a "coverage gap'-based approach."

With respect to RF emissions, Congress delegated authority to the Federal Communications Commission ("FCC") to establish a national standard for human exposure limits. *See CTIA--The Wireless Ass'n v. City of Berkeley*, 854 F.3d 1105, 1121 (9th Cir. 2017) (citing

Farina v. Nokia Inc., 625 F.3d 97, 106 (3rd Cir. 2010)). Congress likewise preempted contrary state and local regulations:

No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the 's regulations concerning such emissions.

47 USC § 332(c)(7)(B)(iv). The FCC established comprehensive rules for human exposure to RF emissions (the "FCC Rules"). *See* 47 C.F.R. §§ 1.1307 *et seq.*; *see also Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, Second Report and Order, 12 FCC Rcd. 13494 (Aug. 25, 1997). The FCC Rules preempt the field and state and local governments cannot establish their own standards. *See* 47 U.S.C. § 332(c)(7)(B)(iv).

Although localities cannot establish their own standards for RF exposure, local officials may require wireless applicants to demonstrate compliance with the FCC Rules. *See Procedures for Reviewing Requests for Relief from State and Local Regulations Pursuant to Section 332(c)(7)(B)(iv) of the Communications Act of 1934*, Report and Order, 15 FCC Rcd. 22821, 22828–22829 (Nov. 13, 2000) ("*RF Procedures Order*"). In the *RF Procedures Order*, the FCC acknowledged that state and local governments have a legitimate interest in compliance with the FCC Rules. *Id.* Rather than articulate an authorized process for compliance evaluations, the FCC encouraged municipalities and industry to establish best practices that mirror the FCC's own compliance evaluation process. *Id.*

The applicant provided a report dated December 4, 2019, prepared by Hammett & Edison (See Attachment 8), Inc. that concluded the proposed emissions from the transmitters would not exceed the maximum permissible exposure levels for the general population anywhere at ground level or at the second-story elevation of any nearby residence. Based on the proposed site design, the report predicted that emissions at ground level would not exceed 14% of the general population limit and emissions at the second-floor level of any nearby residence would not exceed 41% of the general population limit. The report also evaluated maximum exposure levels at the nearest two-story residence (1196 Waring Street) and found that the emissions would not exceed 12% of the general population limit. Although the report finds that the emissions on the rooftop of the sanctuary could be as high as 95% of the general population limit, this is still below the FCC's maximum permissible exposure level and the report recommends that Verizon conduct a post-installation test to determine actual compliance before the facility commences unattended operations.

California State Law

For wireless facilities on private property, the California Government Code limits certain conditions that may be placed on permits issued by cities and counties. Permits must be at least 10 years long unless special land-use circumstances or public safety concerns warrant a

shorter term. Local governments may not require all wireless facilities to be located on property owned by the same person or entity. Local governments may require a removal bond subject to limitations on the amount and use.

Although the California Government Code includes a special “deemed-approved remedy” for wireless applications when the city or county fails to act within the FCC’s presumptively reasonable timeframe, that provision does not apply to this project. However, the same remedies for failures to act on any other development project would be applicable.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act, Cal. Pub. Res. Code §§ 21000 et seq. (“CEQA”), and the Guidelines for Implementation of the California Environmental Quality Act, 14 C.C.R. §§ 15000 et seq. (the “CEQA Guidelines”), staff evaluated the project for any significant effect on the environment. Staff concludes that the project qualifies for a categorical exemption from environmental review under CEQA Guidelines § 15303, which exempts the:

construction and location of limited numbers of new, small facilities or structure; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

In addition, staff concludes the project may also be subject to a categorical exemption from environmental review under CEQA Guidelines § 15301, which exempts “minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the ‘s determination.”

STAFF ANALYSIS

The public, the Planning Commission and the City Council all previously raised concerns about the Original Proposal’s design and location, citing the significant visual impacts that a large freestanding tower would have on the surrounding properties and residents. After an exhaustive alternative site evaluation, staff concludes that the current proposal is the best possible design and location because it would involve the lowest possible height and smallest visual change to any existing structure or property in the vicinity.

First, staff assesses this proposal to be the lowest technically feasible configuration for a site at this location. As noted in earlier staff reports, a standalone tower would have required additional height to “see” over the roofline on the church sanctuary. Further analysis by staff and Verizon concluded that a slightly lower tower could be feasible but would need to be placed on an elevation rise near the southeast corner on the parcel where it would be very

close to existing residential dwellings. By moving the antennas to the auxiliary building, Verizon was also able to use antennas two-feet shorter than in the Original Proposal.

Second, this proposal involves less overall rooftop equipment with a lower visual profile than alternative cupolas previously considered on the church sanctuary. Although cupolas on the sanctuary would move the antennas further from adjacent uses, that approach would require two cupolas (one on each end) that would each be taller than the single cupola now proposed for the auxiliary building. Moreover, the alternative cupolas on the church sanctuary would have presented concerns over unauthorized access as children occasionally climb the buttresses and would have disrupted the existing aesthetic of the A-frame structure.

Third, the design keeps noise-emitting equipment within a solid-walled enclosure near the center of the parcel. This will mitigate any potential noise impacts to the neighbors and allow for additional noise-baffling insulation if needed to comply with the generally applicable ambient noise limit for this zone.

Finally, although staff would have preferred to find a location in a public/institutional zone or a commercial zone, an exhaustive search with more than 42 locations, including a multi-site small cell alternative, concluded that any technically feasible option would have been taller and/or required multiple facilities to cover the same geographic area. In some instances, two well-placed facilities may have less total impact on the community than one in a controversial location. However, as seen in the recently rejected small cell alternative, this does not appear to be one such instance.

Staff finds that the current proposal addresses the aesthetic concerns raised in prior meetings as much as possible. Accordingly, staff recommends that the City Council adopt the recommended findings and conditions below.

Recommended Findings

The numbered items below are required findings the City Council must make to approve the project. The first four findings are required for a Use Permit under SMC section 17.62.070.F; the last two findings are also required for a telecommunication facility under SMC section 17.54.040.E. The italicized text offset below each finding includes staff's analysis and recommendation.

- 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.**

Staff Comments: *This finding requires the City Council to consider several different provisions within the SMC, which are described with staff analysis below.*

SMC § 17.54.050 authorizes wireless telecommunication facilities in residential districts so long as the applicant demonstrates that no other sites in public/institutional districts will provide adequate coverage. Here, the proposed project is located within an RS-8 district and the applicant has provided a written analysis that evaluates 42 alternative sites, including three sites in public/institutional districts. The applicant also evaluated a multi-site alternative (Use Permit No. UP-16-07) within the public rights-of-way. Accordingly, staff concludes that the proposed project meets this requirement.

SMC § 17.54.060 provides design standards for wireless facilities. Facilities must be as far from property lines as possible and must not encroach into any setbacks. Facilities on existing structures may not extend more than 20 feet above the structure or above the zone height limit, except that facilities may be up to 80 feet above ground so long as the applicant demonstrates the additional height is needed for adequate service. The zone height limit for this property is 24 feet but SMC section 17.30.030.D.1 includes an exception for architectural features such as chimneys, church spires and cupolas. Here, the proposed cupola is above the base zone height limit but qualifies for an exception under both SMC sections 17.54.060 and 17.30.030.D.1. The additional height is the minimum necessary for adequate service as the antennas will need to "see" over the adjacent structures. Staff notes that the project has been significantly reduced in overall height from 39' 10" to 29' 6" (a more than 10-foot reduction) in response to pressure from the City to find the minimum necessary height extension for adequate service. Moreover, the additional height is in the form of a cupola that qualifies for an exception under SMC section 17.30.030.D.1. The ground equipment is placed near the center of the parcel well set back from the property lines to the east, south and west from the proposed location behind the sanctuary and multi-purpose church buildings. The antenna equipment on the auxiliary building could potentially be placed further from the property lines but that would require either a freestanding tower or cupolas on the church sanctuary, both of which have been previously deemed undesirable. Accordingly, staff concludes that the proposed project meets the applicable requirements in SMC section 17.54.060.

SMC § 17.54.070 provides operational and maintenance standards for wireless facilities. Facilities must contain site identification, be maintained in good, graffiti-free condition at all times, comply with landscaping conditions and comply with limits on ambient noise. Here, subject to the proposed conditions in this report, the proposed facility will be compliant with these requirements. The facility will contain proper identification signage and will be conditioned on compliance with all generally applicable maintenance, graffiti removal, landscaping and noise limit regulations. The applicant does not propose to install any lights on the cupola and the lights within the enclosure will be pointed downwards within the fenced area. Subject to the conditions that the applicant mount the light fixtures below the fence line and place them on a timer, there is no possibility that the proposed project would shine light onto adjacent properties. The antenna equipment does not emit noise and the equipment enclosure

near the center of the property will ensure that any noise from the proposed generator does not exceed 60 dB when measured from the property lines. In addition, a condition that requires the applicant to limit the operation of the generator and to install noise-baffling material will ensure adjacent properties are not disturbed by ambient noise above the limit for this zone. Accordingly, staff concludes that the proposed project meets the applicable requirements in SMC section 17.54.060.

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

Staff Comments: *The Seaside General Plan designates the land use for the project site as RS (Low Density Residential). The land use designation is primarily intended for the development of detached single-family dwellings at densities up to eight dwelling units per square acre. Facilities for ancillary public services (e.g., water, sewer, telephone and electricity) are permitted in all zones. A telecommunication facility has been classified as a use similar to that of an ancillary public service listed above.*

Goal LU-4 *is to ensure that new development complements existing land uses and enhances the character of the community and neighborhoods. Policy LU-4.1 requires all new development to be compatible with surrounding uses, the site and available infrastructure.*

Here, the proposed wireless telecommunications facility will provide telecommunications services (e.g., voice, Internet and other data-based communication services) ancillary to the existing and planned future residential uses in the vicinity. The project will complement the existing church use on the project site because the applicant proposes to conceal the equipment within one or more structures consistent with the existing architectural style, construction, materials and finishes on the existing church. Provided that no portion of the facility exceeds 29 feet and six inches above ground level, the proposed project as cupolas will be in scale with the existing church structure and other residential buildings nearby, and will not adversely affect the aesthetic character of the site or block views from adjoining residential properties. The ground mounted equipment enclosure will be compatible with the existing and planned future residential uses in the vicinity provided that the applicant constructs a wooden fence around the equipment without any barbed wire, razor ribbon or other similarly dangerous security devices, and further provided that no part of the equipment within the enclosure protrudes above the fence. The applicant shall install noise-baffling materials in connection with the fence to ensure compliance with all applicable ambient noise limitations. Any work or security lighting must be installed in a manner that minimizes illumination effects outside the enclosure and must be either motion sensitive or timed lights. Accordingly, staff concludes that the proposed project complies with the applicable provisions in the General Plan.

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.

Staff Comments: *The project will be designed to match the architectural style and construction of the existing auxiliary church building. All antennas and associated equipment will be completely concealed from public view behind fiber reinforced plastic panels, which the applicant will design, construct, paint and texture to match the appearance of the existing church. The proposed project will be compliant with the height limitations in SMC § 17.54.060.B so long as no part of the facility extends more than 29' 6" above ground level. The ground mounted equipment enclosure will be compatible with the existing and planned future residential uses in the vicinity provided that the applicant constructs a wooden fence around the equipment without any barbed wire, razor ribbon or other similarly dangerous security devices, and further provided that no part of the equipment within the enclosure protrudes above the fence. The applicant shall install noise-baffling materials in connection with the fence to ensure compliance with all applicable ambient noise limitations (60 dB as measured from the nearest property line). Any work or security lighting must be installed in a manner that avoids illumination effects outside the enclosure and must be either motion sensitive or timed lights. Accordingly, staff concludes that the proposed project meets the applicable requirements for this finding.*

- 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.**

Staff Comments: *The proposed wireless telecommunication facility will have ingress and egress over an existing driveway appurtenant to Hilby Avenue. Existing water, wastewater and electrical connections already serve the project site with adequate capacity to support the proposed wireless telecommunication facility. The project site is developed with an existing church structure and is suitable to accommodate a wireless telecommunications facility that does not exceed 29 feet and six inches above ground level and is concealed within rooftop cupolas. Access shall be accomplished by an existing paved driveway. The facility's installation and operation will not reduce any available parking spaces or significantly affect traffic on neighborhood streets. Accordingly, staff concludes that the proposed project meets the applicable requirements for this finding.*

- 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.**

Staff Comments: *The applicant provided a report dated December 4, 2019, prepared by Hammett & Edison, Inc. that concluded the proposed emissions from the transmitters would not exceed the maximum permissible exposure levels for the*

general population anywhere at ground level or at the second-story elevation of any nearby residence. Based on the proposed site design, the report predicted that emissions at ground level would not exceed 14% of the general population limit and emissions at the second-floor level of any nearby residence would not exceed 41% of the general population limit. The report also evaluated maximum exposure levels at the nearest two-story residence (1196 Waring Street) and found that the emissions would not exceed 12% of the general population limit. Although the report finds that the emissions on the rooftop of the sanctuary could be as high as 95% of the general population limit, this is still below the FCC's maximum permissible exposure level and the report recommends that Verizon conduct a post-installation test to determine actual compliance before the facility commences unattended operations. The report also recommends mitigation measures, such as access restrictions on the auxiliary building rooftop, explanatory signage on access points to the rooftop and training/supervision for workers who need access to those areas. The City retained an independent consultant, who evaluated the report, concluded that its methods and findings were valid, and recommended specific mitigation measures to ensure compliance with all applicable federal regulations. The City's consultant agrees that post-installation testing is appropriate in this circumstance and has recommended specific conditions to ensure compliance with the FCC's rule and regulations regarding RF emissions. Accordingly, the City finds that it may not regulate the proposed telecommunications facility on the basis of any environmental effects from the proposed radio frequency emissions, and that the proposed telecommunications facility will not result in any adverse impact on the public interest, health, safety, convenience or welfare of the City.

6. The communication facility complies with all applicable requirements in SMC Chapter 17.54.

Staff Comments: *This finding requires the City Council to consider several provisions within Chapter 17.54, which are described with staff analysis to Finding No. 1, above. Here, as noted above, staff finds that the proposed facility meets the applicable requirements in SMC Chapter 17.54. Accordingly, staff concludes that the proposed project meets the applicable requirements for this finding.*

7. The communication facility will not adversely impact the character and aesthetics of any public right-of-way.

Staff Comments: *The proposed project will not adversely impact the character or aesthetics of any public right-of-way because it would be located on private property. To the extent that the proposed project would be visible from locations within the public right-of-way, the proposed concealment elements that blend the wireless telecommunication facility into the existing church architecture sufficiently mitigate any indirect adverse impacts that might occur if the facility were unconcealed.*

Recommended Conditions of Approval

Pursuant to Seaside Municipal Code Section 17.62.070.H, the City Council may impose any reasonable conditions to ensure that the approval will comply with the findings required for approval. Staff finds conditions to be appropriate in this case and, in addition to any conditions proposed by the City Council, staff recommends the following conditions of approval:

1. **Permit Term.** This permit will automatically expire 10 years and one day from its issuance. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.
2. **Strict Compliance with Approved Plans.** Before the permittee submits any applications to the Building Department, the permittee must incorporate this permit, all conditions associated with this permit and the approved photo simulations into the project plans (the "**Approved Plans**"). The permittee must construct, install and operate the wireless facility in strict compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, are subject to the Director's prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern. Notwithstanding the foregoing, the Director shall not be authorized to approve any change in the overall height from that shown on the Approved Plans. By accepting this permit, the permittee acknowledges that the substantial time and effort to identify this design was due in large part because the additional height required for a freestanding tower or antennas mounted on the church sanctuary would significantly impact the visual quality and character of the site and surrounding neighborhood. The permittee further acknowledges that the other visible features such as the construction materials, paint color, finishes, textures and the general scale with the underlying auxiliary building all substantially contributed to the City Council's ability to make the findings for approval at this site location.
3. **Post-Installation Final Inspection.** The permittee shall submit plans and obtain permits prior to the construction, installation, or modification, of any wireless telecommunication facility or component thereof, in accordance with approved plans and shall obtain a successful final inspection.
4. **Post-Installation Certification.** Within 60 calendar days after the permittee commences full, unattended operations of a small wireless facility approved or deemed-approved, the permittee shall provide the Director with documentation reasonably acceptable to the Director that the small wireless facility has been installed and/or constructed in strict compliance with the approved construction drawings and photo simulations. Such documentation shall include without limitation site photographs.
5. **Maintenance Obligations; Vandalism.** The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Any concealment elements shall be kept in "like new" condition at all times. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the

permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred. The permittee and property owner shall maintain any and all landscape features in accordance with an approved landscape plan, if any, and shall replace dying or dead trees, foliage or other landscape elements shown on the Approved Plans within 5 calendar days after written notice from the City.

6. **Compliance with Laws.** The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("**Laws**") applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the California Building Code, Seaside Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in any such permit, permit condition or any applicable law or regulation. Without limiting the generality of the foregoing, if the Director finds good cause to believe that the facility is not in compliance with any laws applicable to human exposure to RF emissions, the Director may require the permittee to submit a written report certified by a qualified radio frequency engineer familiar with the facility that certifies that the facility is in compliance with all such laws. The Director may order the facility to be powered down if, based on objective evidence, the Director finds that the facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the permittee demonstrates actual compliance with such laws. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable provision in the Seaside Municipal Code, this permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen the permittee's obligation to comply in all respects with all applicable provisions in the Seaside Municipal Code, this permit, any permit condition or any applicable law or regulation.
7. **Adverse Impacts on Other Properties.** The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction hours in accordance with Seaside Municipal Code, which includes without limitation Section 17.30.060.C. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for any activities that violates this condition.
8. **Landscaping.** The permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select plant and maintain replacement landscaping in an appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree or as otherwise approved by the City. The permittee shall, at all times, be responsible to maintain any replacement landscape features.
9. **Backup Power; Generators.** The permittee shall operate backup power generators only during (1) commercial power outages or (2) for maintenance purposes during normal construction hours in

accordance with Seaside Municipal Code Section 17.54.070.B, as may be amended or superseded. Testing and cycling shall occur only on Wednesdays between the hours of 2:00pm and 3:00pm and no more frequently than once every 30 days. The Director may approve a temporary power source and/or generator in connection with initial construction or major repairs.

10. **Inspections; Emergencies.** The permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee, or at any time during an emergency. The City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.
11. **Permittee's Contact Information.** The permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.
12. **Indemnification.** The permittee and, if applicable, the property owner upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, its agents, officers, officials, employees and volunteers from any and all (1) damages, liabilities, injuries, losses, costs and expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("**Claims**") brought against the City or its agents, officers, officials, employees or volunteers to challenge, attack, seek to modify, set aside, void or annul the City's approval of this permit, and (2) other Claims any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', or customers' acts or omissions in connection with this permit or the wireless facility. In the event the City becomes aware any Claims, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this permit, and that such indemnification obligations will survive the expiration or revocation of this permit.
13. **Recall to Approval Authority; Permit Revocation.** The City Council may recall this permit for review at any time due to complaints about noncompliance with applicable laws or any approval conditions attached to this permit. At a duly noticed public hearing and in accordance with all applicable laws, the City Council may revoke this permit or amend these conditions as the approval authority deems necessary or appropriate to correct any such noncompliance.
14. **Record Retention.** The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee. The permittee may keep electronic records; provided, however, that

hard copies or electronic records kept in the City's regular files will control over any conflicts between such City-controlled copies or records and the permittee's electronic copies, and complete originals will control over all other copies in any form. The requirements in this condition shall not be construed to create any obligation to create or prepare any records not otherwise required to be created or prepared by other applicable laws. Compliance with the requirements in this condition shall not excuse the permittee from any other similar record-retention obligations under applicable law.

- 15. Performance Bond.** Before the Building Department issues any permits required to commence construction in connection with this permit, the permittee shall post a performance bond from a surety and in a form acceptable to the Director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which includes without limitation all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings and foundations, whether above ground or below ground, constructed or installed in connection with the wireless facility, plus the cost to completely restore any areas affected by the removal work to a standard compliant with applicable laws. In establishing or adjusting the bond amount required under this condition, and in accordance with California Government Code § 65964(a), the Director shall take into consideration any information provided by the permittee regarding the cost to remove the wireless facility to a standard compliant with applicable laws. The performance bond shall expressly survive the duration of the permit term to the extent required to effectuate a complete removal of the subject wireless facility in accordance with this condition.
- 16. Abandoned Wireless Facilities.** The wireless facility authorized under this permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a wireless facility is abandoned or deemed abandoned, the permittee and/or property owner shall completely remove the wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Seaside Municipal Code. In the event that neither the permittee nor the property owner complies with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and property owner shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and/or restoration activities.
- 17. Light and Noise from the Equipment Enclosure.** The permittee shall install and at all times maintain in good condition noise baffling materials behind the fence to ensure compliance with all applicable noise regulations. All equipment at ground level, including all light fixtures, within the enclosure must be completely below and behind the fence. No lights shall be installed on the cupola. All lights for the equipment enclosure shall be operated on a timer switch (or similar device acceptable to the Director that prevents the lights from being left on) and installed and shielded so as to contain all illumination completely within the enclosure.
- 18. Truthful and Accurate Statements.** The permittee acknowledges that the City's approval relies on the written and/or oral statements by permittee and/or persons authorized to act on permittee's behalf. In any matter before the City in connection with the facility, neither the permittee nor any person authorized to act on permittee's behalf shall, in any written or oral statement, intentionally provide material factual information that is incorrect or misleading or intentionally omit any material information necessary to prevent any material factual statement from being incorrect or misleading.
- 19. Post-Installation RF Compliance Measurement and Report.** After the permittee completes the installation but before the permittee commences unattended operations at the facility, the permittee shall cause to be performed an on-site measurement test for compliance with the FCC's maximum permissible exposure limits. The test shall be performed by a qualified professional, reasonably

acceptable to the City. Measurements shall be taken at the following locations: (1) from ground level at two or more points along each of the four property lines around 1460 Hilby Avenue; (2) within the playground area at ground level near the equipment enclosure; and (3) on the church sanctuary rooftop. All measurements shall be performed by a trained and qualified technician with a recently calibrated meter. The test results shall be compiled into a report prepared by a licensed engineer and submitted to the City for review. If the report concludes that the facility does not comply with any FCC rules or regulations regarding RF emissions, the permittee shall immediately cease all operations at the facility, except for attended, intermittent operations for compliance testing purposes. The City may, at the City's option, select and retain a qualified third-party reviewed to evaluate the report, and the permittee shall reimburse the City for the actual, reasonable and documented costs for any such third-party review of the report. Upon its review of such report, the City may add to or amend the conditions of approval in this permit as may be necessary or appropriate to ensure compliance with the FCC's rules or regulations regarding RF emissions.

20. **Annual Affirmation of Compliance with Current RF Exposure Standards.** On or before January 30th in each calendar year, the permittee acknowledges and agrees that the permittee shall submit: (1) an affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, because it will not cause members of the general public to be exposed to RF levels that exceed the maximum permission exposure levels deemed safe by the FCC; (2) a copy of the fully completed FCC form "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A" titled "Optional Checklist for Determination of Whether a Facility is Categorically Excluded" for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands must be shown on the Appendix A form(s) attached to the application. All radio frequency emissions are to be entered on each Appendix A form only in wattage units of "effective radiated power."
21. **Changes in RF Exposure Standards.** The facilities must comply with all applicable regulations, standards and guidelines for RF exposure established by any governmental entity with the authority to regulate RF exposure standards. The permittee shall keep up-to-date on current information from the FCC in regards to maximum permissible RF exposure levels. In the event that the FCC changes its guidelines for human exposure to RF, the permittee shall, within 30 days after any such change, submit to the Director a report prepared by a qualified engineer that demonstrates actual compliance with such changed guidelines. The Director may, at the permittee's sole cost, retain an independent consultant to evaluate the compliance report and any potential modifications to the use permit necessary to conform to the FCC's guidelines. Failure to submit the compliance report required under this condition, or failure to maintain compliance with the FCC's guidelines for human exposure to RF at all times shall constitute grounds for use permit revocation.
22. **RF Signage and Access Protocols.** The following conditions shall be adhered to inform the general public, maintenance workers, and even trespassers/vandals that might unknowingly be exposed to the emissions from the antennas while ascending the light standard:
23. The permittee shall keep all access points to the equipment enclosure, the rooftop of the auxiliary building and the cupola locked at all times, except when active maintenance is performed on the equipment.
24. The permittee shall install and at all times maintain in good condition an "RF information" sign and "network operations center" sign adjacent to the access points on the equipment enclosure and any access points to the rooftop on the auxiliary building. The signs required in this condition must be placed in a location where they are clearly visible to a person when he or she approaches the access door/gate/hatch in the open and closed positions.

25. The permittee shall install and at all times maintain in good condition an "RF information" sign and "10-step RF safety guidelines" sign at the base of the light standard. The signs required in this condition must be placed in a location where they are clearly visible to a person climbing the light standard.

Reviewed for Submission to the
City Council by:

26. **Severability of Conditions.** If any provision in these conditions or such provision's application to any person, entity or circumstances is or held by any court to be invalid or unenforceable: (1) such provision or its application to any person, entity or circumstance will be deemed severed from this permit; (2) all other provisions in this permit or their application to any person, entity or circumstance will not be affected; and (3) all other provisions in this permit or their application to any person, entity or circumstance will be valid and enforceable to the fullest extent permitted by law.

CONCLUSION

Subject to the conditions of approval in this report, staff recommends that the City Council approve the proposed Application No. UP-15-04 in the most current form. This proposal will improve the applicant's service quality within the neighborhood with the least intrusive change to the built environment. Moreover, per the recommended conditions, the applicant would be required to perform an on-site empirical compliance test subject to independent review and evaluation. Staff believes that that this proposal best accommodates all the aesthetic and safety concerns raised in prior hearings.

FISCAL IMPACT

None at this time.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
2. Attachment 1 - Exhibit A Project Plans
3. Attachment 2 - Alternative Candidate Analysis
4. Attachment 3 - Location Map
5. Attachment 4 - Adjacent Land Uses
6. Attachment 5 - Site Photos
7. Attachment 6 - Hilby Ave Conceptual Photosimulations
8. Attachment 7 - Site layout Distances
9. Attachment 8 - RF Report - December 4, 2019

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING AN APPEAL OF A PLANNING COMMISSION DENIAL OF CONDITIONAL USE PERMIT APPLICATION No. UP-15-04 TO ESTABLISH A TELECOMMUNICATION FACILITY LOCATED AT 1460 KIMBALL AVENUE (APN 012-402-088).

