

CITY OF SEASIDE

ORDINANCE NO. 991

**ORDINANCE ADOPTING THE PROJECTS AT MAIN GATE SPECIFIC PLAN
AND AMENDING TITLE 17 OF THE SEASIDE MUNICIPAL CODE IN
CONNECTION THEREWITH**

WHEREAS, on August 5, 2004, the City of Seaside adopted a new General Plan that sets the course for land use and development for the City; and

WHEREAS, the 2004 General Plan Urban Design Plan (Figure UD-1 and Figure UD-2) designates the Projects at Main Gate development site as the "North Gateway Specific Plan Area"; and

WHEREAS, the 2004 General Plan contains Implementation Plan LU-1.3.1 which directs the City to develop a Specific Plan for the North Gateway regional commercial area to implement the goals and policies of the General Plan; and

WHEREAS, the 2004 General Plan contains Policy UD-1.1 directing the City to create entrances to the City that announce arrival and help establish the City as the "Gateway to the Monterey Peninsula"; and

WHEREAS, The 2004 General Plan specifies that during redevelopment and revitalization activities, the City shall include zoning, development, and design standards that address signage, building facades, lighting, landscaping, and building color (Implementation Plan LU-2.4.1); and

WHEREAS, the Projects at Main Gate Specific Plan (Specific Plan) is the development and implementation of a regional commercial project that consists of the following two components: an open-air retail center with 559,500 square feet of retail space on 46.46 acres; and (2) a 250 room hotel/spa/conference facility on 7.75 acres. Two alternatives to the project are being contemplated that would allow for a 16-screen cinema at the retail center, or a large department store in lieu of the cinema.

WHEREAS, the Specific Plan includes development criteria specific to the Plan area which implement and are consistent with the policies of the General Plan; and

WHEREAS, the Specific Plan includes zoning district designations and maps that are specific to the planning area and will enable implementation of the Specific Plan consistent with the direction provided in the General Plan; and

WHEREAS, it is necessary to amend Title 17 of the Municipal Code to acknowledge and provide reference to the requirements and provisions contained in and amended by the Specific Plan; and

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WHEREAS, a Final Environmental Impact Report (Final EIR) has been prepared for the proposed project; and

WHEREAS, the Final EIR analyzes the environmental impacts of the Project including, project; cumulative, growth-inducing and irreversible environmental impacts, identifies and analyzes mitigation measures intended to reduce environmental impacts and considers alternatives to the project; and

WHEREAS, the Planning Commission conducted a duly noticed public meeting to consider the project and the environmental document on December 15, 2009; and

WHEREAS, the Planning Commission after receiving public testimony reviewed and considered the project, the environmental document, public comment and the response to comments unanimously recommended certification of the Final EIR and approval of the Specific Plan; and

WHEREAS, the City Council held a duly noticed public hearing on July 15, 2010 to receive public testimony and consider certification of the Final EIR, and adoption of the Specific Plan and concurrent amendments to the Zoning Code; and

WHEREAS, on July 15, 2010 the City Council certified the Final EIR for the Specific Plan as adequate and complete pursuant to the requirements of CEQA and has adopted the Statements of Overriding Consideration for those impacts that were determined to be significant and unavoidable; and

WHEREAS, after due consideration of public testimony and the information contained in the Final EIR, staff report; and supporting documents the City Council has determined that the Specific Plan is consistent with the goals, policies, and implementation measures set forth in the 2004 General Plan for the North Gateway Specific Plan area of the City, and

WHEREAS, the adoption of the Specific Plan and proposed amendments to Title 17 of the Municipal Code are necessary to implement the General Plan's vision for the creation of a regional commercial shopping center and entertainment activities ; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adopts the Projects at Main Gate Specific Plan based on the following findings and evidence:

1. The Projects at Main Gate Specific Plan, which is on file in the office of the City Clerk and is incorporated herein by reference, complies with the requirements of California Government Code Section 65451.

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Evidence: The Projects at Main Gate Specific Plan contains diagrams and text which illustrate the distribution and extent of land uses within the project area;

Evidence: The Projects at Main Gate Specific Plan contains component plans and textual references for the provision of streets, sewer capacity, and drainage needed to support the proposed land uses;

Evidence: The Projects at main Gate Specific Plan contains standards and criteria by which development will proceed including provisions establishing building heights, locations and lot coverage, setbacks, screen and perimeter walls and landscaping, parking, vehicle ingress and egress, land uses and limitations, signage, and utilities;

Evidence: The Projects at Main Gate Specific Plan contains implementation measures which will enable the City of Seaside to ensure that the development will proceed in accordance with the Specific Plan; and

Evidence: The Projects at Main Gate Specific Plan contains a discussion of the plan's conformance with the currently adopted General Plan, including consistency with the goals, policies and objectives of the Land Use Element and Urban Design Element of the General Plan.

2. The proposed adoption of the Specific Plan and amendments to Title 17 of the Municipal Code are consistent with Goals, Policies, and Implementation Plans of the General Plan.

Evidence: Granting the text amendment to the Seaside Municipal Code would result in consistency between the designations contained in the Specific Plan area and their zoning classifications consistent with the direction provided in the General Plan Land Use Element in regards to the North Gateway Specific Plan Area (GP Implementation Plan LU-1.3.1).

Evidence: Granting the changes to the General Plan Land Use Element and Land Use Map is consistent with the General Plan Land Use Policy LU-1.3 and Implementation Plan LU-1.3.1 which direct the preparation of a Specific Plan for the North Gateway area in order to encourage the creation of a regional commercial shopping center and entertainment facility in the North Gateway area of the City.

Evidence: The Projects at Main Gate Specific Plan will encourage development that helps the City achieve a jobs/housing ratio of 1.5:1 (Policy LU-1.2).

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Evidence: The Projects at Main Gate Specific Plan will encourage regional commercial and visitor-serving commercial development that will enhance the identity of the City of Seaside and attract visitors (LU-1.3).

Evidence: Through the Specific Plan process and the implementation of the design guidelines for the Projects at Main Gate, the project will create an entrance to the City that announce the arrival as the "Gateway to the Monterey Peninsula" and ensure that the development will provide visual harmony and united development at one of the designated major gateways identified on Figure UD-1 of the 2004 Seaside General Plan.

3. The proposed Zoning Code Amendment complies with the State Planning and Zoning Law, which requires consistency