WHEREAS, Verizon Wireless, Applicant, and Faith Lutheran Church, Property Owner, have applied for a Conditional Use Permit to establish a telecommunication facility located at 1460 Hilby Avenue, in the RS-8 (Single Family Residential) Zoning District; and

WHEREAS, the proposed project is a 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 wireless communication facility at a duly noticed public hearing at public meeting held on July 22, 2015; August 24, 2015, and September 9, 2016 and

WHEREAS, on September 9, 2016 the Seaside Planning acted to deny Use Permit Application No. UP-15-04 in accordance with the findings and evidence in Planning Commission Resolution No. 15-12; and

WHEREAS, on September 15, 2015, Verizon Wireless appealed the Planning Commission denial to the City Council prior to the expiration of the seven-day appeal period; and

WHEREAS, upon requests received from Verizon Wireless on November 17, 2015, January 19, 2016, February 25, 2016, and May 18, 2016, the appeal hearings have been mutually extended by the City of Seaside in order to work with Verizon Wireless to establish a location and design that would provide the least intrusive means to locate a wireless telecommunication facility on the project site; and

WHEREAS, on June 16, 2016, the City Council considered oral comments and written information at a duly noticed public hearing concerning the appeal filed by Verizon on the denial of the proposed wireless communication facility and acted to continue the public hearing to December

of 2016 in order to have the applicant provide the City Council with a list of alternative locations elsewhere in the community that would address service needs of Verizon within the southeast area of the community, and

WHEREAS, upon additional tolling requests received from Verizon Wireless, the appeal hearing has been mutually extended by the City of Seaside in order to work with Verizon Wireless to establish a location and design that would provide the least intrusive means to locate a wireless telecommunication facility on the project site; and

WHEREAS, at duly noticed public hearings held on July 24, 2019 and August 14, 2019, the Seaside Planning Commission considered a Use Permit to allow for the construction of four small cell sites which could be used as an alternate to the development of a macro wireless site at 1460 Hilby Avenue; and

WHEREAS, the Seaside Planning Commission acted to approve Use Permit No. UP-16-07 which would construct small cell wireless facilities at four other alternate locations; and

WHEREAS, a timely appeal was made by Verizon Wireless and a resident of Seaside to the City Council from this decision; and

WHEREAS, the appeal of Use Permit No. UP-16-07 allowed for Verizon Wireless to continue with the processing of Use Permit No. UP-15-04 which has been mutually tolled by Verizon Wireless and the City of Seaside subject to an alternate design being considered by Use Permit No. UP-16-07; and

WHEREAS, it is the responsibility of the Seaside City Council to consider and weigh the merits of the appeal and application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code as a *de novo* hearing; and

WHEREAS, the Seaside City Council considered oral comments and written information concerning the proposed wireless communication facility at 1460 Hilby Avenue at a duly noticed public hearing held on September 19, 2019 after the Seaside City Council had first considered Use Permit No. UP-16-07; and

WHEREAS, the Seaside City Council acted to uphold the appeal of the Seaside resident and deny the appeal of Verizon Wireless for the construction of four small cell sites under Use Permit No. UP-16-07, thus requiring the

Seaside City Council to take a final action on the appeal for Use Permit No. UP-15-04 per the tolling agreement; and

WHEREAS, the Seaside City Council on September 19, 2019, after considering public comments and testimony acted to deny the appeal from Verizon Wireless to construct the proposed Wireless facility at 1460 Hilby Avenue, and continued the public hearing to October 3, 2019 for the adoption of findings and evidence to certify the denial, and;

WHEREAS, prior to the October 3, 2019 Seaside City Council meeting, a request was made by Verizon Wireless to continue its action on the denial of Use Permit No. UP-15-04 in order to allow for Verizon to submit an alternative design to address the height and massing issues raised by the public and City Council that would result from the construction of a 39.5 foot tall tower at the rear of the church sanctuary building; and

WHEREAS, at duly noticed public hearing held on December 19, 2019, the Seaside City Council considered an alternative design for Use Permit No. UP-15-04 to now allow for the construction of a cupola design on the roof of the multi-purpose building for the church at 1460 Hilby Avenue; and

WHEREAS, on December 19, 2019, the Seaside City Council acted to approve the alternative design for Use Permit No. UP-15-04; and

WHEREAS, the project is Categorically Exempt, Section 15301 from the California Environmental Quality Act (CEQA) Guidelines.

Evidence: *Approval of the proposed project would allow for the construction of a 29'-0" tall church cupola which would contain an unmanned wireless personal telecommunication facility and the construction of an enclosed equipment shelter area at the rear of the church sanctuary building. The installation of the wireless telecommunication cupola would consist of a minor addition to the existing church facility and would not result in any increased intensity of the existing land use.*

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings to grant the appeal and overturn the decision of the Planning Commission for the approval of Conditional Use Permit Application No. 15-04:

- 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: SMC § 17.54.050.A authorizes wireless telecommunication facilities in residential districts so long as the applicant demonstrates that no other sites in public/institutional districts will provide adequate coverage. The proposed project is located within an RS-8 district and the applicant has provided a written analysis that evaluates 42 alternative sites, including three sites in public/institutional districts. In accordance with the design requirements in SMC § 17.54.060, the applicant has proposed to completely conceal the antennas and associated tower-mounted equipment within a cupola design that is architecturally integrated into the existing church structure, and which will be constructed, painted and textured to match the existing church structure. The proposed project will be compliant with the height limitations in SMC § 17.54.060.B so long as no part of the facility extends more than 29 feet above ground level. The applicant may conceal the antennas and tower-mounted equipment within a freestanding steeple, a rooftop cupola on the church or a combination of both; provided that the final design must be approved in writing by the Resource Management Department.

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

Seaside General Plan Conformance: The Seaside General Plan designates the land use for the project site as RS (Low Density Residential). The land use designation is primarily intended for the development of detached single-family dwellings at densities up to eight dwelling units per square acre. Facilities for ancillary public services (e.g., water, sewer, telephone and electricity) are permitted in all zones. A telecommunication facility has been classified as a use similar to that of an ancillary public service listed above.

Land Use Element: Goal LU-4 is to ensure that new development complements existing land uses and enhances the character of the community and neighborhoods. Policy LU-4.1 requires all new development to be compatible with surrounding uses, the site and available infrastructure.

Evidence: The proposed wireless telecommunications facility will provide telecommunications services (e.g., voice, Internet and other data-based communication services) ancillary to the existing and planned future residential uses in the vicinity. The project will complement the existing church use on the project site because the applicant proposes to conceal the equipment within a cupola consistent with the existing architectural style, construction, materials and

finishes on the existing church. Provided that no portion of the facility exceeds 29 feet above ground level, the proposed project as a cupola will be in scale with the existing church structure and other residential buildings nearby, and will not adversely affect the aesthetic character of the site or block views from adjoining residential properties. The ground mounted equipment enclosure will be compatible with the existing and planned future residential uses in the vicinity provided that the applicant constructs a wooden fence around the equipment without any barbed wire, razor ribbon or other similarly dangerous security devices, and further provided that no part of the equipment within the enclosure protrudes above the fence. The applicant shall install noise-baffling materials in connection with the fence to ensure compliance with all applicable ambient noise limitations. Any work or security lighting must be installed in a manner that minimizes illumination effects outside the enclosure, and must be either motion sensitive or timed lights.

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 project will be designed to match the architectural style and construction of the existing church. All antennas and associated equipment will be completely concealed from public view behind fiber reinforced plastic panels, which the applicant will design, construct, paint and texture to match the appearance of the existing church. The proposed project will be compliant with the height limitations in SMC § 17.54.060.B so long as no part of the facility extends more than 29 feet above ground level. The applicant may conceal the antennas within a rooftop cupola on the church; provided that the final design must be approved in writing by the Resource Management Services Department. The ground mounted equipment enclosure will be compatible with the existing and planned future residential uses in the vicinity provided that the applicant constructs a wooden fence around the equipment without any barbed wire, razor ribbon or other similarly dangerous security devices, and further provided that no part of the equipment within the enclosure protrudes above the fence. The applicant shall install noise-baffling materials in connection with the fence to ensure compliance with all applicable ambient noise limitations (65dBA as measured from the nearest property line). Any work or security lighting must be installed in a manner that minimizes illumination effects outside the enclosure, and must be either motion sensitive or timed lights.*

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 proposed wireless telecommunication facility will have ingress and egress over an existing driveway appurtenant to Hilby Avenue. Existing water, wastewater and electrical connections already serve the project site with adequate capacity to support the proposed wireless telecommunication facility. The project site is developed with an existing church structure and is suitable to accommodate a wireless telecommunications facility that does not exceed 29 feet above ground level and is concealed within a rooftop cupola.*

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 applicant provided a report dated December 4, 2019 prepared by Hammett & Edison, Inc. that concluded the proposed emissions from the transmitters would not exceed the maximum permissible exposure levels for the general population anywhere at ground level or at the second-story elevation of any nearby residence. Based on the proposed site design, the report predicted that emissions at ground level would not exceed 14% of the general population limit and emissions at the second-floor level of any nearby residence would not exceed 41% of the general population limit. The maximum calculated level at the second –floor of the Two-story residence at 1196 Waring Street, about 75 feet away, is 12% of the public limit. The City retained an independent consultant, who evaluated the report, concluded that its findings were valid, and recommended specific mitigation measures to ensure compliance with all applicable federal regulations. Accordingly, the City finds that it may not regulate the proposed telecommunications facility on the basis of any environmental effects from the proposed radio frequency emissions, and that the proposed telecommunications facility will not result in any adverse impact on the public interest, health, safety, convenience, or welfare of the City.*

6. The communication facility complies with all applicable requirements of this chapter [17.54].

Evidence: *SMC § 17.54.050.A authorizes wireless telecommunication facilities in residential districts so long as the applicant demonstrates*

that no other sites in public/institutional districts will provide adequate coverage. The proposed project is located within an RS-8 district and the applicant has provided a written analysis that evaluates 42 alternative sites, including three sites in public/institutional districts. In accordance with the design requirements in SMC § 17.54.060, the applicant has proposed to completely conceal the antennas and associated equipment within a rooftop cupola that is architecturally integrated into the existing church structure, and which will be constructed, painted and textured to match the existing church structure. The proposed project will be compliant with the height limitations in SMC § 17.54.060.B so long as no part of the facility extends more than 29 feet above ground level. The applicant may conceal the antennas within a rooftop cupola on the church; provided that the final design must be approved in writing by the Resource Management Services Department.

7. The communication facility will not adversely impact the character and aesthetics of any public right-of-way.

Evidence: *The proposed project will not adversely impact the character or aesthetics of any public right-of-way because it would be located on private property. To the extent that the proposed project would be visible from locations within the public right-of-way, the proposed concealment elements that blend the wireless telecommunication facility into the existing church architecture sufficiently mitigate any indirect adverse impacts that might occur if the facility were unconcealed.*

BE IT FURTHER RESOLVED, that the City Council approves Conditional Use Permit Application No. 15-04 subject to the following conditions:

- A. **Permit Term.** This permit will automatically expire 10 years and one day from its issuance. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.
- B. **Strict Compliance with Approved Plans.** Before the permittee submits any applications to the Building Department, the permittee must incorporate this permit, all conditions associated with this permit and the approved photo simulations into the project plans (the "**Approved Plans**"). The approved plans are provided as Exhibit A to

the Resolution. The permittee must construct, install and operate the wireless facility in strict compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, are subject to the Director's prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern. Notwithstanding the foregoing, the Director shall not be authorized to approve any change in the overall height from that shown on the Approved Plans. By accepting this permit, the permittee acknowledges that the substantial time and effort to identify this design was due in large part because the additional height required for a freestanding tower or antennas mounted on the church sanctuary significantly impacted the visual quality and character of the site and surrounding neighborhood. The permittee further acknowledges that the other visible features such as the construction materials, paint color, finishes, textures and the general scale with the underlying auxiliary building all substantially contributed to the City Council's ability to make the findings for approval at this site location.

- C. **Post-Installation Final Inspection.** The permittee shall submit plans and obtain permits prior to the construction, installation, or modification, of any wireless telecommunication facility or component thereof, in accordance with approved plans and shall obtain a successful final inspection.
- D. **Post-Installation Certification.** Within 60 calendar days after the permittee commences full, unattended operations of a small wireless facility approved or deemed-approved, the permittee shall provide the Director with documentation reasonably acceptable to the Director that the small wireless facility has been installed and/or constructed in strict compliance with the approved construction drawings and photo simulations. Such documentation shall include without limitation site photographs.
- E. **Maintenance Obligations; Vandalism.** The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Any concealment elements shall be kept in "like new" condition at all times. The permittee shall keep

the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred. The permittee and property owner shall maintain any and all landscape features in accordance with an approved landscape plan, if any, and shall replace dying or dead trees, foliage or other landscape elements shown on the Approved Plans within 5 calendar days after written notice from the City.

- F. **Compliance with Laws.** The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("**Laws**") applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the California Building Code, Seaside Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in any such permit, permit condition or any applicable law or regulation. Without limiting the generality of the foregoing, if the Director finds good cause to believe that the facility is not in compliance with any laws applicable to human exposure to RF emissions, the Director may require the permittee to submit a written report certified by a qualified radio frequency engineer familiar with the facility that certifies that the facility is in compliance with all such laws. The Director may order the facility to be powered down if, based on objective evidence, the Director finds that the facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the permittee demonstrates actual compliance with such laws. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable provision in the Seaside Municipal Code, this permit, any permit condition or any applicable law or regulation, shall

be deemed to relieve, waive or lessen the permittee's obligation to comply in all respects with all applicable provisions in the Seaside Municipal Code, this permit, any permit condition or any applicable law or regulation.

- G. **Adverse Impacts on Other Properties.** The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction hours in accordance with Seaside Municipal Code, which includes without limitation Section 17.30.060.C. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for any activities that violates this condition.
- H. **Landscaping.** The permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select plant and maintain replacement landscaping in an appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree or as otherwise approved by the City. The permittee shall, at all times, be responsible to maintain any replacement landscape features.
- I. **Backup Power; Generators.** The permittee shall operate backup power generators only during (1) commercial power outages or (2) for maintenance purposes during normal construction hours in accordance with Seaside Municipal Code Section 17.54.070.B, as may be amended or superseded. Testing and cycling shall occur only on Wednesdays between the hours of 2:00pm and 3:00pm and no more frequently than once every 30 days. The Director may approve a temporary power source and/or generator in connection with initial construction or major repairs.

- J. **Inspections; Emergencies.** The permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee, or at any time during an emergency. The City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.
- K. **Permittee's Contact Information.** The permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.
- L. **Indemnification.** The permittee and, if applicable, the property owner upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, its agents, officers, officials, employees and volunteers from any and all (1) damages, liabilities, injuries, losses, costs and expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("**Claims**") brought against the City or its agents, officers, officials, employees or volunteers to challenge, attack, seek to modify, set aside, void or annul the City's approval of this permit, and (2) other Claims any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', or customers' acts or omissions in connection with this permit or the wireless facility. In the event the City becomes aware any Claims, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the

permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this permit, and that such indemnification obligations will survive the expiration or revocation of this permit.

- M. **Recall to Approval Authority; Permit Revocation.** The City Council may recall this permit for review at any time due to complaints about noncompliance with applicable laws or any approval conditions attached to this permit. At a duly noticed public hearing and in accordance with all applicable laws, the City Council may revoke this permit or amend these conditions as the approval authority deems necessary or appropriate to correct any such noncompliance.
- N. **Record Retention.** The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee. The permittee may keep electronic records; provided, however, that hard copies or electronic records kept in the City's regular files will control over any conflicts between such City-controlled copies or records and the permittee's electronic copies, and complete originals will control over all other copies in any form. The requirements in this condition shall not be construed to create any obligation to create or prepare any records not otherwise required to be created or prepared by other applicable laws. Compliance with the requirements in this condition shall not excuse the permittee from any other similar record-retention obligations under applicable law.
- O. **Performance Bond.** Before the Building Department issues any permits required to commence construction in connection with this permit, the permittee shall post a performance bond from a surety and in a form acceptable to the Director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which includes without limitation all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware,

cables, wires, conduits, structures, shelters, towers, poles, footings and foundations, whether above ground or below ground, constructed or installed in connection with the wireless facility, plus the cost to completely restore any areas affected by the removal work to a standard compliant with applicable laws. In establishing or adjusting the bond amount required under this condition, and in accordance with California Government Code § 65964(a), the Director shall take into consideration any information provided by the permittee regarding the cost to remove the wireless facility to a standard compliant with applicable laws. The performance bond shall expressly survive the duration of the permit term to the extent required to effectuate a complete removal of the subject wireless facility in accordance with this condition.

- P. **Abandoned Wireless Facilities.** The wireless facility authorized under this permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a wireless facility is abandoned or deemed abandoned, the permittee and/or property owner shall completely remove the wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Seaside Municipal Code. In the event that neither the permittee nor the property owner complies with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and property owner shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and/or restoration activities.
- Q. **Light and Noise from the Equipment Enclosure.** The permittee shall install and at all times maintain in good condition noise baffling materials behind the fence to ensure compliance with all applicable noise regulations. All equipment at ground level, including all light fixtures, within the enclosure must be completely below and behind the fence. No lights shall be installed on the cupola. All lights for the equipment enclosure shall be operated on a timer switch (or similar device acceptable to the Director that prevents the lights from being left on) and installed and shielded so as to contain all illumination completely within the enclosure.
- R. **Truthful and Accurate Statements.** The permittee acknowledges that the City's approval relies on the written and/or oral statements by permittee and/or persons authorized to act on permittee's behalf. In

any matter before the City in connection with the facility, neither the permittee nor any person authorized to act on permittee's behalf shall, in any written or oral statement, intentionally provide material factual information that is incorrect or misleading or intentionally omit any material information necessary to prevent any material factual statement from being incorrect or misleading.

S. **Affirmation of Compliance with Current RF Exposure Standards.**

On or before January 30th in each calendar year, the permittee acknowledges and agrees that the permittee shall submit: (1) an affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, because it will not cause members of the general public to be exposed to RF levels that exceed the maximum permission exposure levels deemed safe by the FCC; (2) a copy of the fully completed FCC form "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A titled "Optional Checklist for Determination of Whether a Facility is Categorically Excluded" for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands must be shown on the Appendix A form(s) attached to the application. All radio frequency emissions are to be entered on each Appendix A form only in wattage units of "effective radiated power."

T. **Changes in RF Exposure Standards.** The facilities must comply with all applicable regulations, standards and guidelines for RF exposure established by any governmental entity with the authority to regulate RF exposure standards. The permittee shall keep up-to-date on current information from the FCC in regards to maximum permissible RF exposure levels. In the event that the FCC changes its guidelines for human exposure to RF, the permittee shall, within 30 days after any such change, submit to the Director a report prepared by a qualified engineer that demonstrates actual compliance with such changed guidelines. The Director may, at the permittee's sole cost, retain an independent consultant to evaluate the compliance report and any potential modifications to the use permit necessary to conform to the FCC's guidelines. Failure to submit the compliance report required under this condition, or failure to maintain compliance with the FCC's guidelines for human exposure to RF at all times shall constitute grounds for use permit revocation.

U. **RF Signage and Access Protocols.** The following conditions shall be adhered to inform the general public, maintenance workers, and even

trespassers/vandals that might unknowingly be exposed to the emissions from the antennas while ascending the light standard:

- (1) The permittee shall keep all access points to the equipment enclosure, the rooftop of the auxiliary building and the cupola locked at all times, except when active maintenance is performed on the equipment.
- (2) The permittee shall install and at all times maintain in good condition an "RF notice" sign and "network operations center" sign adjacent to the access points on the equipment enclosure and any access points to the rooftop on the auxiliary building. The signs required in this condition must be placed in a location where they are clearly visible to a person when he or she approaches the access door/gate/hatch in the open and closed positions.
- (3) The permittee shall install and at all times maintain in good condition an "RF notice" sign and "10-step RF safety guidelines" sign at the base of the light standard. The signs required in this condition must be placed in a location where they are clearly visible to a person climbing the light standard.

V. **Severability of Conditions.** If any provision in these conditions or such provision's application to any person, entity or circumstances is or held by any court with competent jurisdiction to be invalid or unenforceable: (1) such provision or its application to such person, entity or circumstance will be deemed severed from this permit; (2) all other provisions in this permit or their application to any person, entity or circumstance will not be affected; and (3) all other provisions in this permit or their application to any person, entity or circumstance will be valid and enforceable to the fullest extent permitted by law.

W. Permittee shall at all times maintain compliance with all applicable federal, state and local laws, regulations, ordinance or other rules.

X. The overall height shall not exceed 29 feet above ground level.

Y. Any fencing associated with the project must be constructed from wood or a similar material approved by the Building Official. Permittee shall install and at all times maintain in good condition noise baffling materials behind the fence to ensure compliance with all applicable noise regulations. All equipment within the enclosure must be completely below and behind the fence.

- Z. Any modifications to the approved plans, colors or materials requires prior written approval from the Resource Management Services before the City may issue a building permit.
- AA. Permittee shall not operate the standby generator except when necessary due to a primary power failure or intermittent testing and cycling. Testing and cycling shall occur only on Wednesdays between the hours of 2:00pm and 3:00pm and no more frequently than once every 30 days. All operations shall comply with all applicable ambient noise limits at all times.
- BB. Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification and removal of the facility.
- CC. Permittee shall remove any graffiti on the wireless facility at permittee sole expense within 48 hours upon receiving notice.
- DD. Prior to the issuance of a Building Permit, the applicant shall be required to obtain design review approval from the Director of Community Development for the final design of the tower, the fencing that would enclose the ground mounted equipment, and any noise-attenuating materials installed in connection with the fencing.

Fire Department:

- EE. Compliance shall be maintained with the 2016 California Fire Code. This condition also requires compliance with the maximum occupancy load set for this establishment.

Building Department:

- FF. Compliance shall be maintained with the 2016 California Building Code.

Standard:

- GG. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.80.060 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.

- HH. This Use Permit is subject to procedures and requirements of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
- II. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that they 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. The 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
- JJ. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD) and Monterey Regional Water Pollution Control Agency.
- KK. 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.
- LL. 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 project use has commenced within the required time limit, and construction continues thereafter under a valid Building Permit, or the Zoning Administrator has granted an extension of time.
- MM. 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 City Council of the City of Seaside, State of California, on the 19th day of December 2019, by the following vote:

AYES:

NOES:

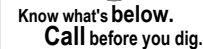
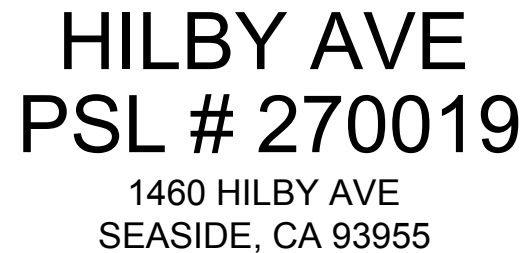
ABSENT:

ABSTAIN:

Ian Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk



TO OBTAIN LOCATION OF PARTICIPANTS
UNDERGROUND FACILITIES BEFORE
YOU DIG IN CALIFORNIA (NORTH &
CENTRAL), CALL USA NORTH 811
TOLL FREE: 1-800-227-2600 OR
www.usanorth811.org

CALIFORNIA STATUTE
REQUIRES MIN OF 2
WORKING DAYS NOTICE
BEFORE YOU EXCAVATE

A Nokia company
5 SHOREHAM PLACE, STE. 150
SAN DIEGO, CA 92122
www.sacw.com
619.736.3766

THE INFORMATION CONTAINED IN THIS SET OF
DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO
VERIZON WIRELESS

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES
TO VERIZON WIRELESS IS STRICTLY PROHIBITED



HILBY AVE
PSL# 270019
1460 HILBY AVE
SEASIDE, CA 93955

T-1

NOTES:

OWNER(S): FAITH LUTHERAN CHURCH

APN: 012-402-088

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT BY: FIRST AMERICAN TITLE COMPANY, ORDER NO. 4201-4724831, DATED SEPTEMBER 03, 2014. WITHIN SAID TITLE REPORT THERE ARE ELEVEN (11) EXCEPTIONS LISTED, ONE (1) OF WHICH ARE EASEMENTS, AND NONE (0) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060203, PANEL NO. 0327G, DATED APRIL 2, 2009, SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X, WHICH ARE AREAS DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 36° 36' 06.87" N. NAD 83
LONG. 121° 50' 02.38" W. NAD 83
ELEV. 185.2' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

LESSOR'S PROPERTY LEGAL DESCRIPTION:

REAL PROPERTY IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

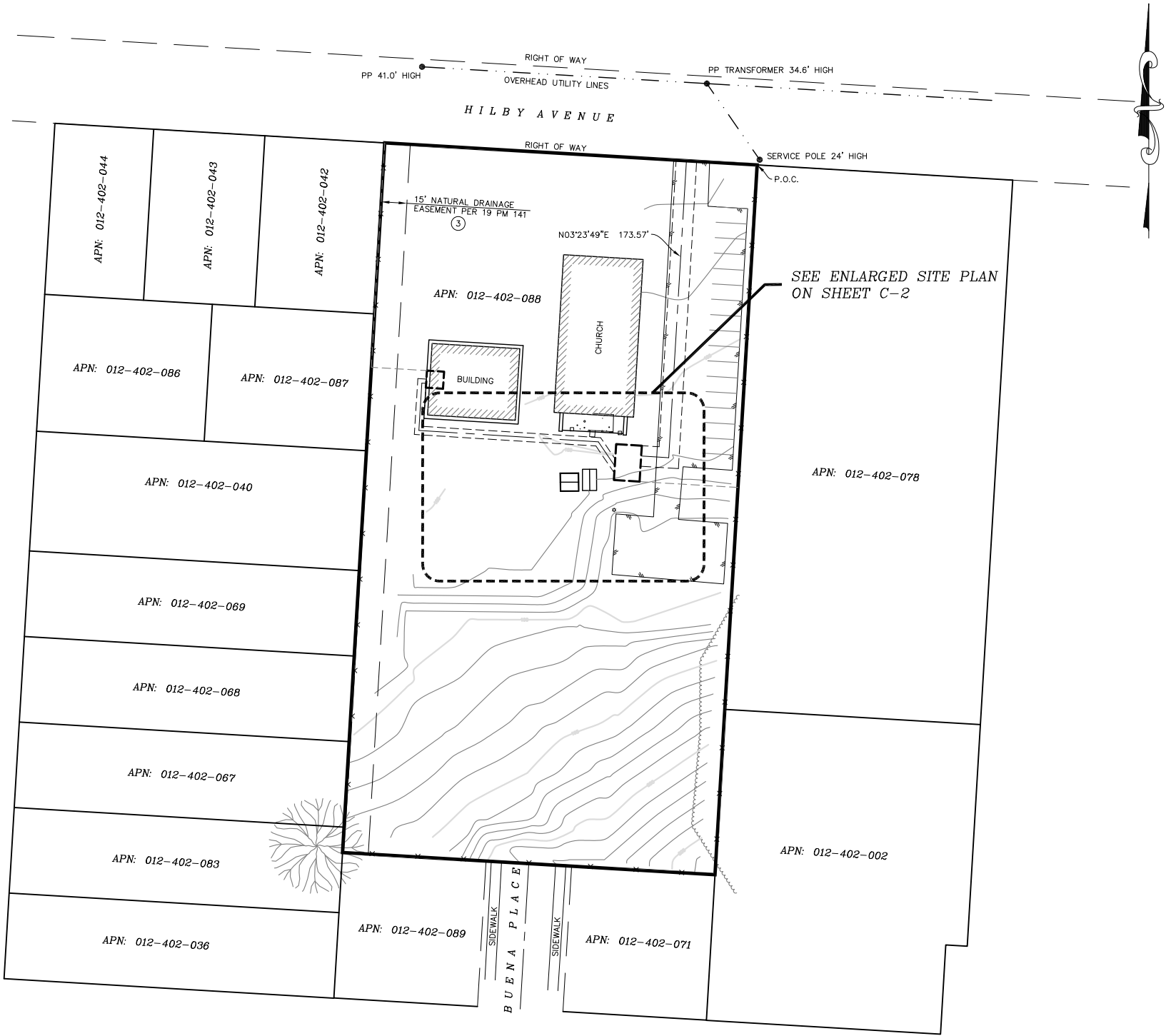
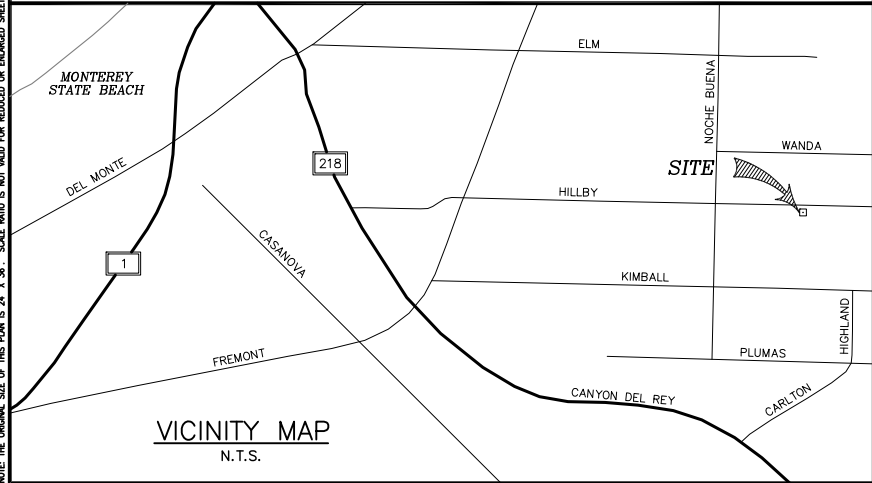
PARCEL A OF PARCEL MAPS FILED IN THE OFFICE OF THE MONTEREY COUNTY RECORDER, MONTEREY COUNTY, CITY OF SEASIDE, STATE OF CALIFORNIA IN BOOK 19 OF PARCEL MAPS, PAGE 141 ON MARCH 22, 1996 AND AS THEREAFTER CORRECTED BY CERTIFICATE OF CORRECTION RECORDED AUGUST 1, 1997 AT REEL 3552, PAGE 1412.

EASEMENT(S) PER TITLE REPORT:

3. AN EASEMENT SHOWN OR DEDICATED ON THE MAP AS REFERRED TO IN THE LEGAL DESCRIPTION

FOR: 15' WIDE NATURAL DRAINAGE AND INCIDENTAL PURPOSES.
** PLOTTED, AS SHOWN HEREON. **
4. THE FOLLOWING MATTERS SHOWN OR DISCLOSED BY THE FILED OR RECORDED MAP REFERRED TO IN THE LEGAL DESCRIPTION: VARIOUS NOTES AND RECITALS
** NOTE 2: ANY FURTHER DEVELOPMENT OR IMPROVEMENTS ON PARCEL "A" WILL REQUIRE THE DEDICATION AND CONSTRUCTION OF A CUL-DE-SAC IN ACCORDANCE WITH THE REQUIREMENTS AND ENGINEERING STANDARDS OF THE CITY OF SEASIDE OR AN ALTERNATIVE CIRCULATION PLAN ACCEPTABLE TO THE CITY ENGINEER.
- AFFECTS SUBJECT PROPERTY. A PAVED AREA SOUTH OF THE PROPOSED VERIZON WIRELESS DEMISED PREMISE APPEARS TO SERVE THE TURNAROUND PURPOSES; WHETHER IT IS A TEMPORARY OR AN ALTERNATIVE CIRCULATION PLAN ACCEPTABLE TO THE CITY ENGINEER IS UNKNOWN. **

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES



LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- POWER POLE
- GROUND ELEVATION
- EDGE OF PAVEMENT
- CONCRETE PAD
- POINT OF BEGINNING
- POINT OF COMMENCEMENT

OVERALL SITE MAP
1" = 40'



ISSUE STATUS

REV	DATE	DESCRIPTION	BY
0	08/13/14	PRELIMINARY	HJ
1	09/02/14	HEIGHTS	HJ
2	10/13/14	TITLE	HJ
3	12/05/14	LEASE/ESMNTS	SL
4	12/27/15	GENERAL REVISION	DL
5	11/26/19	REV. LEASE/ESMNTS	SL

SMITHCO JOB NO.: 82-287



PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

verizon

2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598

PRELIMINARY

270019 HILBY
AVE.

1460 HILBY AVENUE
SEASIDE, CA 93955

MONTEREY
COUNTY

SHEET TITLE:
SITE SURVEY
FOR EXAMINATION ONLY

C-1

PROPOSED VERIZON WIRELESS DEMISED PREMISE DESCRIPTION:

ALL THAT PORTION OF THE HEREON DESCRIBED LESSOR'S PROPERTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EQUIPMENT LEASE AREA:

COMMENCING AT THE NORTHEASTERLY MOST CORNER OF SAID LESSOR'S PROPERTY, THENCE ALONG THE EAST LINE OF SAID PROPERTY, S 03°23'49" W, A DISTANCE OF 188.52 FEET, THENCE LEAVING SAID EAST LINE, N 86°36'11" W, A DISTANCE OF 57.53 FEET TO THE TRUE POINT OF BEGINNING;

COURSE 1) THENCE N 86°24'32" W, A DISTANCE OF 15.00 FEET;
COURSE 2) THENCE N 03°35'28" E, A DISTANCE OF 8.15 FEET TO POINT 'A';
COURSE 3) THENCE CONTINUING N 03°35'28" E, A DISTANCE OF 12.85 FEET;
COURSE 4) THENCE S 86°24'32" E, A DISTANCE OF 15.00 FEET;
COURSE 5) THENCE S 03°35'28" W, A DISTANCE OF 6.00 FEET TO POINT 'B';
COURSE 6) THENCE CONTINUING S 03°35'28" W, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 315 SQUARE FEET, MORE OR LESS.

ANTENNA LEASE AREA:

COMMENCING AT THE NORTHWESTERLY MOST CORNER OF SAID LESSOR'S PROPERTY, THENCE ALONG THE WEST LINE OF SAID PROPERTY, S 03°23'49" W, A DISTANCE OF 131.18 FEET, THENCE LEAVING SAID WEST LINE, S 86°36'11" E, A DISTANCE OF 32.51 FEET TO THE TRUE POINT OF BEGINNING;

COURSE 1) THENCE S 86°22'09" E, A DISTANCE OF 10.00 FEET;
COURSE 2) THENCE S 03°37'51" W, A DISTANCE OF 10.00 FEET;
COURSE 3) THENCE N 86°22'09" W, A DISTANCE OF 10.00 FEET;
COURSE 4) THENCE N 03°37'51" E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 100 SQUARE FEET, MORE OR LESS.

PROPOSED VERIZON WIRELESS ACCESS EASEMENT DESCRIPTION:

A 12.00 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS PURPOSES, LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE ABOVE DESCRIBED POINT 'B';

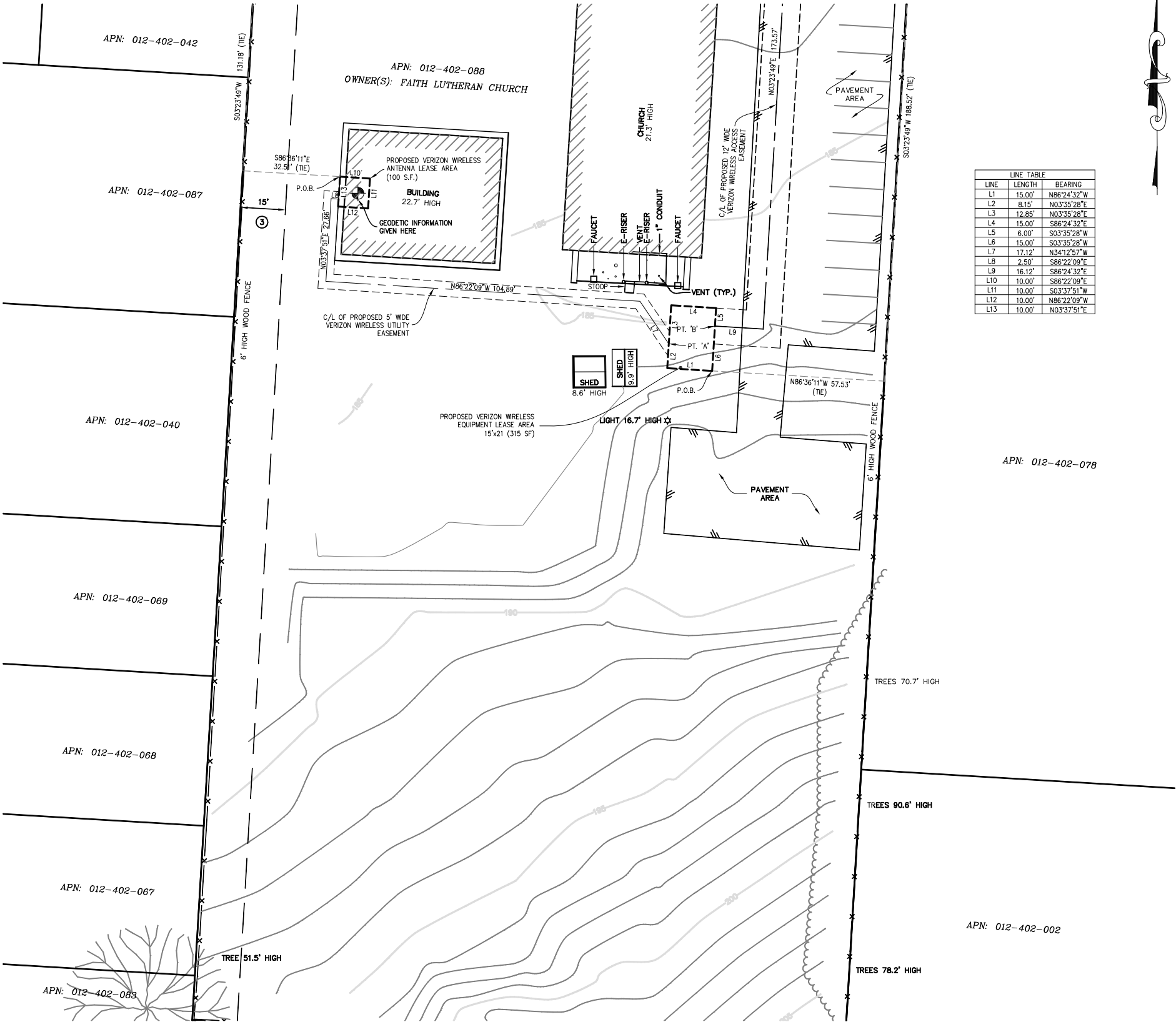
COURSE 1) THENCE S 86°24'32" E, A DISTANCE OF 16.12 FEET;
COURSE 2) THENCE N 03°23'49" E, A DISTANCE OF 173.57 FEET TO THE SOUTH LINE OF HILBY AVENUE AND THE TERMINUS OF THIS DESCRIPTION.

PROPOSED VERIZON WIRELESS UTILITY EASEMENT DESCRIPTION:

A 5.00 FOOT WIDE EASEMENT FOR UTILITY PURPOSES, LYING 2.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE ABOVE DESCRIBED POINT 'A';

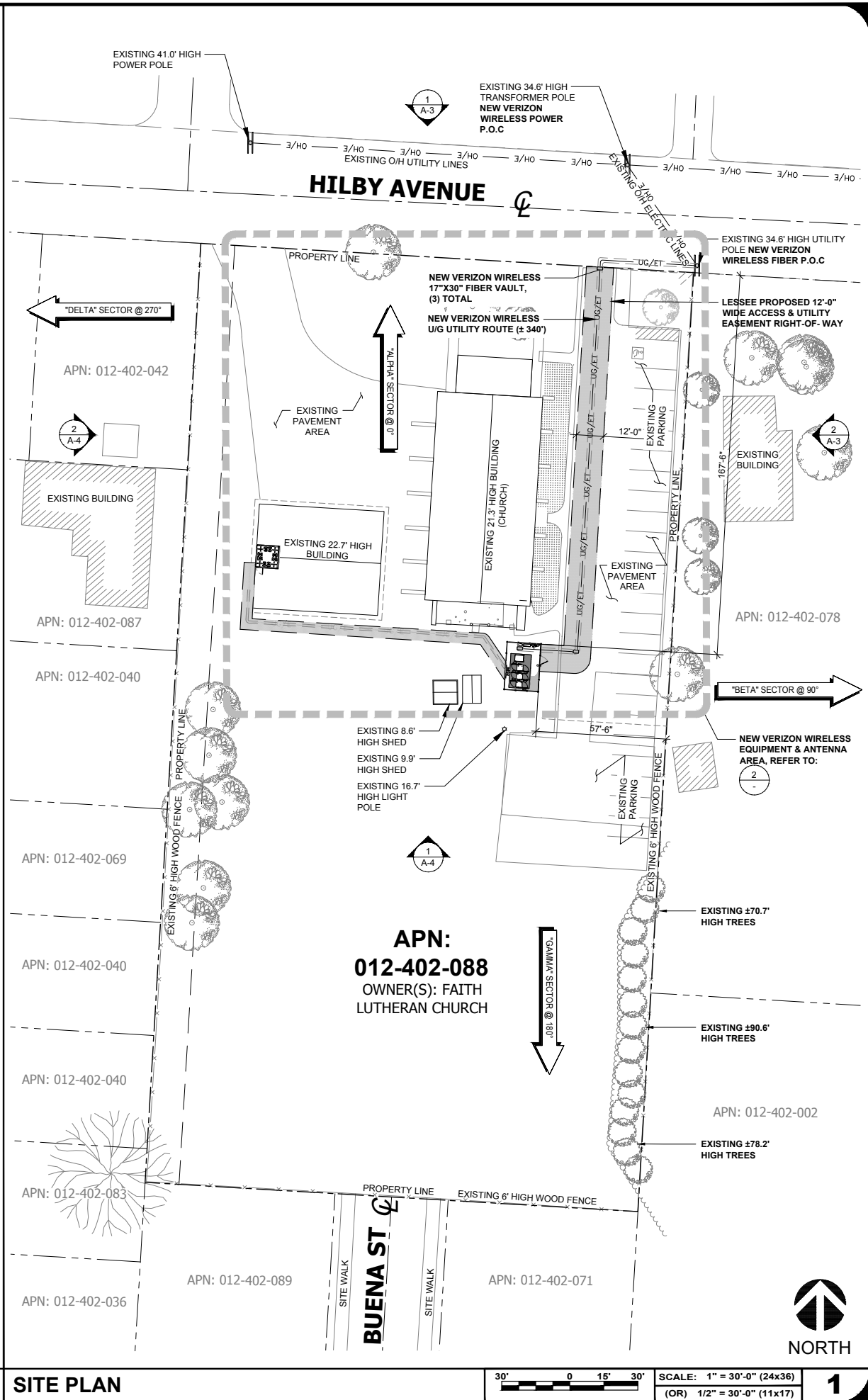
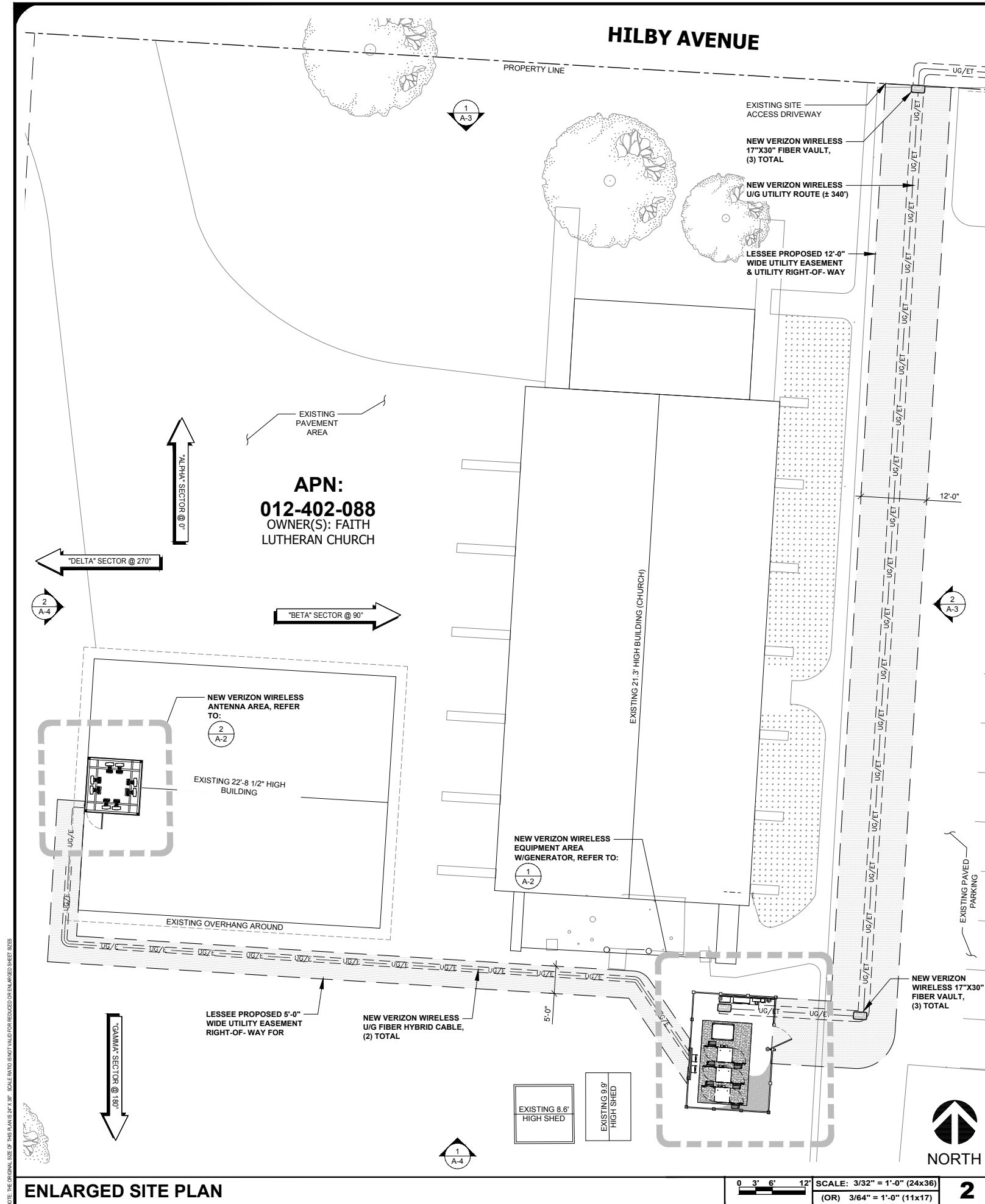
COURSE 1) THENCE N 34°12'57" W, A DISTANCE OF 17.12 FEET;
COURSE 2) THENCE N 86°22'09" W, A DISTANCE OF 104.89 FEET;
COURSE 3) THENCE N 03°37'51" E, A DISTANCE OF 27.66 FEET;
COURSE 4) THENCE S 86°22'09" E, A DISTANCE OF 2.50 FEET TO THE TERMINUS OF THIS DESCRIPTION.



LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00'	N86°24'32"W
L2	8.15'	N03°35'28"E
L3	12.85'	N03°35'28"E
L4	15.00'	S86°24'32"E
L5	6.00'	S03°35'28"W
L6	15.00'	S03°35'28"W
L7	17.12'	N34°12'57"W
L8	2.50'	S86°22'09"E
L9	16.12'	S86°24'32"E
L10	10.00'	S86°22'09"E
L11	10.00'	S03°37'51"W
L12	10.00'	N86°22'09"W
L13	10.00'	N03°37'51"E



NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES



ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	11/25/19	90% ZONING	FA


A Nokia company
5015 SHOREHAM PLACE, STE. 150
SAN DIEGO, CA 92122
www.sacw.com
619.736.3766

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF
DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO
VERIZON WIRELESS
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TO VERIZON WIRELESS IS STRICTLY PROHIBITED


2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598

HILBY AVE

PSL# 270019

1460 HILBY AVE
SEASIDE, CA 93955

SHEET TITLE:

SITE PLAN &
ENLARGED SITE PLAN

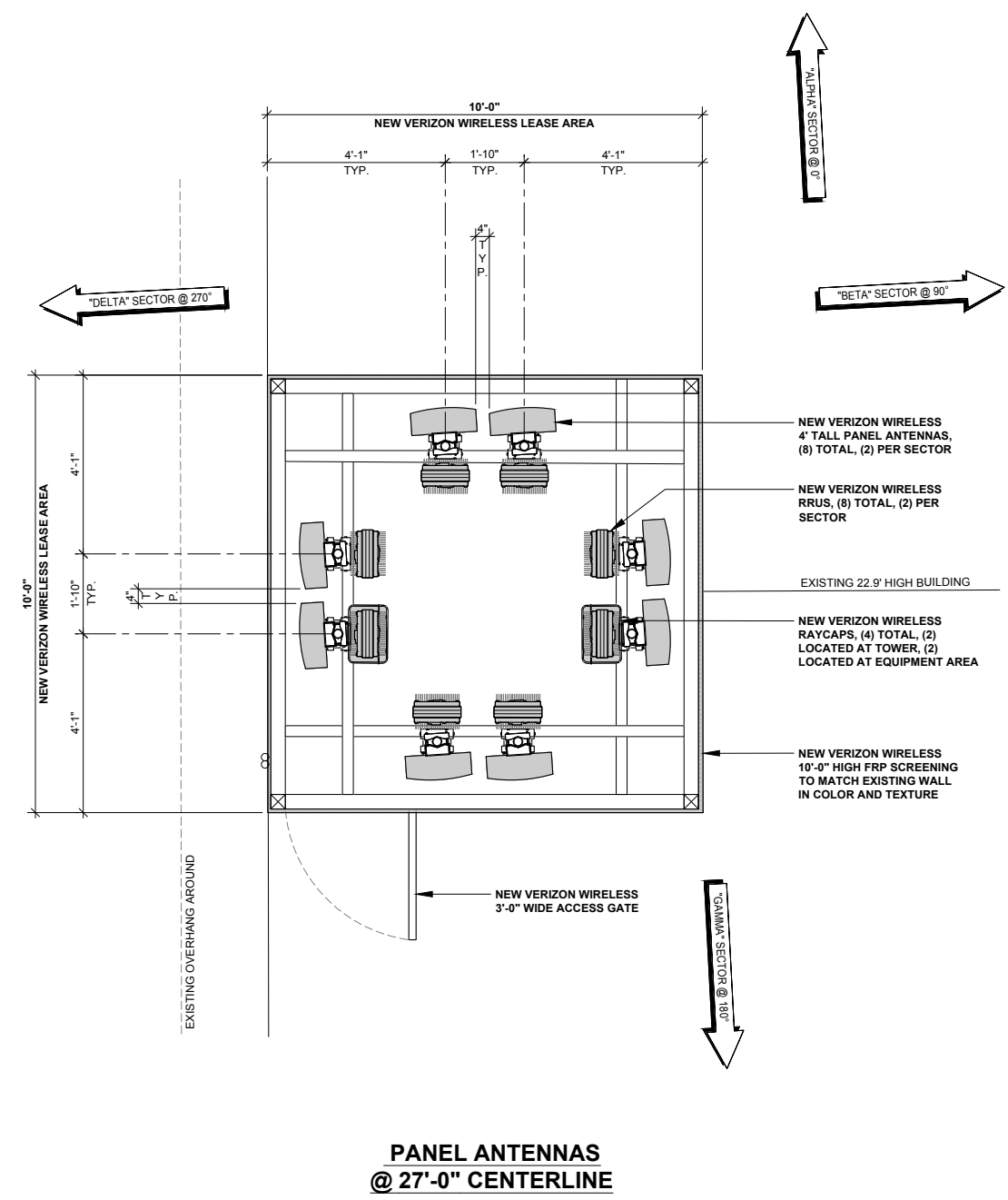
A-1

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

PANEL ANTENNA LAYOUT

0 6" 1" 2" SCALE: 1/2" = 1'-0" (24x36)
(OR) 1/4" = 1'-0" (11x17)

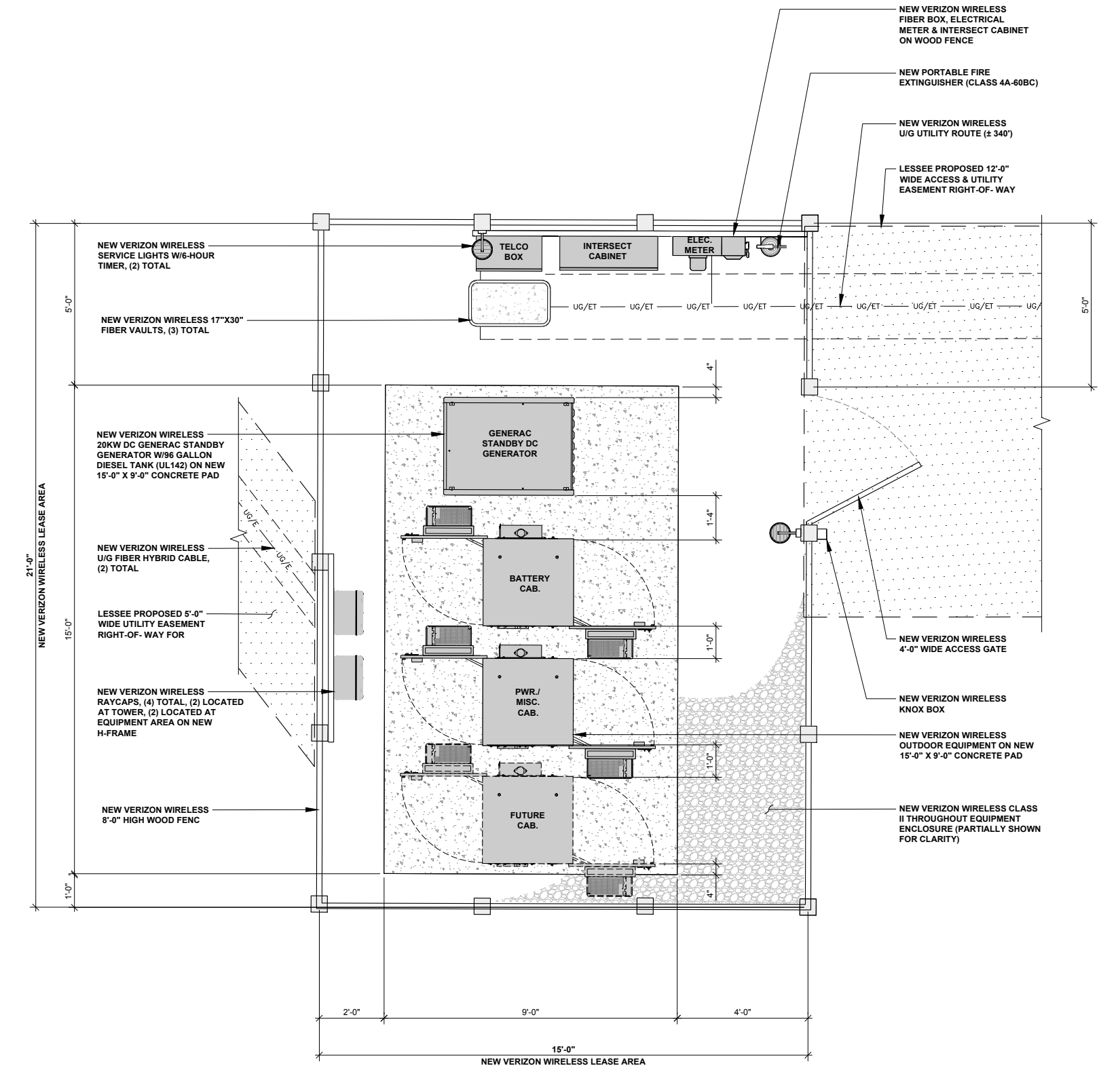
2



EQUIPMENT LAYOUT

0 6" 1" 2" SCALE: 1/2" = 1'-0" (24x36)
(OR) 1/4" = 1'-0" (11x17)

1



ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	11/25/19	90% ZONING	FA

SAC
A Nokia company
5015 SHOREHAM PLACE, STE. 150
SAN DIEGO, CA 92122
www.sacw.com
619.736.3766

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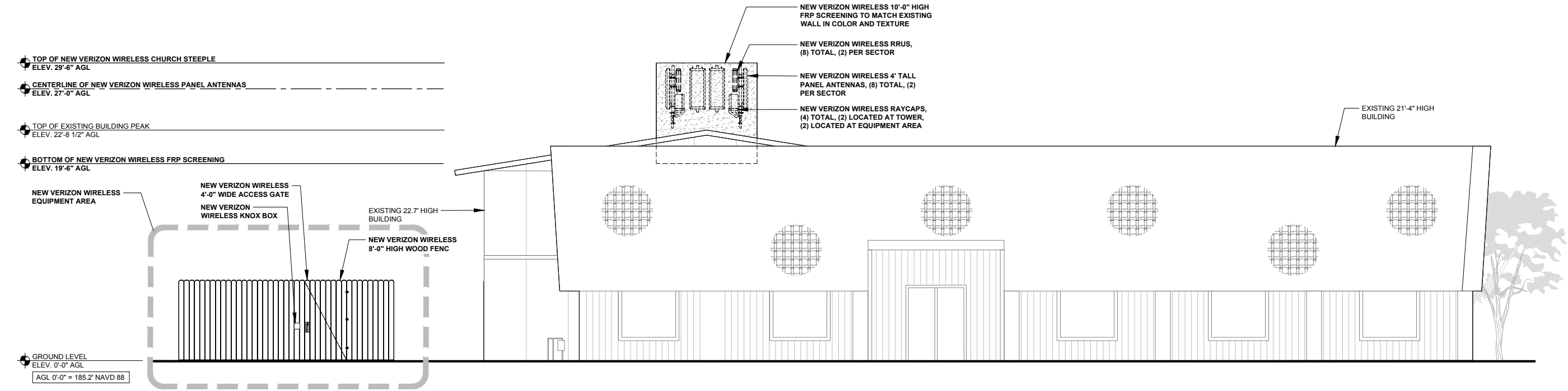
verizon
2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598

HILBY AVE
PSL# 270019
1460 HILBY AVE
SEASIDE, CA 93955

SHEET TITLE:
EQUIPMENT &
ANTENNA LAYOUTS

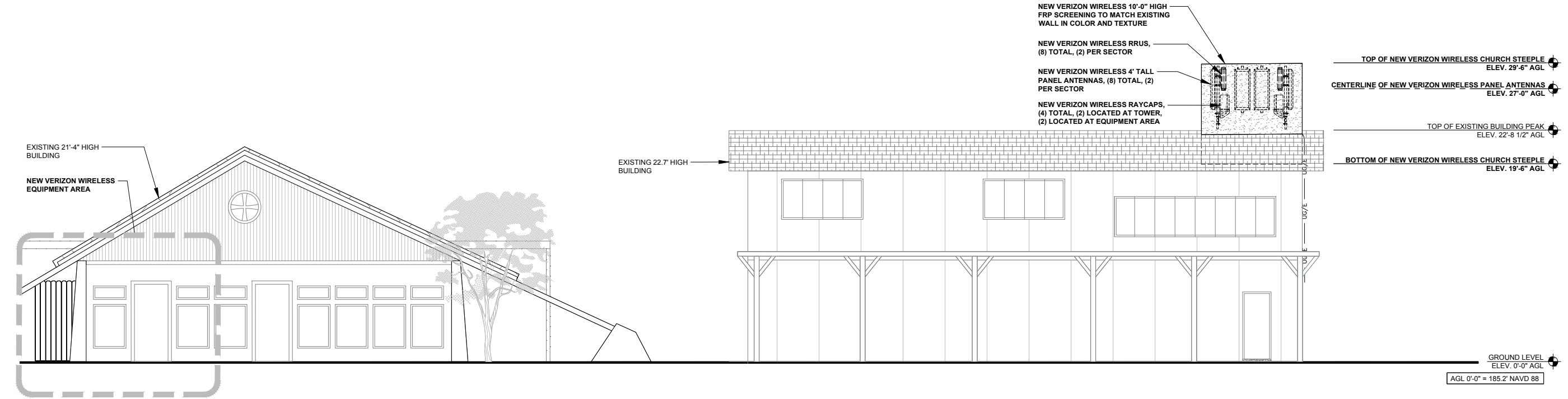
A-2

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO SHOWN FOR REDUCED OR ENLARGED SHEET SIZES.



EAST ELEVATION

0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)
(OR) 3/32" = 1'-0" (11x17) 2



NORTH ELEVATION

0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)
(OR) 3/32" = 1'-0" (11x17) 1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	11/25/19	90% ZONING	FA



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5015 SHOREHAM PLACE, STE. 150
SAN DIEGO, CA 92122
www.sacw.com
619.736.3766

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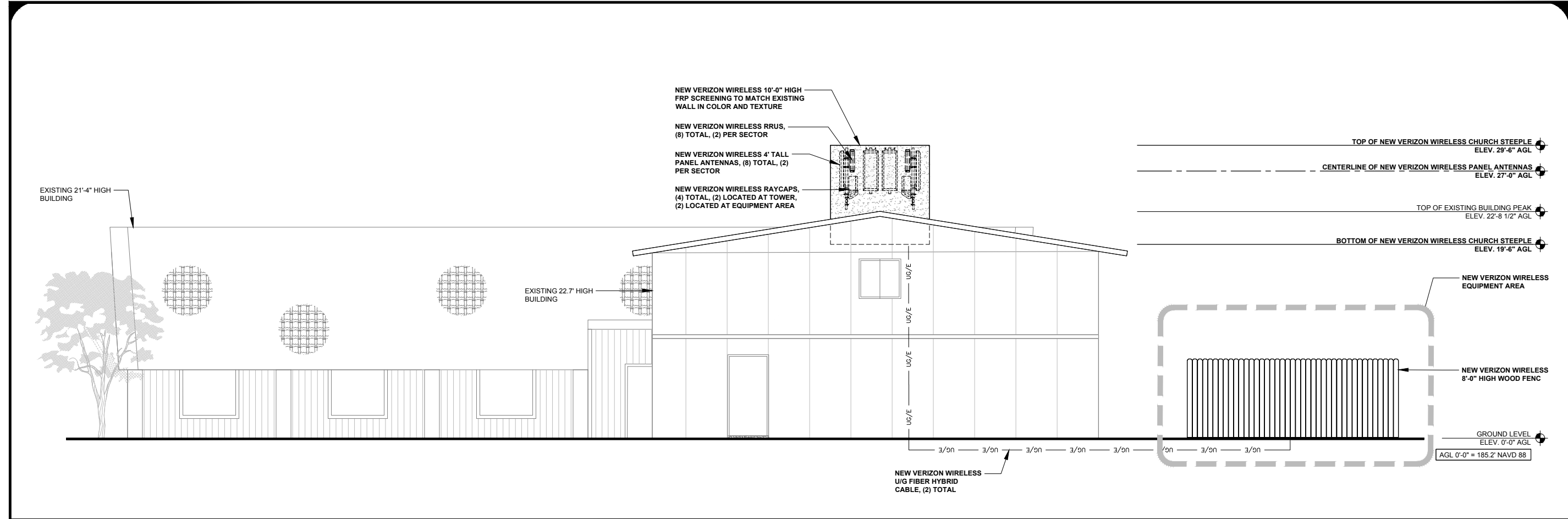
2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598

HILBY AVE
PSL# 270019
1460 HILBY AVE
SEASIDE, CA 93955

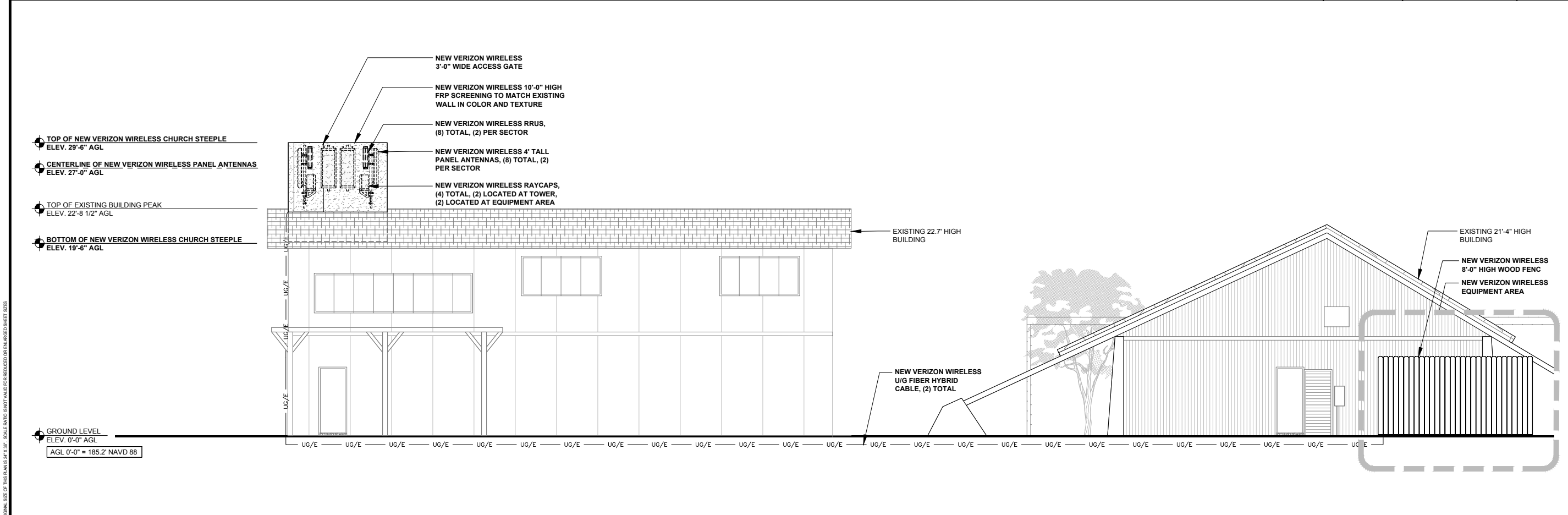
SHEET TITLE:
NORTH & EAST ELEVATIONS

A-3

NOTE: THE ORIGINAL SIZE OF THIS DRAWING IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.



WEST ELEVATION



SOUTH ELEVATION

ISSUE STATUS			
REV.	DATE	DESCRIPTION	BY
0	11/25/19	90% ZONING	FA



A Nokia company

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PROPRIETARY INFORMATION
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2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598



2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598

HILBY AVE

PSL# 270019

1460 HILBY AVE
SEASIDE, CA 93955

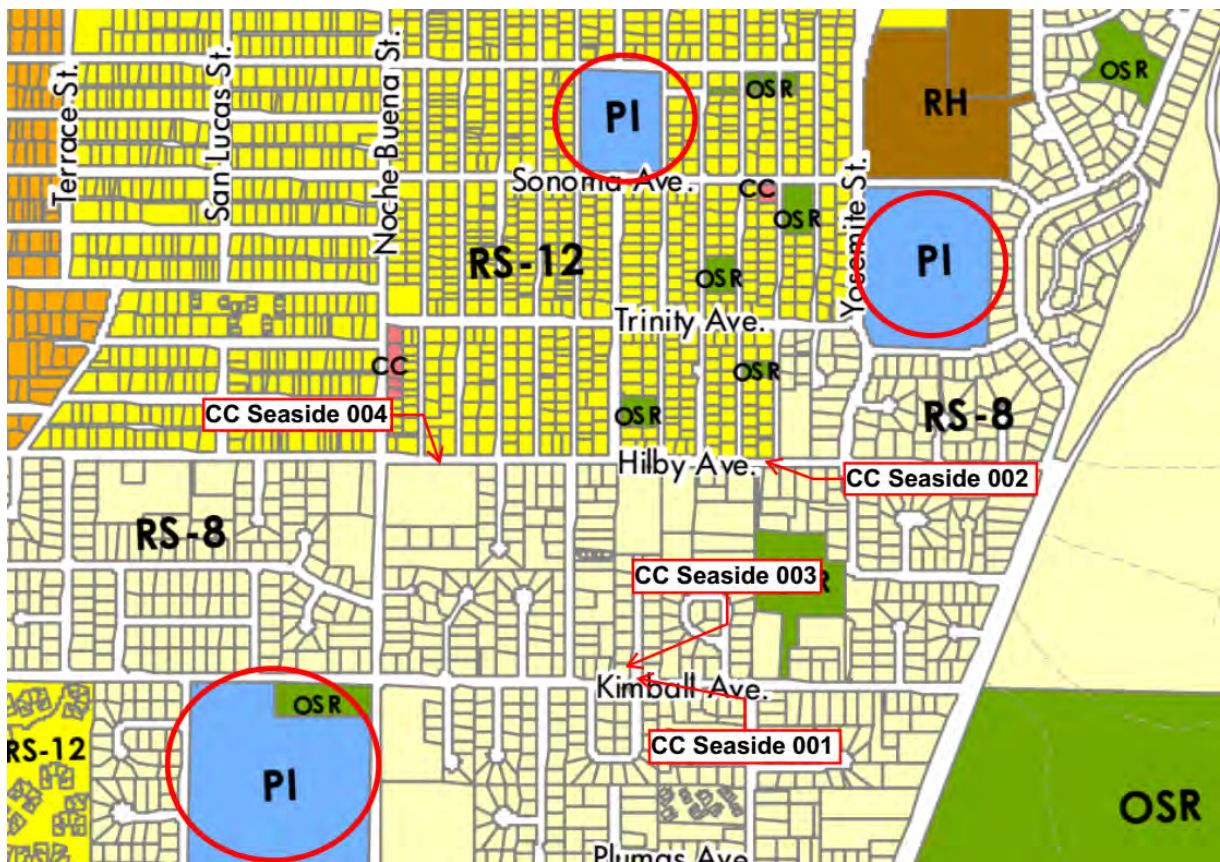
SHEET TITLE:
SOUTH & WEST ELEVATIONS

A-4

Alternative Candidate Analysis



CC Seaside 001, 002,
003, 004
Seaside, CA



5/16/2019

Summary of Site Evaluations
Conducted by: SAC Wireless



Corner of Kimall Ave & Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Vertical clearances with power wires adjacent to pole required by GO95 are not met.
- There are four risers on pole which is an issue because we are not able to clear the 2 quadrants for climbing and equipment spaces needed.



Corner of Kimall Ave & Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Vertical and horizontal clearances with power wires adjacent to pole required by GO95 are not met as wires run very close to pole both vertically and horizontally.



1st pole on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Primary riser present which disqualifies the pole pursuant to PG&E's rule as it presents a safety hazard to their electricians to have antennas above high power lines.
- Lateral clearance not met due to a wire that runs throughout pole inches away from it.



2nd pole on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Primary riser present which disqualifies the pole pursuant to PG&E's rule as it presents a safety hazard to their electricians to have antennas above high power lines.
- Lateral clearance not met due to a wire that runs throughout pole inches away from it.
- There is equipment already on pole so not enough space available to accommodate equipment and climbing space needed by PG&E.



3rd pole on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.



4th pole on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- There are 3 risers on the pole, and PG&E rejects any pole with more than 2 due to lack of free quadrants for both climbing and equipment space for which the pole has to be clear from the bottom up in order to be usable. pursuant to GO95.



5th pole on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.



Last pole on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth in GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Vertical and horizontal clearances with power wires adjacent to pole required by GO95 are not met as wires run very close to pole both vertically and horizontally.

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Pole on Intersection of Plumas Ave
& Noche Buena St.

Reasons for Elimination:

- Pole is feasible, but it would require either a 4 ft extension or a replacement with a taller pole depending on its age.
- The pole would also need a ground electric meter and underground utility routing .



2nd pole on Kimball Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Vertical clearances with power wires adjacent to pole required by GO95 are not met.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Large insulator on top that PG&E may not agree to relocate as it is up to their discretion, thus a pole top would not be feasible even with a replacement with a taller pole.



3rd pole on Kimball Ave.

Reasons for Elimination:

- There are multiple power drops and wires that would have to be relocated in order to create enough space for both climbing and equipment.
- Survey is also needed, as pole is very close to fence of adjacent property and it could be on private property land.



4th pole on Kimball Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Large insulator on top that PG&E may not agree to relocate as it is up to their discretion, thus a pole top would not be feasible even with a replacement with a taller pole.



5th pole on Kimball Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Vertical clearances with power wires adjacent to pole required by GO95 are not met.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Large insulator on top that PG&E may not agree to relocate as it is up to their discretion, thus a pole top would not be feasible even with a replacement with a taller pole.



6th pole on Kimball Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Vertical clearances with power wires adjacent to pole required by GO95 are not met.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Large insulator on top that PG&E may not agree to relocate as it is up to their discretion, thus a pole top would not be feasible even with a replacement with a taller pole.



Pole is on Kimball Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount not feasible due to RAD center that would be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Insulator on top of pole that PG&E may not agree to relocate as it is up to their discretion, and if they do, it would be placed on a standoff arm.



Pole is on Plumas Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.



Pole is on Plumas Ave.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Pole has cut outs and PG&E does not allow collocation on such poles.



Pole is on intersection of
Plumas Ave & Tweed St.

Reasons for Elimination:

- Pole is on private property, and thus a lease would have to be negotiated with the property owner for an utility easement.
- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.



Pole is on Tweed St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount could be feasible, however the RAD center might be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Pole is way too overstressed with power, communication and guy lines, and even if everything was rearranged with a replacement, we would still be unable to get enough climbing and equipment space.
- Pole has cut outs and PG&E does not allow collocation on such poles.



Pole is on Tweed St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances forth on GO95.
- Mid-mount could be feasible, however the RAD center might be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Pole is way too overstressed with power, communication and guy lines, and even if everything was rearranged with a replacement, we would still be unable to get enough climbing and equipment space.



Pole is on Tweed St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount could be feasible, however the RAD center might be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is way too overstressed with power, communication and guy lines, and even if everything was rearranged with a replacement, we would still be unable to get enough climbing and equipment space.
- Insulator on top of pole that PG&E may not agree to relocate as it is up to their discretion, and if they do, it would be placed on a standoff arm.



Pole is on Tweed St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount could be feasible, however the RAD center might be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Insulator on top of pole that PG&E may not agree to relocate as it is up to their discretion, and if they do, it would be placed on a standoff arm.



Pole is on Tweed St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount could be feasible, however the RAD center might be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Insulator on top of pole that PG&E may not agree to relocate as it is up to their discretion, and if they do, it would be placed on a standoff arm.



Pole is on on intersection of
Tweed St. & Noche Buena
St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount could be feasible, however the RAD center might be too low for coverage purposes.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Insulator on top of pole that PG&E may not agree to relocate as it is up to their discretion, and if they do, it would be placed on a standoff arm.
- The oak tree would have to be trimmed as it wraps around the pole.



Pole is on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.
- Large insulator on top that PG&E may not agree to relocate as it is up to their discretion, thus a pole top would not be feasible even with a replacement with a taller pole.



Pole is on Noche Buena St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Large insulator on top that PG&E may not agree to relocate as it is up to their discretion, thus a pole top would not be feasible even with a replacement with a taller pole.



1248 Kimball Ave

Reasons for Elimination:

- Pole was found to be in private property.



1251 Kimball Ave

Reasons for Elimination:

- Pole was rejected by PG&E during the pre-flight walk due to a new rule that does not allow for collocation on poles with distribution only power.

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Light pole on intersection of Yosemite St. & Wanda Ave.

Reasons for Elimination:

- MLA would have to be negotiated with the city to go onto Light Pole.
- Equipment will be set on the ground at the base of the pole.
- Underground area has to be investigated for possible water routes that could be disturbed during construction.



Light pole on Yosemite St.

Reasons for Elimination:

- MLA would have to be negotiated with the city to go onto Light Pole.
- Equipment will be set on the ground at the base of the pole.
- Survey needed to determine whether property is in the right of way or part of the adjacent private property.



On Flores St.; On private parking lot

Reasons for Elimination:

- Pole is on private property, and thus a lease would have to be negotiated with the property owner for an utility easement.
- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Power would have to be pulled overhead from an adjacent pole as PG&E does not allow use of the primary power on the pole; a transformer might need to be installed on the pole to allow for power supply.



On Flores St.; on private parking lot

Reasons for Elimination:

- Pole is on private property, and thus a lease would have to be negotiated with the property owner.
- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole would have to be pulled overhead from an adjacent pole as PG&E does not allow use of the primary power on the pole; a transformer might need to be installed on the pole to allow for power supply.



Intersection of Sonoma Ave & Waring St.

Reasons for Elimination:

- If PG&E lease negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Primary riser present which disqualifies the pole pursuant to PG&E's rule as it presents a safety hazard to their electricians to have antennas above high power lines.
- Lateral clearance not met due to a wire that runs throughout pole inches away from it.
- There is equipment already on pole so not enough space available to accommodate equipment and climbing space needed by PG&E.
- There are switches on the pole and PG&E does not allow for collocation on such poles.



Intersection of Sonoma Ave & Waring St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is way too overstressed and we would be unable to get enough equipment and climbing space.



Pole is on Harding St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.



Intersection of St. Albans Ave & Harding St.

Reasons for Elimination:

- Pole would need to be replaced with 10 ft. taller pole to achieve PG&E and GO95 clearances at pole top from power lines.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.



Pole is on St. Albans Ave

Reasons for Elimination:

- Pole would need to be replaced with 10 ft. taller pole to achieve PG&E and GO95 clearances at pole top from power lines.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.



1st pole on Flores St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- There are multiple risers on pole and we would not be able to get both climbing and equipment spaces.
- There is a fire hydrant adjacent to the pole, thus water is running underground and we would be unable to dig underground.



2nd pole on Flores St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is not ADA compliant as it is set in the middle of the sidewalk, thus it would have to be replaced and relocated to meet standards.



Pole is on intersection of Waring St. & Elm Ave

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is way too overstressed and we would be unable to get enough equipment and climbing space.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.

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Pole is on Waring St.

Reasons for Elimination:

- This pole could be feasible either as a pole top if a lease is negotiated with PG&E or as mid-mount with a replacement with a 6 feet taller pole in order to achieve all the necessary clearances.
- PG&E would have to rearrange the wires and add a standoff arm in order to have clean quadrant for climbing space and enough space for equipment on a separate quadrant.
- There is a water vault adjacent to pole so routes will have to be inspected so they are not disturbed during construction.



Pole is on Waring St.

Reasons for Elimination:

- Pole would require a ground electric meter and utilities routed underground in the ROW to be viable.
- Pole would need to be replaced due to age and to meet clearances from current lines on pole.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.



Intersection of Sonoma Ave & Waring St.

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is way too overstressed and we would be unable to get enough equipment and climbing space.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.



Pole is on Waring St.

Reasons for Elimination:

- Pole would require replacement due to PG&E 28-inch separation rule from top conductor. Replacement pole would require an additional 10 feet to meet PGE/GO95 clearances.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it.



Pole is on Noche Buena St.
outside Mal's Market

Reasons for Elimination:

- Pole has structural integrity issues that would require replacement with pole that is 10 feet taller to meet GO95 clearances above powerlines.
- Antenna cannot be placed mid-mount on pole due to on a low RAD center available that would not meet coverage objectives.
- Pole is less than 8 ft. from the driveway, and thus PG&E would disqualify it as co-locatable for antennas.



Pole is on intersection of Noche Buena St. & Wanda Ave

Reasons for Elimination:

- Transmission pole so a pole top option is not part of the MLA agreement in place. If negotiated, a pole replacement of a pole taller by 10 feet would be required to achieve clearances set forth on GO95.
- Mid-mount is also not feasible because it does not meet GO95 regulations due to lack of necessary spacing from the attached lines.
- Pole replacement with a taller pole to allow for spacing would not be feasible as all the transmission poles have to match in height for the power lines to connect and transmit seamlessly.
- Pole is way too overstressed and we would be unable to get enough equipment and climbing space.
- Pole is outside a historical house and zoned residential. There is some equipment on pole already.



Pole is on Noche Buena St.
across from Mal's Market

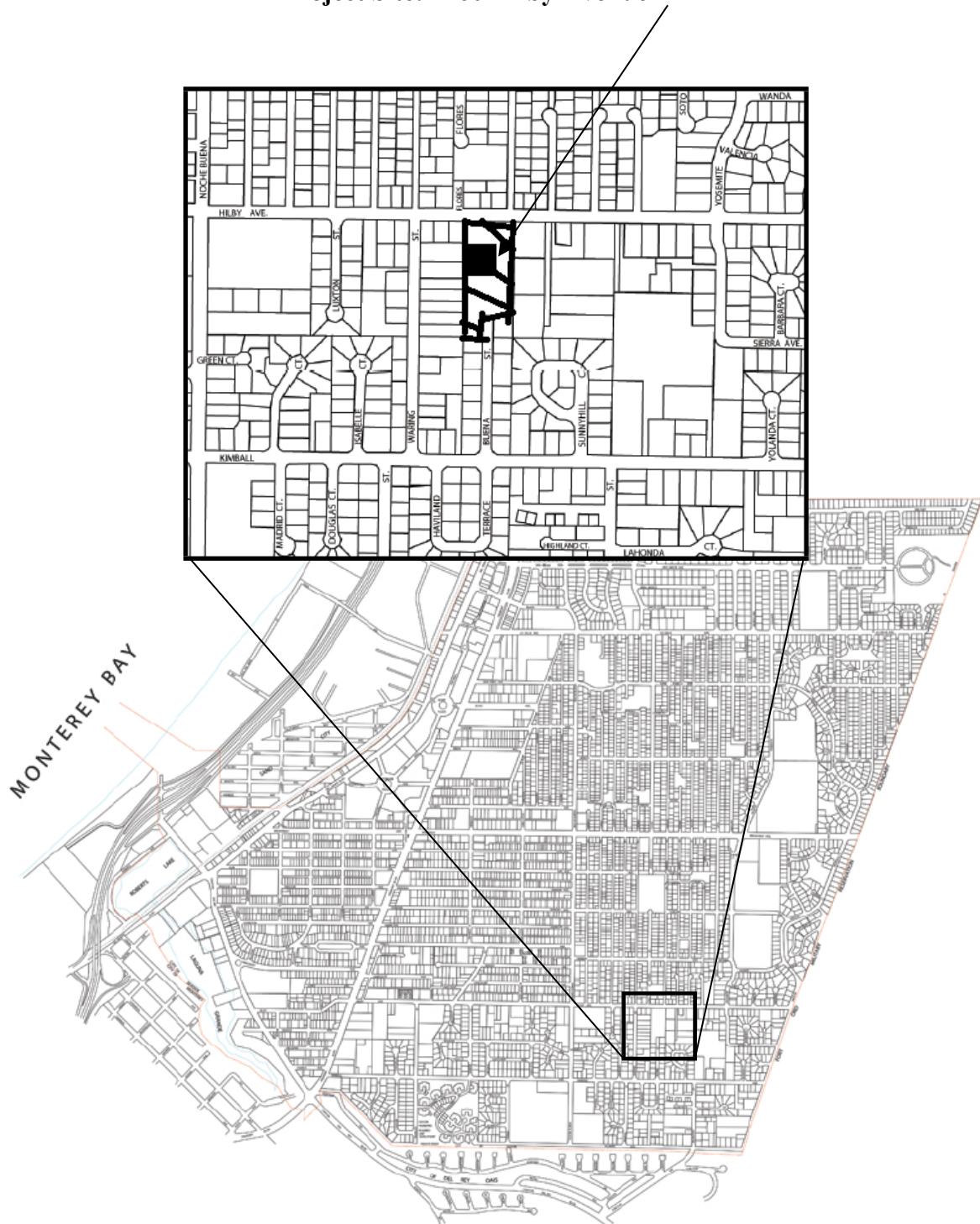
Reasons for Elimination:

- Pole could be feasible with a replacement pending age verification and with a taller pole.
- Power would have to be served overhead as PG&E does not serve power underground pursuant to new regulations and a transformer will need to be installed on pole.
- Survey needed to verify if pole is in the right of way.

Attachment 3

Location Map

Project Site: 1460 Hilby Avenue



Attachment 4

Adjacent Land Use Map

Project Site: 1460 Hilby Avenue

			NE
W	Single Family Dwellings	Single Family Dwellings	Single Family Dwellings
	Single Family Dwellings/ Condominium	Project Site	Single Family Dwellings
	Single Family Dwellings	Single Family Dwellings	Single Family Dwellings
			E

Attachment 5

Site Photos

Location of antenna on multi-purpose building



View of site from Hilby Avenue at northwest corner

Location of antenna on multi-purpose building



View from Hilby Avenue at center of the site frontage



View from Hilby Avenue at northeast corner



View from Waring Street to the west



View from Buena Street to the south

CONCEPTUAL PHOTOSIMULATION VIEWPOINT

EXISTING



PROPOSED





**CITY OF SEASIDE
STAFF REPORT**

Item No.:

TO: ~~Planning Commission~~

BY: ~~Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner~~

DATE: ~~December 19, 2019~~

SUBJECT: ~~**APPEAL OF USE PERMIT NO. UP-15-04: THE CITY COUNCIL WILL
CONSIDER AN APPEAL RELATED TO A USE PERMIT APPLICATION
SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON
WIRELESS FOR A WIRELESS FACILITY AT 1460 HILBY AVENUE.**~~

PURPOSE & RECOMMENDATION~~In accordance with Seaside Municipal Code section 17.76.020.C, the City Council will be asked to consider an appeal from the Planning Commission's denial of Use Permit Application No. UP-15-04. Tricia Knight of SAC Wireless, as agent for Verizon Wireless, the applicant ("Verizon"), appeals the denial of a 39' 10" cell tower proposed to be located at 1460 Hilby Avenue. Based on the revised proposal to place the antennas in a less intrusive cupola at a lower overall height (now 29' 4"), and subject to the recommended conditions in this report, staff recommends that the City Council grant the appeal and approve Use Permit Application No. UP-15-04.~~

BACKGROUND

~~This project has evolved several times over its history. For clarity and brevity, this staff report summarizes the relevant information. The City Council staff report dated September 19, 2019 provides a more detailed timeline, and can be accessed through the web link below.~~

~~Additional staff reports from the Planning Commission and City Council related to this project can be found in chronological order at the web links below:~~

- ~~Planning Commission meeting July 22, 2015 (Item 5B)~~
- ~~Planning Commission meeting August 12, 2015 (Item 6A)~~
- ~~Planning Commission meeting September 9, 2015 (Item 5A)~~

Comment [TME1]: @rick

Can you please list off all the prior reports related to this project and provide the weblinks? I think links are better than attachments since we're trying to be as succinct as possible here.

{00051554;4}

~~City Council meeting June 16, 2016 (Item 10B)
Planning Commission meeting July 24, 2019 (Item 7A)
Planning Commission meeting August 14, 2019 (Item 7A)
City Council meeting September 19, 2019 (Item 9C)
City Council meeting October 3, 2019 (Item 10A)~~

~~On April 15, 2015, Verizon submitted a use permit application (File# UP-15-04) to construct and operate a new wireless telecommunications facility. The original proposal involved a 781 square-foot chain-link fenced enclosure for the ground-mounted equipment and a new 39' 10" church steeple to conceal the antennas and associated tower-mounted equipment. Both the enclosure and the steeple would be placed behind the existing Church (Faith Lutheran) located at 1460 Hilby Avenue (the "**Original Proposal**").~~

~~On July 22, 2015, the Planning Commission denied the application. Verizon timely appealed to the City Council and entered into several tolling agreements to extend the review period while it worked with City staff to evaluate possible alternative locations and designs.~~

~~On June 16, 2017, the City Council conducted a public hearing on the appeal from the Planning Commission. The staff report recommended approval subject to a revised, split-sector design that would reduce the overall height but allow Verizon to achieve its technical objectives. Several residents testified against the proposed project and the property owner testified in support. The City Council voted to continue its review in accordance with a tolling agreement with Verizon in order to allow Verizon to determine if there were any other alternatives to constructing a single cell tower at 1460 Hilby Avenue.~~

~~After the City Council continuance, Verizon and the City entered into several more tolling agreements to allow for a full and complete alternatives analysis. The tolling agreement also provided that Verizon would withdraw its application for the Original Proposal if the City Council approved a substitute facility.~~

~~Verizon evaluated 42 alternative candidate sites. See **Attachment**  for the compiled alternatives analysis by Verizon. Among the alternatives, Verizon proposed a small cell deployment and an alternative design for the original church steeple site as substitutes for the Original Proposal.~~

~~Verizon ultimately filed a Master Use Permit application (File# UP-16-07) for the small cell deployment (the "**Small Cell Application**"). On August 14, 2019, the Planning Commission approved the Small Cell Application. However, both Verizon and a resident timely appealed the approval to the City Council. Verizon's appeal concerned a specific condition added by the Planning Commission and the resident's appeal sought to overturn the entire approval.~~

On September 19, 2019, the City Council conducted a public hearing on the appeals from the Small Cell Application. Staff recommended that the City Council approve the Small Cell Application as an alternative to the Original Proposal. Several residents spoke in opposition to the Small Cell Application and the Original Proposal. After a several-hours-long hearing, the City Council voted to deny the Small Cell Application (File# UP-16-07). Immediately afterwards, upon advice from outside counsel that the Council must consider the Original Proposal notwithstanding the late hour, the City Council also voted to deny the Original Proposal (File# UP-15-04).

After the September 19, 2019 appeal hearings, Verizon agreed to toll the limitations period before the final resolutions to deny the Original Proposal so that it could present one final alternative to the City Council. This hearing provides the Council with an opportunity to consider a substantially different proposal at a lower overall height and determine whether to proceed with the denial or approve the updated design.

SITE DESCRIPTION

The project site is 91,330 square feet in area (2.09 acres) located at 1460 Hilby Avenue on the south side of Hilby Avenue. The project site is developed with an existing one-story 3,283 square-foot church building, a two-story 3,150 square foot multi-purpose building and two off-street parking areas on the front northern half of the site. Two driveways on each side of the site provide access to the off-street parking lots. A total of 28 off-street parking is currently provided on-site. The southern half of the parcel is undeveloped.

Parcels adjacent to the site are various residential uses. Single-family detached dwellings are to the east, north and south. A mix of single-family detached dwellings, a six-unit condominium and a triplex unit is to the west (see **Figure 1**).

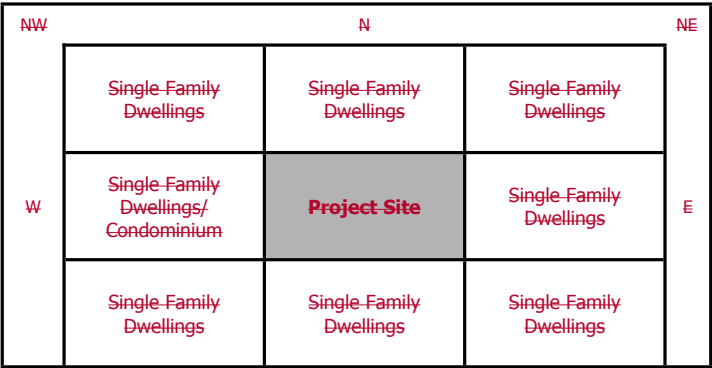


Figure 1: Adjacent parcel use diagram.

PROJECT DESCRIPTION

Comment [TME2]: @rick

I took this description from an old report for this same project. I don't know if its still accurate. Please verify.

Verizon proposes to install a single cupola on the new auxiliary building adjacent to the church. The cupola would be 29' 6" in overall height and house eight panel antennas with nine remote radio units ("**RRUs**") and four DC power surge suppressors. The lowest point on any antenna would be approximately 24.5 feet above ground level. The cupola would be painted and textured to match the finishes on the new auxiliary building. Verizon also proposed to place a crucifix on the north-facing cupola wall to blend with the church architecture.

All ground-mounted equipment would be contained within an eight-foot-tall wood-fenced enclosure placed behind the sanctuary near the center of the parcel. The equipment enclosure would include radio equipment cabinet, one cabinet for backup batteries, one standby diesel generator and various smaller cabinets for primary power and telephone utilities. Verizon's plans also depict additional space on the equipment pad for a "future" cabinet to be installed in a later modification.



Figure 2: Photo-simulated view from Hilby Ave. to show the finished facility as currently proposed.

The equipment enclosure and the cupola would be secured by solid gates made from the same materials used on the respective enclosure. No lights would be installed on or in the cupola but Verizon proposes to install three down-facing canister lights within the equipment closure at ground level.

Access to the ground-mounted equipment enclosure would be via an existing paved driveway. The enclosure would not reduce any on-site parking.

The facility would be unattended during normal operations. Verizon's authorized personnel would visit the site every few weeks and large equipment would be used only

during the initial installation and any modifications or removal work authorized by the City under a separate permit.

In the proposed configuration, the closest distance between the antennas and the nearest property line would be approximately 42 feet. The closest distance between the antennas and the nearest residential dwelling would be approximately 60.5 linear feet (a single-story residence at 1190 Waring Street), but the lowest point on the antennas would be approximately 10 feet above the highest point on the residential dwelling. The closest distance between the antennas and the nearest two-story residential dwelling would be approximately 183 linear feet (1196 Waring Street) with 4.5 horizontal clearance between the lowest point on the antennas and the highest point on the two-story residential dwelling.

The equipment enclosure, which includes the generator, would be near the center of the parcel further from adjoining property lines and residential dwellings. As measured from the approximate generator location, the nearest property line would be approximately 71 linear feet to the east (the next closest property line would be approximately 146 linear feet to the west). The nearest residential dwelling would be approximately 102.5 feet to the northeast (1478 Hilby Avenue).

Attachment 7

Approximate distances between proposed equipment and nearest property lines and residential dwellings (measurements made through Google Maps).

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Figure 3: Approximate distances between proposed equipment and nearest property lines and residential dwellings (measurements made through Google Maps).

LEGAL STANDARDS APPLICABLE TO WIRELESS FACILITIES

Various federal and state laws affect local land-use discretion over wireless facilities. The following discussion provides a summarized explanation for the key wireless-specific regulations applicable to Verizon's application.

Federal Telecommunication Act of 1996

Under the Telecommunications Act, State and local governments retain their local land use authority except that local regulations cannot (1) prohibit or effectively prohibit personal wireless services; (2) unreasonably discriminate among functionally equivalent services; (3) regulate based on environmental/health impacts from radio frequency ("RF") emissions. 47 U.S.C. § 332(c)(7)(B). The U.S. Supreme Court interprets Section 332(c)(7)(B) as a "specific limitation[]" on traditionally local zoning authority over personal wireless service facilities. *See City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115 (2005).

— All wireless permit denials must be supported with "substantial evidence in a written record." *See* 47 U.S.C. § 332(c)(7)(B)(iii). The "substantial evidence" standard incorporates the applicable local law and requires that the written record contains reasonable evidence to support the jurisdiction's conclusion (*i.e.*, more than a scintilla,

but less than a preponderance). *See Am. Tower Corp. v. City of San Diego*, 763 F.3d 1035, 1053 (9th Cir. 2014) (citing and quoting *Metro PCS, Inc. v. City and Cnty. of San Francisco*, 400 F.3d 715, 723-25 (9th Cir. 2005)). In other words, cities generally apply their own findings required by local law but must ensure any decision that a finding cannot be made is supported by evidence that meets a federal threshold.

Requirements to demonstrate a significant gap are preempted by the FCC's recent so-called "*Small Cell Order*." The FCC ruled that local regulations prohibit or have the effect of prohibiting service under the Telecommunications Act if they materially inhibit "densifying a wireless network, introducing new services, or otherwise improving service capabilities." The FCC rejected judicial interpretations that the Telecommunications Act limits the federal prohibition of service standard to "protecting only against coverage gaps or the like" as determined through a "coverage gap"-based approach."

With respect to RF emissions, Congress delegated authority to the Federal Communications Commission ("FCC") to establish a national standard for human exposure limits. *See CTIA-The Wireless Ass'n v. City of Berkeley*, 854 F.3d 1105, 1121 (9th Cir. 2017) (citing *Farina v. Nokia Inc.*, 625 F.3d 97, 106 (3rd Cir. 2010)). Congress likewise preempted contrary state and local regulations:

No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [FCC]'s regulations concerning such emissions.

47 USC § 332(c)(7)(B)(iv). The FCC established comprehensive rules for human exposure to RF emissions (the "FCC Rules"). *See* 47 C.F.R. §§ 1.1307 *et seq.*; *see also Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, Second Report and Order, 12 FCC Rcd. 13494 (Aug. 25, 1997). The FCC Rules preempt the field and state and local governments cannot establish their own standards. *See* 47 U.S.C. § 332(c)(7)(B)(iv).

Although localities cannot establish their own standards for RF exposure, local officials may require wireless applicants to demonstrate compliance with the FCC Rules. *See Procedures for Reviewing Requests for Relief from State and Local Regulations Pursuant to Section 332(c)(7)(B)(iv) of the Communications Act of 1934*, Report and Order, 15 FCC Rcd. 22821, 22828-22829 (Nov. 13, 2000) ("*RF Procedures Order*"). In the *RF Procedures Order*, the FCC acknowledged that state and local governments have a legitimate interest in compliance with the FCC Rules. *Id.* Rather than articulate an authorized process for compliance evaluations, the FCC encouraged municipalities and

industry to establish best practices that mirror the FCC's own compliance evaluation process. *Id.*

California State Law

For wireless facilities on private property, the California Government Code limits certain conditions that may be placed on permits issued by cities and counties. Permits must be at least 10 years long unless special land-use circumstances or public safety concerns warrant a shorter term. Local governments may not require all wireless facilities to be located on property owned by the same person or entity. Local governments may require a removal bond subject to limitations on the amount and use.

Although the California Government Code includes a special "deemed-approved remedy" for wireless applications when the city or county fails to act within the FCC's presumptively reasonable timeframe, that provision does not apply to this project. However, the same remedies for failures to act on any other development project would be applicable.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act, Cal. Pub. Res. Code §§ 21000 et seq. ("CEQA"), and the Guidelines for Implementation of the California Environmental Quality Act, 14 C.C.R. §§ 15000 et seq. (the "CEQA Guidelines"), staff evaluated the project for any significant effect on the environment. Staff concludes that the project qualifies for a categorical exemption from environmental review under CEQA Guidelines § 15303, which exempts the:

construction and location of limited numbers of new, small facilities or structure; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

In addition, staff concludes the project may also be subject to a categorical exemption from environmental review under CEQA Guidelines § 15301, which exempts "minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the [City]'s determination."

STAFF ANALYSIS

The public, the Planning Commission and the City Council all previously raised concerns about the Original Proposal's design and location, citing the significant visual impacts

that a large freestanding tower would have on the surrounding properties and residents. After an exhaustive alternative site evaluation, staff concludes that the current proposal is the best possible design and location because it would involve the lowest possible height and smallest visual change to any existing structure or property in the vicinity.

First, staff assesses this proposal to be the lowest technically feasible configuration for a site at this location. As noted in earlier staff reports, a standalone tower would have required additional height to “see” over the roofline on the church sanctuary. Further analysis by staff and Verizon concluded that a slightly lower tower could be feasible but would need to be placed on an elevation rise near the southeast corner on the parcel where it would be very close to existing residential dwellings. By moving the antennas to the auxiliary building, Verizon was also able to use antennas two-feet shorter than in the Original Proposal.

Second, this proposal involves less overall rooftop equipment with a lower visual profile than alternative cupolas previously considered on the church sanctuary. Although cupolas on the sanctuary would move the antennas further from adjacent uses, that approach would require two cupolas (one on each end) that would each be taller than the single cupola now proposed for the auxiliary building. Moreover, the alternative cupolas on the church sanctuary would have presented concerns over unauthorized access as children occasionally climb the buttresses and would have disrupted the existing aesthetic of the A-frame structure.

Third, the design keeps noise-emitting equipment within a solid-walled enclosure near the center of the parcel. This will mitigate any potential noise impacts to the neighbors and allow for additional noise-baffling insulation if needed to comply with the generally applicable ambient noise limit for this zone.

Finally, although staff would have preferred to find a location in a public/institutional zone or a commercial zone, an exhaustive search with more than 42 locations, including a multi-site small cell alternative, concluded that any technically feasible option would have been taller and/or required multiple facilities to cover the same geographic area. In some instances, two well-placed facilities may have less total impact on the community than one in a controversial location. However, as seen in the recently rejected small cell alternative, this does not appear to be one such instance.

Staff believes that the current proposal addresses the aesthetic concerns raised in prior meetings as much as possible. Accordingly, staff recommends that the City Council adopt the recommended findings and conditions below.

Recommended Findings

The numbered items below are required findings the City Council must make to approve the project. The first four findings are required for a Use Permit under SMC section 17.62.070.F; the last two findings are also required for a telecommunication facility under SMC section 17.54.040.E. The italicized text offset below each finding includes staff's analysis and recommendation.

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

Staff Comments: *This finding requires the City Council to consider several different provisions within the SMC, which are described with staff analysis below.*

SMC § 17.54.050 *authorizes wireless telecommunication facilities in residential districts so long as the applicant demonstrates that no other sites in public/institutional districts will provide adequate coverage. Here, the proposed project is located within an RS-8 district and the applicant has provided a written analysis that evaluates 42 alternative sites, including three sites in public/institutional districts. The applicant also evaluated a multi-site alternative within the public rights-of-way. Accordingly, staff concludes that the proposed project meets this requirement.*

SMC § 17.54.060 *provides design standards for wireless facilities. Facilities must be as far from property lines as possible and must not encroach into any setbacks. Facilities on existing structures may not extend more than 20 feet above the structure or above the zone height limit, except that facilities may be up to 80 feet above ground so long as the applicant demonstrates the additional height is needed for adequate service. The zone height limit for this property is 24 feet but SMC section 17.30.030.D.1 includes an exception for architectural features such as chimneys, church spires and cupolas. Here, the proposed cupola is above the base zone height limit but qualifies for an exception under both SMC sections 17.54.060 and 17.30.030.D.1. The additional height is the minimum necessary for adequate service as the antennas will need to "see" over the adjacent structures. Staff notes that the project has been significantly reduced in overall height from 39' 10" to 29' 6" (a more than 10-foot reduction) in response to pressure from the City to find the minimum necessary height extension for adequate service. Moreover, the additional height is in the form of a cupola that qualifies for an exception under SMC section 17.30.030.D.1. The ground equipment is placed near the center of the parcel well set back from the property lines. The antenna equipment on the auxiliary building could potentially be placed*

~~further from the property lines but that would require either a freestanding tower or cupolas on the church sanctuary, both of which have been previously deemed undesirable. Accordingly, staff concludes that the proposed project meets the applicable requirements in SMC section 17.54.060.~~

~~**SMC § 17.54.070** provides operational and maintenance standards for wireless facilities. Facilities must contain site identification, be maintained in good, graffiti-free condition at all times, comply with landscaping conditions and comply with limits on ambient noise. Here, subject to the proposed conditions in this report, the proposed facility will be compliant with these requirements. The facility will contain proper identification signage and will be conditioned on compliance with all generally applicable maintenance, graffiti removal, landscaping and noise limit regulations. The applicant does not propose to install any lights on the cupola and the lights within the enclosure will be pointed downwards within the fenced area. Subject to the conditions that the applicant mount the light fixtures below the fence line and place them on a timer, there is no possibility that the proposed project would shine light onto adjacent properties. The antenna equipment does not emit noise and the equipment enclosure near the center of the property will ensure that any noise from the proposed generator does not exceed 60 dB when measured from the property lines. In addition, a condition that requires the applicant to limit the operation of the generator and to install noise-baffling material will ensure adjacent properties are not disturbed by ambient noise above the limit for this zone. Accordingly, staff concludes that the proposed project meets the applicable requirements in SMC section 17.54.060.~~

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

~~**Staff Comments:** The Seaside General Plan designates the land use for the project site as RS (Low Density Residential). The land use designation is primarily intended for the development of detached single-family dwellings at densities up to eight dwelling units per square acre. Facilities for ancillary public services (e.g., water, sewer, telephone and electricity) are permitted in all zones. A telecommunication facility has been classified as a use similar to that of an ancillary public service listed above.~~

~~**Goal LU-4** is to ensure that new development complements existing land uses and enhances the character of the community and neighborhoods. **Policy LU-4.1** requires all new development to be compatible with surrounding uses, the site and available infrastructure.~~

~~Here, the proposed wireless telecommunications facility will provide telecommunications services (e.g., voice, Internet and other data-based communication services) ancillary to the existing and planned future residential uses in the vicinity. The project will complement the existing church use on the project site because the applicant proposes to conceal the equipment within one or more structures consistent with the existing architectural style, construction, materials and finishes on the existing church. Provided that no portion of the facility exceeds 29 feet and six inches above ground level, the proposed project as cupolas will be in scale with the existing church structure and other residential buildings nearby, and will not adversely affect the aesthetic character of the site or block views from adjoining residential properties. The ground mounted equipment enclosure will be compatible with the existing and planned future residential uses in the vicinity provided that the applicant constructs a wooden fence around the equipment without any barbed wire, razor ribbon or other similarly dangerous security devices, and further provided that no part of the equipment within the enclosure protrudes above the fence. The applicant shall install noise-baffling materials in connection with the fence to ensure compliance with all applicable ambient noise limitations. Any work or security lighting must be installed in a manner that minimizes illumination effects outside the enclosure and must be either motion sensitive or timed lights. Accordingly, staff concludes that the proposed project complies with the applicable provisions in the General Plan.~~

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

~~**Staff Comments:** The project will be designed to match the architectural style and construction of the existing auxiliary church building. All antennas and associated equipment will be completely concealed from public view behind fiber reinforced plastic panels, which the applicant will design, construct, paint and texture to match the appearance of the existing church. The proposed project will be compliant with the height limitations in SMC § 17.54.060.B so long as no part of the facility extends more than 29' 6" above ground level. The ground mounted equipment enclosure will be compatible with the existing and planned future residential uses in the vicinity provided that the applicant constructs a wooden fence around the equipment without any barbed wire, razor ribbon or other similarly dangerous security devices, and further provided that no part of the equipment within the enclosure protrudes above the fence. The applicant shall install noise-baffling materials in connection with the fence to ensure compliance with all applicable ambient noise~~

~~limitations (60 dB as measured from the nearest property line). Any work or security lighting must be installed in a manner that avoids illumination effects outside the enclosure and must be either motion sensitive or timed lights. Accordingly, staff concludes that the proposed project meets the applicable requirements for this finding.~~

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

~~**Staff Comments:** The proposed wireless telecommunication facility will have ingress and egress over an existing driveway appurtenant to Hilby Avenue. Existing water, wastewater and electrical connections already serve the project site with adequate capacity to support the proposed wireless telecommunication facility. The project site is developed with an existing church structure and is suitable to accommodate a wireless telecommunications facility that does not exceed 29 feet and six inches above ground level and is concealed within rooftop cupolas. Access shall be accomplished by an existing paved driveway. The facility's installation and operation will not reduce any available parking spaces or significantly affect traffic on neighborhood streets. Accordingly, staff concludes that the proposed project meets the applicable requirements for this finding.~~

~~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.~~

~~**Staff Comments:** The applicant provided a report dated December 4, 2019, prepared by Hammett & Edison, Inc. that concluded the proposed emissions from the transmitters would not exceed the maximum permissible exposure levels for the general population anywhere at ground level or at the second-story elevation of any nearby residence. Based on the proposed site design, the report predicted that emissions at ground level would not exceed 14% of the general population limit and emissions at the second-floor level of any nearby residence would not exceed 41% of the general population limit. The report also evaluated maximum exposure levels at the nearest two-story residence (1196 Waring Street) and found that the emissions would not exceed 12% of the general population limit. Although the report finds that the emissions on the rooftop of the sanctuary could be as high as 95% of the general population limit, this is still below the FCC's maximum permissible exposure level and the report recommends that Verizon conduct a post-installation test to determine actual compliance before the facility~~

Comment [TME3]: @rick

I am waiting to receive the RF report from Verizon. I will supplement this analysis and update any related portions when I receive it.

Comment [TME4]: @rick

I saw your note about the exposure levels on the sanctuary. I've reviewed the Hammett and Edison report and agree that the exposure on the sanctuary rooftop will be higher than we would like.

However, bear in mind that the exposure will be (1) less than the FCC's permissible level and (2) based on "worst-case scenarios". This means that that the engineer used the *highest possible output levels* the equipment could create. In other words, the equipment could not create exposures in accessible areas that exceed the FCC's maximum.

Nevertheless, I agree with Verizon's consultant that the theoretical models are too close to the FCC's maximum for comfort and we need an on-site measurement test. I've added new conditions that address this concern, below in Condition S.

~~commences unattended operations. The report also recommends mitigation measures, such as access restrictions on the auxiliary building rooftop, explanatory signage on access points to the rooftop and training/supervision for workers who need access to those areas. The City retained an independent consultant, who evaluated the report, concluded that its methods and findings were valid, and recommended specific mitigation measures to ensure compliance with all applicable federal regulations. The City's consultant agrees that post-installation testing is appropriate in this circumstance and has recommended specific conditions to ensure compliance with the FCC's rule and regulations regarding RF emissions. Accordingly, the City finds that it may not regulate the proposed telecommunications facility on the basis of any environmental effects from the proposed radio frequency emissions, and that the proposed telecommunications facility will not result in any adverse impact on the public interest, health, safety, convenience or welfare of the City.~~

~~The communication facility complies with all applicable requirements in SMC Chapter 17.54.~~

~~**Staff Comments:** This finding requires the City Council to consider several provisions within Chapter 17.54, which are described with staff analysis to Finding No. 1, above. Here, as noted above, staff finds that the proposed facility meets the applicable requirements in SMC Chapter 17.54. Accordingly, staff concludes that the proposed project meets the applicable requirements for this finding.~~

~~The communication facility will not adversely impact the character and aesthetics of any public right-of-way.~~

~~**Staff Comments:** The proposed project will not adversely impact the character or aesthetics of any public right-of-way because it would be located on private property. To the extent that the proposed project would be visible from locations within the public right-of-way, the proposed concealment elements that blend the wireless telecommunication facility into the existing church architecture sufficiently mitigate any indirect adverse impacts that might occur if the facility were unconcealed.~~

~~Recommended Conditions of Approval~~

~~Pursuant to Seaside Municipal Code Section 17.62.070.H, the City Council may impose any reasonable conditions to ensure that the approval will comply with the findings required for approval. Staff finds conditions to be appropriate in this case and, in~~

addition to any conditions proposed by the City Council, staff recommends the following conditions of approval:

Permit Term. This permit will automatically expire 10 years and one day from its issuance. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.

Strict Compliance with Approved Plans. Before the permittee submits any applications to the Building Department, the permittee must incorporate this permit, all conditions associated with this permit and the approved photo simulations into the project plans (the "**Approved Plans**"). The permittee must construct, install and operate the wireless facility in strict compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, are subject to the Director's prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern. Notwithstanding the foregoing, the Director shall not be authorized to approve any change in the overall height from that shown on the Approved Plans. By accepting this permit, the permittee acknowledges that the substantial time and effort to identify this design was due in large part because the additional height required for a freestanding tower or antennas mounted on the church sanctuary significantly impacted the visual quality and character of the site and surrounding neighborhood. The permittee further acknowledges that the other visible features such as the construction materials, paint color, finishes, textures and the general scale with the underlying auxiliary building all substantially contributed to the City Council's ability to make the findings for approval at this site location.

Post-Installation Final Inspection. The permittee shall submit plans and obtain permits prior to the construction, installation, or modification, of any wireless telecommunication facility or component thereof, in accordance with approved plans and shall obtain a successful final inspection.

Post-Installation Certification. Within 60 calendar days after the permittee commences full, unattended operations of a small wireless facility approved or deemed-approved, the permittee shall provide the Director with documentation reasonably acceptable to the Director that the small wireless facility has been installed and/or constructed in strict compliance with the approved construction

~~drawings and photo simulations. Such documentation shall include without limitation site photographs.~~

~~Maintenance Obligations; Vandalism.~~ ~~The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Any concealment elements shall be kept in "like new" condition at all times. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred. The permittee and property owner shall maintain any and all landscape features in accordance with an approved landscape plan, if any, and shall replace dying or dead trees, foliage or other landscape elements shown on the Approved Plans within 5 calendar days after written notice from the City.~~

~~Compliance with Laws.~~ ~~The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("Laws") applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the California Building Code, Seaside Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in any such permit, permit condition or any applicable law or regulation. Without limiting the generality of the foregoing, if the Director finds good cause to believe that the facility is not in compliance with any laws applicable to human exposure to RF emissions, the Director may require the permittee to submit a written report certified by a qualified radio frequency engineer familiar with the facility that certifies that the facility is in compliance with all such laws. The Director may order the facility to be powered down if, based on objective evidence, the Director finds that the facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the permittee demonstrates actual compliance with such laws. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all laws. No failure or omission by the~~

City to timely notice, prompt or enforce compliance with any applicable provision in the Seaside Municipal Code, this permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen the permittee's obligation to comply in all respects with all applicable provisions in the Seaside Municipal Code, this permit, any permit condition or any applicable law or regulation.

Adverse Impacts on Other Properties. The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction hours in accordance with Seaside Municipal Code, which includes without limitation Section 17.30.060.C. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for any activities that violates this condition.

Landscaping. The permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select plant and maintain replacement landscaping in an appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree or as otherwise approved by the City. The permittee shall, at all times, be responsible to maintain any replacement landscape features.

Backup Power; Generators. The permittee shall operate backup power generators only during (1) commercial power outages or (2) for maintenance purposes during normal construction hours in accordance with Seaside Municipal Code Section 17.54.070.B, as may be amended or superseded. Testing and cycling shall occur only on Wednesdays between the hours of 2:00pm and 3:00pm and no more frequently than once every 30 days. The Director may approve a temporary power source and/or generator in connection with initial construction or major repairs.

Inspections; Emergencies. The permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and

~~inspect the improvements and equipment upon reasonable prior notice to the permittee, or at any time during an emergency. The City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.~~

Permittee's Contact Information. ~~The permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.~~

Indemnification. ~~The permittee and, if applicable, the property owner upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, its agents, officers, officials, employees and volunteers from any and all (1) damages, liabilities, injuries, losses, costs and expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("**Claims**") brought against the City or its agents, officers, officials, employees or volunteers to challenge, attack, seek to modify, set aside, void or annul the City's approval of this permit, and (2) other Claims any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', or customers' acts or omissions in connection with this permit or the wireless facility. In the event the City becomes aware any Claims, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this permit, and that such indemnification obligations will survive the expiration or revocation of this permit.~~

Recall to Approval Authority; Permit Revocation. ~~The City Council may recall this permit for review at any time due to complaints about noncompliance with applicable laws or any approval conditions attached to this permit. At a duly~~

noticed public hearing and in accordance with all applicable laws, the City Council may revoke this permit or amend these conditions as the approval authority deems necessary or appropriate to correct any such noncompliance.

Record Retention. The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee. The permittee may keep electronic records; provided, however, that hard copies or electronic records kept in the City's regular files will control over any conflicts between such City-controlled copies or records and the permittee's electronic copies, and complete originals will control over all other copies in any form. The requirements in this condition shall not be construed to create any obligation to create or prepare any records not otherwise required to be created or prepared by other applicable laws. Compliance with the requirements in this condition shall not excuse the permittee from any other similar record-retention obligations under applicable law.

Performance Bond. Before the Building Department issues any permits required to commence construction in connection with this permit, the permittee shall post a performance bond from a surety and in a form acceptable to the Director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which includes without limitation all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings and foundations, whether above ground or below ground, constructed or installed in connection with the wireless facility, plus the cost to completely restore any areas affected by the removal work to a standard compliant with applicable laws. In establishing or adjusting the bond amount required under this condition, and in accordance with California Government Code § 65964(a), the Director shall take into consideration any information provided by the permittee regarding the cost to remove the wireless facility to a standard compliant with applicable laws. The performance bond shall expressly survive the duration of the permit term to the extent required to effectuate a complete removal of the subject wireless facility in accordance with this condition.

Abandoned Wireless Facilities. ~~The wireless facility authorized under this permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a wireless facility is abandoned or deemed abandoned, the permittee and/or property owner shall completely remove the wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Seaside Municipal Code. In the event that neither the permittee nor the property owner complies with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and property owner shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and/or restoration activities.~~

Light and Noise from the Equipment Enclosure. ~~The permittee shall install and at all times maintain in good condition noise baffling materials behind the fence to ensure compliance with all applicable noise regulations. All equipment at ground level, including all light fixtures, within the enclosure must be completely below and behind the fence. No lights shall be installed on the cupola. All lights for the equipment enclosure shall be operated on a timer switch (or similar device acceptable to the Director that prevents the lights from being left on) and installed and shielded so as to contain all illumination completely within the enclosure.~~

Truthful and Accurate Statements. ~~The permittee acknowledges that the City's approval relies on the written and/or oral statements by permittee and/or persons authorized to act on permittee's behalf. In any matter before the City in connection with the facility, neither the permittee nor any person authorized to act on permittee's behalf shall, in any written or oral statement, intentionally provide material factual information that is incorrect or misleading or intentionally omit any material information necessary to prevent any material factual statement from being incorrect or misleading.~~

Post-Installation RF Compliance Measurement and Report. ~~After the permittee completes the installation but before the permittee commences unattended operations at the facility, the permittee shall cause to be performed an on-site measurement test for compliance with the FCC's maximum permissible exposure limits. The test shall be performed by a qualified professional, reasonably acceptable to the City. Measurements shall be taken at the following locations: (1) from ground level at two or more points along each of the four property lines around 1460 Hilby Avenue; (2) within the playground area at ground level near the equipment enclosure; and (3) on the church sanctuary rooftop. All measurements shall be performed by a trained and qualified technician with a recently calibrated meter. The test results shall be compiled into a report prepared by a licensed engineer and submitted to the City for review. If the~~

report concludes that the facility does not comply with any FCC rules or regulations regarding RF emissions, the permittee shall immediately cease all operations at the facility, except for attended, intermittent operations for compliance testing purposes. The City may, at the City's option, select and retain a qualified third-party reviewed to evaluate the report, and the permittee shall reimburse the City for the actual, reasonable and documented costs for any such third-party review of the report. Upon its review of such report, the City may add to or amend the conditions of approval in this permit as may be necessary or appropriate to ensure compliance with the FCC's rules or regulations regarding RF emissions.

Annual Affirmation of Compliance with Current RF Exposure Standards. On or before January 30th in each calendar year, the permittee acknowledges and agrees that the permittee shall submit: (1) an affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, because it will not cause members of the general public to be exposed to RF levels that exceed the maximum permission exposure levels deemed safe by the FCC; (2) a copy of the fully completed FCC form "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A" titled "Optional Checklist for Determination of Whether a Facility is Categorically Excluded" for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands must be shown on the Appendix A form(s) attached to the application. All radio frequency emissions are to be entered on each Appendix A form only in wattage units of "effective radiated power."

Changes in RF Exposure Standards. The facilities must comply with all applicable regulations, standards and guidelines for RF exposure established by any governmental entity with the authority to regulate RF exposure standards. The permittee shall keep up-to-date on current information from the FCC in regards to maximum permissible RF exposure levels. In the event that the FCC changes its guidelines for human exposure to RF, the permittee shall, within 30 days after any such change, submit to the Director a report prepared by a qualified engineer that demonstrates actual compliance with such changed guidelines. The Director may, at the permittee's sole cost, retain an independent consultant to evaluate the compliance report and any potential modifications to the use permit necessary to conform to the FCC's guidelines. Failure to submit the compliance report required under this condition, or failure to maintain compliance with the FCC's guidelines for human exposure to RF at all times shall constitute grounds for use permit revocation.

RF Signage and Access Protocols. The following conditions shall be adhered to inform the general public, maintenance workers, and even trespassers/vandals

~~that might unknowingly be exposed to the emissions from the antennas while ascending the light standard:~~

~~The permittee shall keep all access points to the equipment enclosure, the rooftop of the auxiliary building and the cupola locked at all times, except when active maintenance is performed on the equipment.~~

~~The permittee shall install and at all times maintain in good condition an "RF information" sign and "network operations center" sign adjacent to the access points on the equipment enclosure and any access points to the rooftop on the auxiliary building. The signs required in this condition must be placed in a location where they are clearly visible to a person when he or she approaches the access door/gate/hatch in the open and closed positions.~~

~~The permittee shall install and at all times maintain in good condition an "RF information" sign and "10-step RF safety guidelines" sign at the base of the light standard. The signs required in this condition must be placed in a location where they are clearly visible to a person climbing the light standard.~~

Severability of Conditions. ~~If any provision in these conditions or such provision's application to any person, entity or circumstances is or held by any court with competent jurisdiction to be invalid or unenforceable: (1) such provision or its application to such person, entity or circumstance will be deemed severed from this permit; (2) all other provisions in this permit or their application to any person, entity or circumstance will not be affected; and (3) all other provisions in this permit or their application to any person, entity or circumstance will be valid and enforceable to the fullest extent permitted by law.~~

CONCLUSION

~~Subject to the conditions of approval in this report, staff recommends that the City Council approve the proposed Application No. UP-15-04 in the most current form. This proposal will improve the applicant's service quality within the neighborhood with the least intrusive change to the built environment. Moreover, per the recommended conditions, the applicant would be required to perform an on-site empirical compliance test subject to independent review and evaluation. Staff believes that that this proposal best accommodates all the aesthetic and safety concerns raised in prior hearings.~~

Comment [TME5]: @rick and gloria

I will hold off on this portion until I get feedback from staff on the findings and recommendations.

Comment [TME6]: @rick and gloria

I did not receive any feedback or guidance on this section. I've prepared the new text for your review. Please let me know if you would like to amend or add to this text.

**Verizon Wireless • Proposed Base Station (Site No. 270019 “Hilby Ave”)
1460 Hilby Avenue • Seaside, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 270019 “Hilby Ave”) proposed to be located at 1460 Hilby Avenue in Seaside, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

Executive Summary

Verizon proposes to install directional panel antennas above the roof of the two-story building at Faith Lutheran Church, located at 1460 Hilby Avenue in Seaside. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy; certain measures are recommended to comply with FCC occupational guidelines.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive limit for exposures of unlimited duration at several wireless service bands are as follows:

Wireless Service Band	Transmit Frequency	“Uncontrolled” Public Limit	Occupational Limit (5 times Public)
Microwave (point-to-point)	1–80 GHz	1.0 mW/cm ²	5.0 mW/cm ²
Millimeter-wave	24–47	1.0	5.0
Part 15 (WiFi & other unlicensed)	2–6	1.0	5.0
CBRS (Citizens Broadband Radio)	3,550 MHz	1.0	5.0
BRS (Broadband Radio)	2,490	1.0	5.0
WCS (Wireless Communication)	2,305	1.0	5.0
AWS (Advanced Wireless)	2,110	1.0	5.0
PCS (Personal Communication)	1,930	1.0	5.0
Cellular	869	0.58	2.9
SMR (Specialized Mobile Radio)	854	0.57	2.85
700 MHz	716	0.48	2.4
600 MHz	617	0.41	2.05
[most restrictive frequency range]	30–300	0.20	1.0

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The



**Verizon Wireless • Proposed Base Station (Site No. 270019 “Hilby Ave”)
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transceivers are often located at ground level and are connected to the antennas by coaxial cables. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, “Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation,” dated August 1997. Figure 2 describes the calculation methodologies, reflecting the facts that a directional antenna’s radiation pattern is not fully formed at locations very close by (the “near-field” effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the “inverse square law”). This methodology is an industry standard for evaluating RF exposure conditions and has been demonstrated through numerous field tests to be a conservative prediction of exposure levels.

Site and Facility Description

Based upon information provided by Verizon, including zoning drawings by SAC AE Design Group, Inc., dated November 25, 2019, it is proposed to install eight CommScope Model NHH-65B directional panel antennas behind a view screen enclosure to be constructed above the roof of the two-story building west of the sanctuary at Faith Lutheran Church, located at 1460 Hilby Avenue in Seaside. The antennas would employ up to 2° downtilt, would be mounted at an effective height of about 27 feet above ground, 4 feet above the top of the roof, and would be oriented in pairs toward 0°T, 90°T, 180°T, and 270°T, to provide service in all directions. The maximum effective radiated power in any direction would be 16,610 watts, representing simultaneous operation at 6,800 watts for AWS, 5,000 watts for PCS, 1,660 watts for cellular, and 3,150 watts for 700 MHz service. There are reported no other wireless telecommunications base stations at the site or nearby.

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation is calculated to be 0.11 mW/cm², which is 14% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby residence* is 41% of the public

* This occurs above the single-story residence at 1190 Waring Street, about 40 feet away, based on photographs from Google Maps.



**Verizon Wireless • Proposed Base Station (Site No. 270019 “Hilby Ave”)
1460 Hilby Avenue • Seaside, California**

exposure limit; the maximum calculated level at the second-floor elevation of the two-story residence at 1196 Waring Street, about 175 feet away, is 12% of the public limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation. Levels are calculated to exceed the applicable public exposure limit on the roof of the subject building, in front of the antennas. The maximum calculated level on the roof of the nearby sanctuary is 95% of the public limit.

Recommended Compliance Measures

Due to their mounting location and height, requiring specialized equipment to reach the roof of the subject building, the Verizon antennas would not be accessible to unauthorized persons, and so no measures are necessary to comply with the FCC public exposure guidelines. It is recommended that measurements be conducted on the roof of the sanctuary when the base station is ready to begin operation, in order to confirm that actual exposure levels there do comply with the FCC public exposure limits.

To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training, to include review of the information provided in Figure 3, attached, and review of personal monitor use and lockout/tagout procedures, be provided to all authorized personnel who have access to the roof, including employees and contractors of Verizon and of the property owner. No access within 36 feet directly in front of the Verizon antennas themselves, such as might occur during certain maintenance activities, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. It is recommended that explanatory signs[†] be posted on the screens in front of the antennas, readily visible from any angle of approach to persons who might need to work within that distance.

Conclusion

Based on the information and analysis above, it is the undersigned’s professional opinion that operation of the base station proposed by Verizon Wireless at 1460 Hilby Avenue in Seaside, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Taking measurements is recommended to establish

[†] Signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required.



**Verizon Wireless • Proposed Base Station (Site No. 270019 “Hilby Ave”)
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compliance with public exposure limits; training authorized personnel and posting explanatory signs are recommended to establish compliance with occupational exposure limits.

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2021. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



William F. Hammett, P.E.
707/996-5200

December 4, 2019



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

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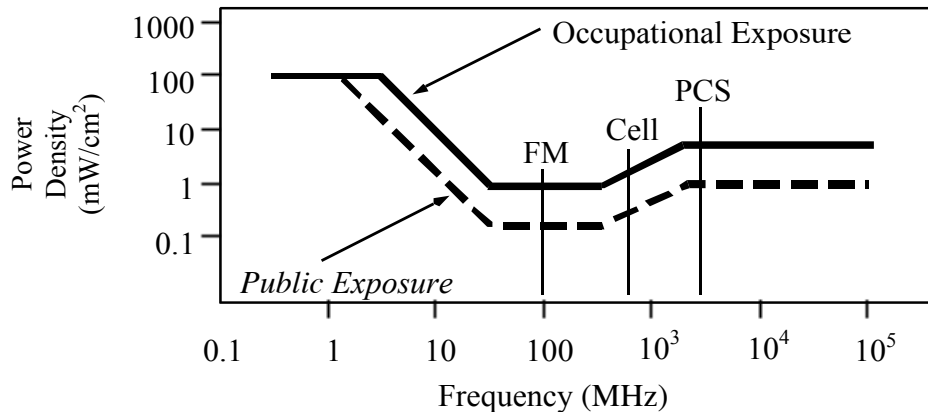
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Page 4 of 4

FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements (“NCRP”). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields (f is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√f	<i>1.59√f</i>	√f/106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

where θ_{BW} = half-power beamwidth of antenna, in degrees,

P_{net} = net power input to antenna, in watts,

D = distance from antenna, in meters,

h = aperture height of antenna, in meters, and

η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm²,

where ERP = total ERP (all polarizations), in kilowatts,

RFF = three-dimensional relative field factor toward point of calculation, and

D = distance from antenna effective height to point of calculation, in meters.

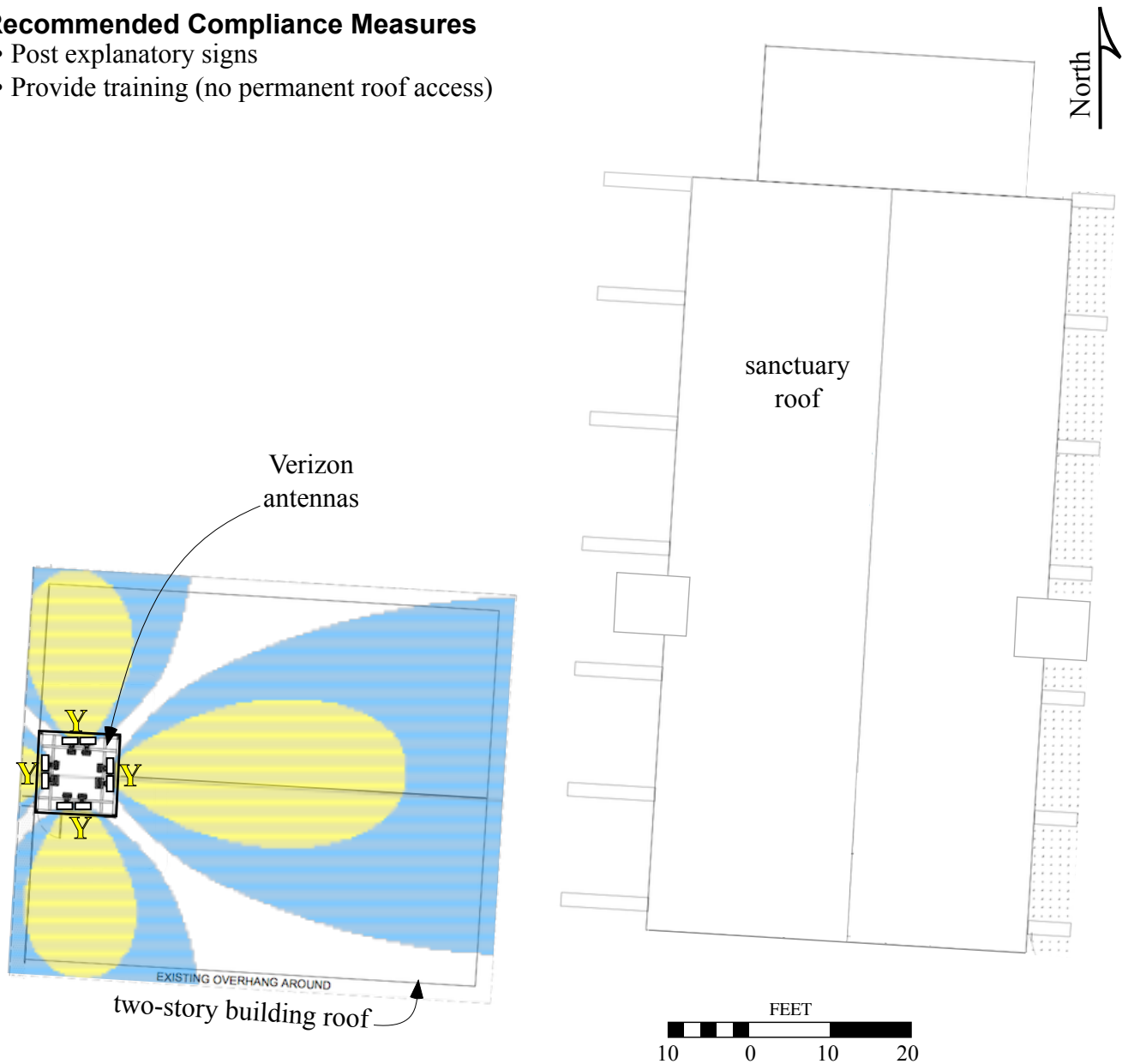
The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 ($1.6 \times 1.6 = 2.56$). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula is used in a computer program capable of calculating, at thousands of locations on an arbitrary grid, the total expected power density from any number of individual radio frequency sources. The program also allows for the inclusion of uneven terrain in the vicinity, as well as any number of nearby buildings, to obtain more accurate projections.

**Verizon Wireless • Proposed Base Station (Site No. 270019 “Hilby Ave”)
1460 Hilby Avenue • Seaside, California**

Calculated RF Exposure Levels on Roofs

Recommended Compliance Measures

- Post explanatory signs
- Provide training (no permanent roof access)



Notes: See text.

Base drawing from SAC AE Design Group, Inc., dated November 25, 2019.

Calculations performed according to OET Bulletin 65, August 1997.

Legend:	Less Than Public	Exceeds Public	Exceeds Occupational	Exceeds 10x Occupational
Shaded color	blank	■	■	■
Boundary marking	N/A	—	—	—
Sign type	I - Green INFORMATION	B - Blue NOTICE	Y - Yellow CAUTION	O - Orange WARNING



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CONSULTING ENGINEERS
SAN FRANCISCO

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Figure 3



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner

DATE: December 19, 2019

SUBJECT: APPEAL OF MASTER USE PERMIT NO. UP-16-07: RESOLUTION GRANTING APPEAL AND DENYING MASTER USE PERMIT NO. UP-16-07 RELATED TO A MASTER USE PERMIT APPLICATION SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON WIRELESS FOR THE INSTALLATION OF FOUR SMALL CELL WIRELESS FACILITIES ON UTILITY POLES NEAR THE FOLLOWING LOCATIONS: (1) 1101 BUENA STREET; (2) 1108 SAN LUCAS STREET; (3) 1431 WARING STREET; and (4) 1268 YOSEMITE STREET.

PURPOSE & RECOMMENDATION

Adopt A Resolution for the approval of an appeal which would serve to overturn the Planning Commission approval of Use Permit Application No. UP-16-07 and deny the proposed small cell wireless network facility.

BACKGROUND

On September 19, 2019, the City Council conducted a noticed Public Hearing to consider an appeal by Walt Ferguson on Use Permit Application No. UP-16-07.

In review of the public comments and evidence entered into the public record (written comments received are linked at <https://seasideca.civicclerk.com/Web/GenFile.aspx?ad=9533> , the City Council provided direction to City staff to prepare Resolutions on each proposal as follows:

Resolution for the approval of an appeal filed by Walt Ferguson which would serve to overturn the Planning Commission approval of Use Permit Application No. UP-16-07 and deny the proposed small cell wireless network facility (Attachment 1).

FISCAL IMPACT

None associated with adopting the resolution as presented.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
-

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING AN APPEAL BY WALTER FERGUSON AND DENYING AN APPEAL FROM SAC VERIZON WIRELESS FROM A DECISION OF THE PLANNING COMMISSION WHICH WILL RESULT IN THE DENIAL OF USE PERMIT APPLICATION No. UP-16-07 TO ESTABLISH A 3G/4G SMALL CELL WIRELESS TELECOMMUNICATION FACILITY NETWORK LOCATED ON UTILITY POLES IN THE PUBLIC RIGHT-OF-WAY.

WHEREAS, SAC Wireless on behalf of Verizon Wireless ("Applicant"), have applied for a Use Permit to establish a wireless telecommunication facility network located within the Public Right-Of-Way near the following locations:

1101 Buena Street
1108 San Lucas Street
1431 Waring Street
1268 Yosemite Street; and

WHEREAS, the proposed project is a 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 project at a duly noticed public hearing held on July 24, 2019 and August 14, 2019 and acted to adopt Resolution No. 19-14 on August 14, 2019 approving Use Permit Application No. UP-16-07; and

WHEREAS, Walter Ferguson, filed an appeal of the Planning Commission action to the City Council within the required seven-day period of appeal of an action made by the Planning Commission, and

WHEREAS, Applicant, filed an appeal of a portion of the Planning Commission's conditions of approval to the City Council within the required seven-day period of appeal of an action made by the Planning Commission, and

WHEREAS, it is the responsibility of the Seaside City Council to consider and weigh the merits of the appeal and application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code as a de novo hearing; and

WHEREAS, the Seaside City Council considered oral comments and written information concerning the appeal and proposed project under Use Permit Application No. UP-16-07 at a duly noticed public hearing held on September 19, 2019; and

WHEREAS, the project is Categorically Exempt, Section 15303(e) from the California Environmental Quality Act (CEQA) Guidelines.

Evidence: Approval of the proposed project would allow for a small cell telecommunication facility on four separate utility poles each with a single omnidirectional cylindrical antenna within a fiberglass shroud attached to the top of each pole. The installation of the wireless telecommunication antenna and equipment would consist of a minor addition to the existing pole and would not result in any increased intensity of the existing land use in the public right-of-way that would hinder or impede the use of the public space beneath the pole or the City's ability to conduct maintenance on the surrounding streets.

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings and evidence to document its approval of the Ferguson appeal and denial of the Applicant appeal and to reverse the decision of the Planning Commission on its approval of Use Permit Application No. 16-07:

1. The proposed use does not comply with all other applicable provisions of the Seaside Municipal Code ("SMC"). See SMC § 17.62.070(F)(1).

For the reasons stated more fully below, Verizon's proposed facility does not comply with all applicable provisions in the SMC and 2004 Seaside General Plan.

2. The proposed use is inconsistent with the General Plan. See SMC § 17.62.070(F)(2).

Land Use Element Policy LU-3.2 seeks to improve the physical appearance of residential neighborhoods. The City Council found that each proposed small cell would add more visual clutter on utility poles, which the City desires to eventually underground. The addition of new, bulky equipment on these poles would unreasonably exacerbate the existing unsightly appearance the above ground utility lines and poles that impact residential neighborhoods within the Buena Street, San Lucas Street, and Waring Street neighborhoods and would introduce to the Yosemite Street neighborhood in contravention of Policy LU-3.2. The failure to underground the equipment is also in conflict with the provisions of Chapter 17.54, which requires all non-antenna and non-support structure equipment to be placed underground.

Land Use Element Goal LU-4 and Policy LU-4.1 seek to ensure that new development complements existing land uses and enhances the character of the community and neighborhoods. The City Council found that the proposed facility on Yosemite Street would not conform to this policy because it would add new aboveground infrastructure that detracts from the visual character of the surrounding community.

Urban Design Element Goal UD-3 seeks to provide and maintain a streetscape system that protects views and enhances visual quality and continuity within the community. Further, Policy UD-3.1 seeks to protect private views of significant natural features, such as the Monterey Bay, Roberts Lake, the Pacific Ocean, the

surrounding mountains, and other important viewsheds. The City Council found that the new proposed utility pole at Yosemite Street would obstruct ocean views for Wanda Avenue residents, as well as hill views of Yosemite Street residents. Both the surrounding hills and ocean views are important viewsheds to the City of Seaside and its residents and new aboveground utility structures would negatively affect, rather than protect, those views. Furthermore, adding additional antennas, equipment cabinets, and wires onto existing poles would add to the intensification of existing cluttered views of the city's significant natural features from above ground utilities at the Buena Street, San Lucas Street, and Waring Street neighborhood, as well surrounding streets near these locations.

3. The site is not physical suitable for the type, density and intensity of use being proposed, including access, utilities and the absence of physical constraints. See SMC § 17.62.070(F)(4).

The City Council found that the site is not suitable for the use being proposed because the addition of a new pole along Yosemite Street increases the intensity and concentration of aboveground utility poles in the immediate area.

4. Granting the permit would be detrimental to the public interest, health or safety, or materially injurious to property in the vicinity and zone district in which the property is located. See SMC § 17.62.070(F)(5).

The City Council found that the public interest and identified goals and policies of the City's 2004 General Plan weighed against granting the permit. In addition, the City Council found that granting the permit would be detrimental to public health because Verizon provided no discernible evidence that the fasteners for pole-mounted equipment had been tested or approved for earthquake retrofitting standards. Granting the permit would be detrimental to public safety because Verizon did not provide sufficient evidence that an emergency shut-off switch would be adequate to protect against fire hazards in the event the equipment sparked or caught fire. Moreover, Verizon did not provide sufficient evidence that the proposed utility poles at the San Lucas Street and Waring Street sites had been fully inspected to ensure that the addition of equipment would not overload the pole in static conditions or in earthquake or high wind events. Taken together, granting the permit in light of these unresolved issues would be detrimental to public safety. Lastly, with respect to material injuries to property, the City Council found that the new utility pole proposed on Yosemite Street would obstruct Yosemite Street residents' views of the hills and Wanda Avenue residents' views of the ocean to an extent that would lead to diminished property values and that the intensification of antennas, equipment cabinets and wires being added to existing poles on the Buena Street, San Lucas Street, and Waring Street neighborhoods would also have the potential to obstruct residents' views of the hills and ocean to an extent that would lead to diminished property values .

5. The communication facility does not comply with all applicable requirements of SMC Chapter 17.54. See SMC § 17.54.040(E)(1).

SMC § 17.54.060(A)(1)(d) requires a ground-mounted facility that is located within a front or side setback or within a public right-of-way to be underground so that the facility will not detract from the image or appearance of the City. The City Council found that the proposed Facility on Yosemite Street would add a new pole where none currently exists. In addition, to the extent the accessory radio equipment could not be installed in an underground vault, the additional above ground equipment would violate the City's undergrounding requirements.

6. The communication facility will adversely impact the character and aesthetics of the public right-of-way. See SMC § 17.54.040(E)(2).

The City Council found that the proposed small cell wireless facility would adversely impact the character and aesthetics of the public right-of-way because the proposed facility at Yosemite Street would require the addition of new pole and the existing above ground conditions of the utility poles on Buena Street, San Lucas Street, and Waring Street would be worsened by introducing new apparatus onto these existing pole locations. A new aboveground pole would negatively impact aesthetics and detract from the character of the surrounding community by adding more visual and physical obstructions in the public right-of-way. The area of the existing neighborhoods where the existing poles are being replaced would also negatively impact aesthetics and detract from the character of the surrounding community by adding more visual and physical obstructions in the public right-of-way. The City desires to underground existing utility infrastructure to enhance community aesthetics and the addition of new poles would contradict the City's goals.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Seaside, State of California, on the 19th day of December 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: December 19, 2019

**SUBJECT: CONSIDER A FEE WAIVER AND CO-SPONSORSHIP
REQUEST FROM THE LULAC COUNCIL #2895 FOR COSTS
ASSOCIATED WITH THEIR SEASIDE 10K RUN**

PURPOSE & RECOMMENDATION

Consider a request from the LULAC Council #2895 for Co-Sponsorship and a waiver of fees and costs associated with their 2020 Seaside 10K Run on March 14, 2020 in the amount of Fifty-Nine Thousand, Nine Hundred and Thirty-Seven Dollars. (\$59,937.00).

BACKGROUND

The LULAC Council #2895 is planning to hold their Seaside 10K Run Event on Saturday, March 14, 2020 from 8:00 a.m. to 12:00 p.m. In addition, they will be having a 2K community walk during the 10K Run.

The LULAC Council #2895 is requesting Co-Sponsorship and a full fee waiver for costs associated with their Seaside 10K Run. A Special Event Application was submitted for review by the Special Event Committee. The attached information details the specifics of this event.

FISCAL IMPACT

Fees that would have been credited to the General Fund will not be collected if the fee

waiver is granted.

The City's adopted fee schedule includes the following approximate fees, which are applicable to this request:

Public Works Staff - Field	\$ 3,600.00
Public Works Staff - Traffic Control Plan	\$ 1,500.00
Police Department Staff	\$10,980.00
Recreation Staff	\$ 720.00
Traffic Control Plan	\$29,535.00
Traffic Control plan - Additional Cost	\$ 6,250.00
Porta Potties	\$ 1,000.00
Stage, Recycle/Trash Receptacles	\$ 800.00
Insurance	\$ 113.00
Contingency - 10%	\$ 5,439.00
TOTAL ESTIMATED COST	\$59,937.00

It is requested that the City Council consider the request and provide direction to staff.

ATTACHMENTS

1. Fee Waiver Request LULAC 2020
2. Special Event Application LULAC - 10K Run 2020
3. LULAC 10K Run Traffic Plan 2020
4. Letter from LULAC for the 10K Run 2020
5. LULAC 10K Run Draft 2020
6. Cost Estimate LULAC 10K Run 2020
7. LULAC Seaside 10K Run Events Letter Request
8. LULAC Seaside 10K Run 2020 Executive Summary

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside

FEE WAIVER REQUEST

Name of Applicant LULAC Council #2895 Organization Francisco Lopez
Address P.O. Box 2180 Seaside CA 93955
Street City State Zip
Home Phone 1-831-917-7969 Cell Phone 1-831-917-7969 Email Address events.lulac.2895@gmail.com

Room(s) Requested None requested. Event is outside

Day(s) and Date(s) Requested March 14, 2020

Hours Requested (include set-up time) 8⁰⁰ am - 12⁰⁰ pm Estimated Attendance 100

Description of Event Community Run and Walk

Special Instructions or Equipment to Be Brought In Audio/Video provided by organization

Reason for Requesting Fee Waiver

Community event held within the City of Seaside

Have you received a Fee Waiver in the past? Yes ☒ No ☐

If so, what was the date of your event? 2019 monthly mtg. room at Oldmeyer

Is your organization based in Seaside? Yes ☒ No ☐

What percentage of your members or participants resides in Seaside? 700%

Are you a registered non-profit organization? Yes ☒ No ☐

What is your organization's non-profit number? EIN Number 91-1919663

Is organization able to provide liability insurance? yes, as needed

Will alcohol be served or sold at your event? Yes ☐ No ☒

Applicant Signature Francisco Lopez Date 5-28-19

POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

Fees may be waived for activities that benefit the majority of Seaside residents. Any new organizations requesting fee waivers are required to submit a letter of intent and complete the Fee Waiver Request form to the Recreation Services Department. The application will be submitted to the City Manager or his designee for review and approval. In the event that the fee waiver request is denied by the City Manager, the request can be appealed to the City Council. Applicants must demonstrate that the following criteria are satisfied:

1. At least 60% of the organization's membership must consist of Seaside residents. The organization must provide documentation verifying membership residency.
2. The organization must be a 501© 3 non-profit or public benefit organization and provide proof of non-profit status and a current W9 form.
3. The organization must provide an in-kind service/donation to benefit and augment the City of Seaside. A written statement must be submitted with the application outlining specific donations and/or services provided by the organization to the City of Seaside.
4. Faith based organizations may apply for fee waivers as long as the fee wiaver is not directly involved to support inherently religious activities such as worship or religious instruction. Organizations must also serve all eligible beneficiaries without regard to religion.

FEE WAIVERS FOR MEETING ROOMS

1. Meetings are limited to four hours.
2. All organizations receiving fee waivers must give seven days notice of cancellation. If no notice is given of cancellation, the City reserves the right to deny further fee waiver requests.
3. Due to limited space, organizations may not request fee waivers for any more than one meeting room use per year; fee waivers are not intended to provide for ongoing weekly or monthly meeting use.

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

1. Pay the non-refundable portion of the deposit per event.
2. An organization requesting use of the auditorium for a special event or meeting may receive no more than one fee waiver request within a 90-day period.
3. Provide special event liability insurance. The following is required:
 - a. Provide an "Occurrence Made" liability insurance policy, naming the city as additionally insured, with limits of \$1 million per occurrence and \$2 million aggregate. A copy of that policy must be provided to the Recreation Services Department.

OR

- b. Purchase Special Event Liability insurance through the Recreation Services Department at the time of fee waiver request. This insurance covers not only the city, but also those renting the facility.
4. Fundraising activities of any nature do not qualify for fee waivers.
 5. Special events may be required to provide security at renter's expense. A photocopy of the contract must be on file with the Recreation Services Department. The number of security guards required is determined by the nature of the event and the numbers in attendance.

***A City-sanctioned organization is defined as "any community based group or organization that in cooperation with the Recreation Services Department, provides an entertainment, recreation and/educational service benefiting the citizens of Seaside."**

****All deposits are placed in the maintenance and janitorial fund designated for the upkeep and repair of the Oldemeyer Center.**

SPECIAL EVENT APPLICATION

Incomplete or illegible applications will not be processed. An application for a permit is NOT a permit.

ORGANIZATION NAME LULAC Council #2895, Monterrey
MAILING ADDRESS P.O. Box 2180 Seaside Ca. 93955
CONTACT NAME Francisco Lopez PHONE# 1-831-917-7969
PHONE# _____

Names and phone numbers of person(s) in charge of the event who can be contacted on a 24-hour basis during the event.

EMAIL: events.lulac.2895@gmail.com

EVENT NAME: Seaside 10K run

Event Category ☒ Athletic/Recreation ☐ Concert/Performance ☐ Circus
☐ Celebration/Festival ☐ Parade/Procession/March ☐ Dance
☐ Carnival ☐ Other _____

Setup Date March 14, 2020 Time 8:00 am
Event Starts Date March 14, 2020 Time 10:00 am
Event Ends Date March 14, 2020 Time 12:00 pm
Dismantle Date March 14, 2020 Time 12:00 pm

SITE LOCATION See attached map

DESCRIPTION OF EVENT-PLEASE ATTACH SITE/ROUTE MAP

Please provide detailed description of your event. Include details regarding any components of your event such as the use of vehicles, animals, rides, sanitation provisions or any other pertinent information about the event.

10 kilometer run with official runner time keeping start to finish. Plus, a 2K community walk.

SAFETY/SECURITY/ACCESSIBILITY

Please describe your procedures for crowd control and internal security

We will provide volunteers and request Seaside police assistance.

NAME OF SECURITY ORGANIZATION (If required)

Please attach security contract.

None at this time

SIGNS POSTED Yes

OF PARTICIPANTS 100

IS THE EVENT OPEN TO THE PUBLIC? (☒) YES () NO

If no, please describe how the event will be restricted and indicate plan on detailed schematic.

IF ADMISSION IS TO BE CHARGED, WHAT IS THE PRICE OF TICKETS FOR THE EVENT? No admission. Runners fee only.

(☒) NON-PROFIT 501 C(3) (☐) 501 C(6) () COMMERCIAL-FOR PROFIT
() OTHER

Federal ID# _____

Event Benifiting: LULAC scholarship fund

WHAT CITY SERVICES DO YOU ANTICIPATE YOU WILL NEED? (IE., POLICE, FIRE, RECREATION, PUBLIC WORKS, ETC.)

Police

Public Works

METHOD OF TRASH COLLECTION/DISPOSAL AND PROVISION FOR ADDITIONAL SANITARY FACILITIES

Trash cans layed out in select locations of route and monitored by event volunteers

PARKING ARRANGEMENTS:

Public Parking Needs

Public to park in City parking (public areas)

SPECIAL EQUIPMENT TO BE USED FOR PROPOSED EVENT. LIST ALL ELECTRICAL NEEDS YOU MAY REQUIRE

(☒) P.A. System	() Generator(s)	() Amplified sound/music
() Booths	() Bleachers	() Cooking fuel
() Tents	() Banners	() Barricades
(☒) Other	<u>Signage of race route/sponsors</u>	

DO YOU INTEND TO SELL FOOD OR BEVERAGE?

() YES (☒) NO

If YES, please attach Health Department Food Vendor Certificate.

DO YOU INTEND TO SELL OTHER MERCHANDISE?

(☒) YES () NO

of Vendors 1

Describe the type of merchandise.

LULAC merchandise
Race related merchandise

WILL ALCOHOL BE SERVED? () YES (☒) NO

WILL ALCOHOL BE SOLD? () YES (☒) NO

If yes, please attach ABC license.

WILL EVENT INCLUDE MUSIC OR LIVE PERFORMANCES? () YES (☒) NO

HOW WILL EVENT BE ADVERTISED AND PROMOTED?

Press Release
Social media

WILL FILM, VIDEO, OR PHOTOGRAPHY BE INVOLVED WITH THE PRODUCTION OF THE EVENT?

Internal LULAC photography/video

OTHER PERTINENT INFORMATION OR SPECIAL REQUESTS

In-kind services by the city of Seaside
: Waiver of event fees in return city sponsorship opportunities

APPLICANT AGREEMENT: All applicable fees must be paid 30 days prior to event date. No permit revisions will be accepted less than 14 days prior to the event date. The City of Seaside retains the right to terminate the event at any time should a responsible city official determine any activity related to the event is a threat to public safety and/or property. I (we) agree to abide by all laws, rules and regulations which may apply to this area. I (we) accept specific responsibility for other members of my group and for any damage done to city property and/or facilities, and agree to clean and restore the site to the condition in which it was found prior to the holding of the specific event. I certify under penalty of perjury that all the preceding information is true to the best of my knowledge. **Completed and signed special event form must be submitted to Recreation and Community Activities Director within seven working days of receipt of form.**

Permit Holder's Signature

Francisco Jorg

Date

May 6th 2019

APPLICATION MUST INCLUDE:

Non-refundable Application Fee of \$90.00

Detailed schematic of event location indicating specific activity sites. For non-profit organizations, a copy of non-profit status must be submitted.

Attach to application and mail to:

**City of Seaside
Recreation Services
Attn: N. Towne
986 Hilby Avenue
Seaside, CA 93955
(831) 899-6801 (P)**

(831) 899-6274 fax
email: towne.nancy@ci.seaside.ca.us

**Specific Event
Conditions of Approval**

- Event organizers must clean up any event-related trash.
- All event noise or sound must be kept to a minimum, particularly before 9:00 a.m. and must not create an annoyance to co-existing events.
- Permittee is responsible for the actions of all vendors and participants during the event.
- No activities are permitted onsite that are not included on your permit application.
- All City ordinances will be strictly enforced (alcohol, dogs, etc.).
- Permit must be kept on location at all times.

Failure to comply with the above conditions may result in immediate closure of the event and a ban on future events by the organizer in the City of Seaside.

PROVISIONS

Permittee waives all claims against the City, its officers, agents and employees, for loss or damage caused by, arising out of, or in any way connected with, the exercise of this permit and permittee agrees to save harmless, indemnify and defend City, its officers, agents and employees, from any and all loss, damage or liability which may be suffered or incurred by City, its officers, agents and employees caused by, arising out of or in any way connected with exercise by permittee of the rights hereby granted, except those arising out of the sole negligence of the City.

City shall have the privilege of inspecting the premises covered by this permit any and all time. This permit shall not be assigned. City may terminate this permit at any time if permittee fails to perform and covenant herein contained at the time and in the manner herein provided. City agrees it will not unreasonably exercise this right of termination.

The parties hereto agree that the permittee, its officers, agents and employees, in the performance of this permit shall act in an independent capacity and not as officers, employees or agents of the City. No alteration or variation of the terms of this permit shall be valid unless made in writing and signed by the parties hereto.

Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, sexual orientation, age national origin or physical handicaps. Permittee agrees to comply with the terms and conditions contained herein and all rules and regulation of the City subject to this permit.


Permit Holder's Signature

144th Council 2895 May 6th 2019
Title president Date

INDEMNIFICATION, DEFENSE, HOLD HARMLESS

Applications must furnish the city with a certificate of insurance in an amount no less than \$1 million naming the City of Seaside as an additional insured. The amount of insurance is subject to increase at the discretion of the Finance Director who is the Risk Manager, depending upon the nature of the event. Such insurance must be primary to any city insurance and the city must have at least ten days notice of cancellation.

For final event approval, you will need commercial general liability insurance that names "the City of Seaside, its officers, employees and agents" as an additional insured and any other public entities impacted by this event. Insurance coverage must be maintained for the duration of the event. To determine the amount of insurance coverage necessary, please contact Risk Manager. Please obtain the required insurance and mail an original insurance certificate to City of Seaside, Recreation and Community Activities Department, P.O. box 810, Seaside, CA 93955.

Name of insurance agent _____ Agent's Name _____
Business Phone _____ Policy Number _____

PERMIT HOLDER hereby agrees to protect, defend, indemnify and hold and save harmless **CITY**, its officers, and employees against any and all liability, claims, judgements, costs and demands, however caused, including those resulting from death or injury to **PERMIT HOLDER'S** employees and damage to **PERMIT HOLDER'S** property, arising directly or indirectly out of the obligations or operations herein undertaken by **PERMIT HOLDER**, including those arising from the passive concurrent negligence of **CITY** but save and except those which arise out of the active concurrent negligence, sole negligence, or the sole willful misconduct of **CITY** **PERMIT HOLDER** will conduct all defense at its sole cost and expense. **CITY** shall be reimbursed by **PERMIT HOLDER** for all costs or attorney's fees incurred by **CITY** in enforcing this obligation.

Date

Signature of Permit Holder

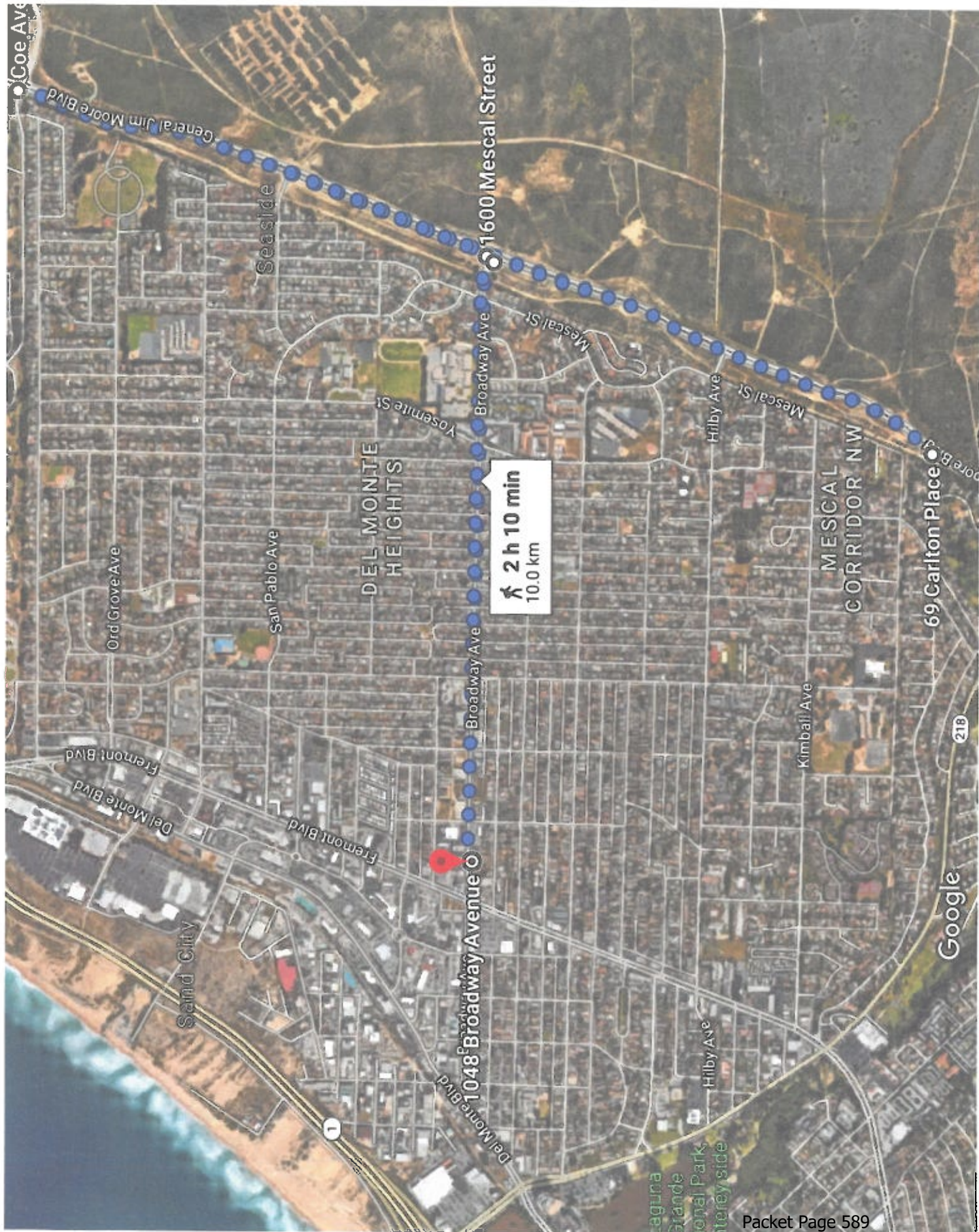
.....
Administrative Use Only

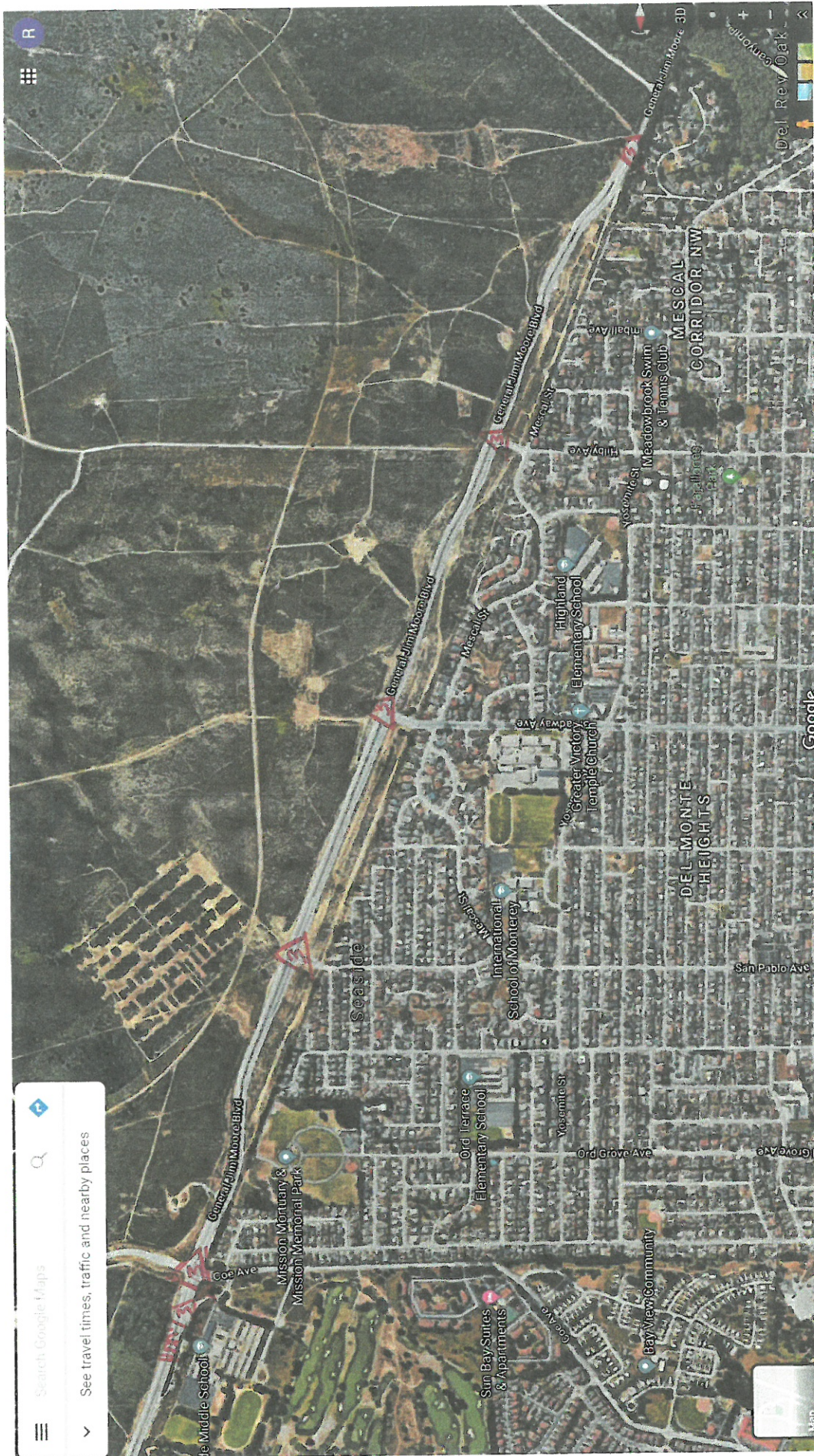
Sign Off

- | | |
|---|--|
| ☐ Building _____ | ☐ Recreation _____ |
| ☐ Planning _____ | ☐ Finance _____ |
| ☐ Police _____ | ☐ Public Works _____ |
| ☐ Fire _____ | ☐ County Health _____ |

Department Comments

Special Event application form
Revised February 18, 2014





LULAC 10K RUN MAP 2 OF 2





November 4th, 2019

Special Events Committee,
City of Seaside

Re: Seaside 10K Run

Dear committee members,

On behalf of our LULAC Council #2895, I am pleased to write a letter of reaffirmation regarding the “2020 Seaside 10K Run”.

As president of LULAC council #2895, I have overseen the events committee regarding the 2020 Seaside 10K run. The committee has met every Monday for the past 5 months, planning and preparing for the event.

The committee has completed every every item in the logistical action plan for the development of this event, and I am certain that the event will be inaugurated on time without any set-backs.

I confidently endorse the work done by the committee and am certain of their work in bringing about a successful 2020 Seaside 10K run.

Sincerely,

Francisco Lopez
President, LULAC Council #2895 “Monterrey”

1st Annual Seaside 10K Run

DRAFT

1. INTRODUCTION

LULAC Council 2895, established over 25 years ago on the Monterey Peninsula, with its home-base in Seaside, California, will bring to the Seaside community, a community-based 10K Run, per the due following:

- a. Seaside is home to some of the most prominent Latino runners on the Central Coast;
- b. A significant number of said runners have participated with the Big Sur Marathon International and other running events on the West Coast, for years;
- c. Jorge Diaz (Executive Committee member and Seaside resident) has placed 3rd at the Big Sur Marathon International, and has become a local icon among local and state, long-distance runners in the community;
- d. With a significant diverse, Latino population base in Seaside, and throughout California, the 1st Annual Seaside 10K Run will become the pride of the community, and beyond;
- e. With continued demographic shifts throughout California, potential for growth of the Annual Seaside 10K Run is very promising;
- f. Runners of all backgrounds, male and female, 18 years and up, will be invited to participate; and,
- g. With the City of Seaside's ongoing effort in the area of destination marketing, the 1st Annual Seaside 10K Run will significantly contribute towards the city's overall objectives.

2. ORGANIZING THE 1ST ANNUAL SEASIDE 10K RUN

LULAC Council 2895, a 501(c)(3) non-profit organization, directly affiliated with the California State and National League of United Latin American Citizens (LULAC), will leverage its network of non-profits, business entities and corporate entities, that LULAC Council 2895 has collaborated with on numerous events and occasions over the last two decades. The initial local partner of LULAC Council 2895 are the Latino Seaside Merchants Network, with added local community non-profits, health and educational entities - especially the athletic departments at the local high schools, community colleges and state universities.

The 1st Annual Seaside 10K Run is projected to raise money for the local LULAC Council 2895 and its various programs, with special emphasis on scholarships for youth; thus, bringing addition awareness to the organization and Seaside community in a favorable, productive and positive way.

The Executive Committee for the 1st Annual Seaside 10K Run has continued its weekly meetings to focus on the following planning elements:

- Goals and objectives, with short and long-term targets constantly reviewed and updated;
- The 10K course location and logistics
- Traffic and safety considerations
- Date and time considerations, with the total event time not taking more than 5-6 hours
- Event budgeting items that are being updated weekly updated
- Sponsorship development - both local and corporate
- In-kind donations (requests for printing, T-shirts, water bottles and give-always).

1st Annual Seaside 10K Run

DRAFT

3. 1ST ANNUAL SEASIDE 10K Run - SIGN-UPS

- A 10K website will be created
- Runner sign-ups will be done online via the 10K website
- Potential runners will be reached by 10K marketing components (Ads, flyers, etc.)
- Runners fees will be finalized in mid-July

4. 1ST ANNUAL SEASIDE 10K - BUDGET

- The Executive Committee has identified a preliminary, working budget
- A final budget will be established in early August
- Entry fees, sponsorships, in-kind services and donations, will offset costs and expenses

5. ANNUAL SEASIDE 10K - MARKETING & PROMOTION

As a non-profit, LULAC Council 2895 is soliciting marketing and promotional funding from local small businesses and corporate entities to provide funding to the 10K Run. As such, sponsorship funding will have access to all marketing components, based on levels of sponsorship funding, and prominently place on 10K T-shirts, to sponsorship signage on the day of the 10K run.

In addition, based on level of sponsorship funding, sponsors will be placed on TV, Radio and Print announcements designed to reach potential volunteers, runners and public attendees on the day of the 10K.

As such, the overall marketing and promotional campaign before race day will include:

- 10K Run exposure at targeted athletic stores, health clubs, community centers and parks
- 10K Run emails
- 10K Run website information
- 10K Run social media
- 10K Run media (TV, Radio, Print) announcements, PSAs, community calendars and news stories.

6. ANNUAL SEASIDE 10K - VOLUNTEERS

LULAC has begun mobilization and recruitment efforts to achieve the following:

- Ensure the 10K Run event is on event/community listings, emphasizing volunteer opportunities
- Recruit 10K Run volunteers by reaching out to other nonprofit organization and churches
- Ensure recruiting more volunteers on hand, than expected, in case of illnesses or emergencies
- Hold volunteer meetings before the 10K Run event to review logistics and jobs assignments
- Establish must-have volunteer stations for race day:
 - :: Set-up and clean-up
 - :: Runners check-in table
 - :: VolunteerS check-in table
 - :: 10K course monitors
 - :: Water stations
 - :: Start & Finish line staff, logistics & preparation

1st Annual Seaside 10K Run

DRAFT

7. ANNUAL SEASIDE 10K - PRE-RACE DAY LOGISTICS

- Finalize permits and insurance
- Finalize running course to be clearly identified and accurately measured
- Finalize clocks and distance markers along the running course
- Finalize running course cones, flags, signs and “water stops” for runners
- Finalize timing system and micro-chips ordering and delivery
- Finalize pre-race day registration logistics
- Finalize tables and chairs delivery for runners check-in, registration stations and sponsor tables
- Finalize the communication system for Volunteer Coordinators & Supervisors
- Finalize set-up of Registration, Volunteer, Sponsors, Vendors, Parking, First Aid, Awards Areas
- Finalize order and delivery of Start and Finish Line banners
- Finalize order and delivery of Awards (medals)
- Finalize order and delivery of PA system
- Finalize order and delivery of Stage
- Finalize invitations to elected officials, community leaders, notable runners and sponsors
- Finalize check-in areas of runners, volunteers, vendors, parking staff, First Aid, stage staff (PA system) sponsor booths, parking, Port-a-Johns logistics
- Finalize Runners Starting line logistics
- Finalize post-race Awards Ceremony

8. 1st ANNUAL SEASIDE 10K - RACE DAY LOGISTICS

- Set up running course to be clearly identified and accurately measured
- Set up clocks and distance markers along the running course
- Set up running course cones, flags, signs and “water stops” for runners
- Set up and re-test timing system
- Set up Start and Finish line banners
- Set up booth areas for runners, volunteers, sponsors, vendors, parking, Port-a-Johns, First Aid, PA & Awards area set-up
- Set up runners pre-race and post-race snacks area
- Check-in runners (runners vests with micro chips), volunteers, vendors, parking staff, First Aid, stage staff (PA system) and sponsors to assigned set-up areas
- Runners Registration
- Prep meeting with Volunteer Coordinators and 10K Monitors
- Prep meeting with Volunteers
- Prep meeting with Runners
- Runners starting line
- Starting Gun

1st Annual Seaside 10K Run

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9. ANNUAL SEASIDE 10K - AWARDS CEREMONY

- Mike (PA system check)
- Opening: TBD
- Presentation of Awards to Winners: TBD
- Close: TBD

10. ANNUAL SEASIDE 10K - POST-RACE DETAILS

- Clean up
- All signs must be taken down
- Storage of all signs and materials for next year 2020
- Gather and document feedback from those involved with the event to help plan the next one.
- Thank you notes to City, volunteers and sponsors
- Thank you notes to runners
- Memorialize race details like the number of participants, money raised, race photos, etc.
- Maintain contact with runners, volunteers and sponsors via emails and mailers
- Gather and document feedback from those involved with the 10K
- Thank you notes to City or Seaside
- Thank you Ad on local newspaper to runners, volunteers, residents, businesses and city

11. ANNUAL SEASIDE 10K - SAFETY

The most important concern is the safety of all participants. The following safety measures have been taken into consideration:

- First Aid stations
- Participant waivers (attorney to review and approve)
- Walking and running the course before race day to spot potential hazards or other issues
- Marking the course clearly with cones, flags and signs the day before the race
- Station volunteers at every turn, so running participants stay on running course
- Potential crossings, during the 10K, to be determined
- Ensure traffic control is present, so no vehicles can access the running course without permission
- Create a weather policy in case of adverse conditions
- Stock water stations throughout the course
- Ensure a medical presence for runner safety (per liability insurance)
- Educate volunteers on contact information in case of an emergency

Note: This document will be updated weekly by the Executive Committee of the **1st Annual Seaside 10K Run** as needed.

###

**Cost Estimate
10k Event Support
City of Seaside**

Item	Units	Qty	Unit Cost	Extended	Notes
PW Staff -Field	HR	36	\$ 100	\$ 3,600	2 staff for 8 hrs & 5 staff for 4 hrs - 72 hr "No Parking" Mob & Demob
PW Staff - Traffic Control Plan	HR	10	\$ 150	\$ 1,500	RFP and Implementation of TTCP
Traffic Control Plan	LS	1	\$ 29,535	\$ 29,535	TMI Proposal Attached - 10 flaggers for 10hrs
ADD Traffic Control Plan	LS	1	\$ 6,250	\$ 6,250	Add Item #4 PE stamp and 2 phases to TMI Proposal (see TMI Proposal)
Porta potties	EA	5	\$ 200	\$ 1,000	Includes mob/demob
Stage, recycle/trash receptacles	LS	1	\$ 800	\$ 800	Setup and removal included
PD Staff	HR	90	\$ 122	\$ 10,980	18 staff for 5 hrs (24 hard closure with staff to open for emergencies - see maps)
Rec Staff	HR	36	\$ 20	\$ 720	6 staff needed
LULAC Staff	NIC	0		\$ -	Notification for Driveway closures - NIC
LULAC Staff	NIC			\$ -	Authorization for driveway closures - NIC
				\$ -	
				\$ -	
				\$ -	
				\$ -	
				\$ -	
				\$ -	
Subtotal				\$ 54,385	
Contingency		10%	\$ 54,385.00	\$ 5,439	
Total Estimated Cost				\$ 60,000	



LEAGUE *of* UNITED LATIN AMERICAN CITIZENS

LULAC “Monterrey” Council No. 2895

December 2, 2019

To: Seaside Mayor Ian Oglesby and Seaside City Council Members
Fr: Francisco Lopez, President, LULAC Council No. 2895
Re: Events Application for the First Annual Seaside 10K Run & City Sponsorship Request

Cc: Seaside Latino Merchants Network

This is to request your approval of our Events Application for the First Annual Seaside 10K Run, to take place on Saturday, March 14, 2020, in Seaside, and the city’s Sponsorship invitation noted below.

EVENTS APPLICATION

As indicated in our application, the 10K Run “*T-Course*” route will begin at East Broadway Avenue (at Fremont Blvd.), and proceed east to General Jim Moore; at General Jim Moore, the route will go south towards the end of Seaside’s two-lane portion of General Jim Moore and make a return loop on General Jim Moore and proceed north towards Coe Avenue; a return loop will be made on General Jim Moore, heading south, towards Broadway Avenue; finally, at Broadway Avenue a right turn, going west, on towards the Finish Line at the bottom of Broadway Avenue (at Fremont Blvd.). See attached map.

An Executive Summary is attached for your perusal which provides you an outline of the major components of the Seaside 10K Run. We trust that our *executive committee’s* collective experience and qualifications in executing the run will be enhanced by the on-going recruitment of experienced and newly trained 10K run volunteers.

SPONSORSHIP REQUEST

Finally, we hereby request that the City of Seaside participate as a Major Sponsor of the First Annual Seaside 10K Run, together with LULAC Council 2895 and the Seaside Latino Merchants Network.

As Major Sponsor, we request that the hard costs presented to us by the Events Committee on November 6, 2019, at the Oldemeyer Center, become in-kind services to the 10K Run. In return, all major recognition of the 10K will prominently showcase the name of the City of Seaside and its logo.

Therefore, we look forward to final approval of our application and your participation as Major Sponsor of the First Annual Seaside 10K Run event on March 14, 2020.



Seaside 10K Run

March 14, 2020

EXECUTIVE SUMMARY

INTRODUCTION

LULAC Council 2895, established over 25 years ago on the Monterey Peninsula, with its home-base located in Seaside, California, for over 15 years, will bring to the community, a 10K Run based on the following:

- a. Seaside is home to one of the largest population of Latino runners on the Central Coast;
- b. A significant number of these runners have participated in the Big Sur Marathon, for years;
- c. Jorge Diaz, a Seaside resident and 10K Run *executive committee* member, is a 3rd Place Winner at the Big Sur Marathon;
- d. LULAC Council 2895 Officers and members have community and event-management experience;
- e. A 10K Run, based in Seaside, will bring economic, social and health awareness benefits to the community; and,
- f. With the City of Seaside's ongoing effort in the area of destination marketing, the Seaside 10K Run will significantly contribute towards the city's overall purposes and objectives.

THE SEASIDE 10K RUN EXECUTIVE COMMITTEE

The 10K Run *executive committee* is composed of members and officers of LULAC Council 2895 and the Seaside Latino Merchants Network. The *executive committee* has a unique combination of experiences: corporate and local business ownership and management; educational and tourism knowledge and experience; and, volunteerism and networking capabilities in Seaside and throughout California.

Additionally, the majority of the *executive committee* members have, or have had, hands-on experience, and direct participation, as runners and as volunteers with numerous running events throughout California.

THE PURPOSE OF THE SEASIDE 10K RUN

In addition to a 10K Run, this activity will include an opportunity for families - young and old, to participate in a short, healthy walk, intended to bring an awareness of the importance of a healthy community.

Proceeds of the Seaside 10K Run will benefit our local youth by way of a LULAC scholarship program and future, youth-centered activities. Projected revenues will be generated by 10K entry fees, 10K sponsorships and in-kind donations to the Seaside 10K Run. In addition, this 10K Run will enable the Seaside Latino Merchants Network, and other local programs, with funding for their respective community programs.

THE SEASIDE 10K RUN *PLAN OF ACTION*

The Seaside 10K Run *executive committee* has held planning meetings since June 2019 and has held weekly planning sessions since August 2019. The focus of these planning meeting have been to focus on these major components:

- The overall goals and objectives of the 10K Run are monitored and assessed, with short and long-term targets constantly reviewed and updated.



Seaside 10K Run

March 14, 2020

EXECUTIVE SUMMARY

- The 10K Run “*T-Course*” route, beginning at East Broadway (at Fremont Blvd.), to General Jim Moore; at General Jim Moore, turning right, and going south towards the end of Seaside’s two-lane portion of General Jim Moore; a return loop on General Jim Moore heading north towards Coe Avenue; a return loop on General Jim Moore heading south towards Broadway Avenue; a right turn on Broadway Avenue, going west, towards the Finish Line at the bottom of Broadway Avenue (at Fremont Blvd.). See attached map.
- Traffic and safety considerations along the route are of paramount concern to the executive committee, and logistical planning and related considerations are being addressed in tandem with the Seaside Police and Fire Departments, and Public Works.
- Security matters will be closely coordinated with the Seaside Police Department;
- The schedule for Saturday, March 14, 2020, is as follows:
 - The 10K Run will begin at 8:00am, finishing between 9:30am to 9:45am;
 - The 10K *Runners Ceremony* will begin afterwards, at 10:00am;
 - The community “Health Fair & Fiesta” will between 10:30am and 11:00am with health screenings, dietary information and general health related-information for the entire family;
 - In addition, food booths, a children’s area, entertaining dance groups and festive music, will also begin, ending at 3:00pm.
- A comprehensive budget for the Seaside 10K Run and the “Health Fair & Fiesta” activities has been formulated and is being updated as needed;
- Sponsors for the Seaside 10K Run and “Health Fair & Fiesta” are being pursued at the corporate and local levels.
- Media and Marketing Sponsorships will ensure that significant promotion, news and marketing opportunities, will benefit the Seaside 10K Run goals and objectives;
- In-kind requests are being finalized from local businesses for Seaside 10K Run T-shirts, printing, water bottles and runners give-always, such as energy bars and sunscreen lotion.
- Additional opportunities will be available for both local merchants and non-profit entities in the community.

SEASIDE 10K RUN SIGN-UPS

Sign-ups for the Seaside 10K Run will be primarily done online. As such, each runner will be digitally identified and subsequently ID’ed for running-time purposes. The Seaside 10K Run website is in its initial stage to primarily target sign-up of runners at www.seaside10krun.com, and subsequently become a promotional, recruitment and marketing vehicle for the Seaside 10K Run.

SEASIDE 10K RUN MARKETING & PROMOTION

As a non-profit, LULAC Council 2895 is soliciting marketing and promotional support from local print, radio and television entities. Media Sponsorships will be made available to selected media entities in order to reach potential runners, participants, volunteers and race day attendees.

Included in this effort will be marketing and promotional availabilities to retail entities in these targeted areas:



Seaside 10K Run

March 14, 2020

EXECUTIVE SUMMARY

- Athletic stores, health clubs, community centers and parks;
- An email campaign from the 10K committee to local businesses, organizations, churches and schools;
- A social media campaign for younger demos, targeting student runners and athletes.
- Promotion announcements via PSAs, community calendars and local news stories.

SEASIDE 10K RUN VOLUNTEERS

LULAC has begun to mobilize and recruitment volunteers as follows:

- Ensuring that the 10K Run is on the radar for event and volunteer opportunities listings;
- Recruiting 10K Run volunteers by reaching out to athletic departments at high schools, colleges, hospitals, non-profit organizations and local churches;
- Ensuing that the 10K Run has a surplus of volunteers on hand in case of race-day illnesses or emergencies;
- Hold volunteer meetings months, weeks and days before the 10K Run to finalize assignments, locations and schedules;
- Establish and staff must-have volunteer stations for race-day:
 - :: Set-up, maintenance and cleanup
 - :: Runners check-in tables
 - :: Volunteer check-in tables
 - :: Vendors check-in tables
 - :: Running course monitors
 - :: Running course water stations
 - :: First aid stations
 - :: Start & Finish Line logistics & preparations
 - :: *Runners Ceremony* logistics & preparations
 - :: “Health Fair & Fiesta” logistics & preparations
 - :: Photographer & videographer assignments

SEASIDE 10K RUN RACE-DAY LOGISTICS

To ensure a successful event the following items are top of mind:

- 10K Run Control Office
- Permits and insurance documentation available on-site (at Control Office)
- Security (names, assignments, management and contingency plans, at Control Office)
- Accurate running-course measurement, confirmed and completed
- Final review of running-course marked clearly with cones, flags and signs
- Final set-up of timing system and micro chips assigned to runners
- Final review of visible clocks and course markers
- Final review of runners registrations - online and hard copy paperwork
- Signage for check-in & registration tables (runners, sponsor & vendors)
- Signage for parking areas and port-a-johns (runners, sponsor, vendors and general public)
- Issuing of Seaside 10K Run T-shirts to volunteers and staff



Seaside 10K Run

March 14, 2020

EXECUTIVE SUMMARY

- Final set-up of refreshment areas for runners, volunteers and staff
- Final set-up of 10K Run Start and Finish Line banners and signage
- Final 10K Run Sponsor-signage placement
- Final set-up of pre and post-race, snacks, water and goodie bags
- Final booths, tables and chairs, placed for Sponsors, vendors, health groups and organizations
- Final review of parking areas
- Final review of port-a-johns
- Final review for booths (assigned list and location maps)
- Final set-up of tables and chairs for check-in, registration stations and sponsor booths
- Final set-up of “water stops” for runners
- Final set-up of staging, PA system, Sponsor banners and 10K signage
- Final testing of internal communication system for 10K monitors and staff
- Finalize dignitary list of Elected Officials, Notable Runners & Sponsors for Awards ceremony
- Final set-up of 10K Run Awards/Medals table (continuously staffed)
- Final stage prep and adjustments for afternoon entertainment
- Final checks of PA system, electrical outlets, scheduling of entertainment program, and MC script
- Final breakdown and clean-up
- Final clean-up review and walk-through

SEASIDE 10K RUN SAFETY

The most important concern is the safety of all participants. The safety measures have been taken into consideration: participant waivers (attorney to review and approve); walking and running the course before race day to spot potential hazards or other issues; marking the course clearly with cones, flags and signs the day before the race; station volunteers at every turn, so running participants stay on running course; ensure traffic control is present, so that no vehicle can access the running course; create a weather policy in case of adverse conditions; stock water stations throughout the course; ensure a medical presence for runner safety; and educate volunteers on contact information in case of an emergency.

SEASIDE 10K RUN POST-EVENT PLAN OF ACTION

A good post-event plan of action will include that all 10K Run signs be taken down immediately, and stored for the following year; gather and document feedback from volunteers and community groups involved with the event in order to help planning for the 10K Run in 2021; ensure that day-of-the 10K Run and “Health Fair & Fiesta” set-up, break-down and clean-up is effectively and efficiently managed; issue “Thank You” notes (emails) to runners, volunteers, Sponsors and the City of Seaside, for their role and participation in the 10K; prepare a final Seaside 10K Run financial report, together with a post-10K Run audit; and, maintain continued contact with runners, volunteers and Sponsors, and, showcase how their participation has positively impacted the 10K Run event, the community and future scholarship recipients.

#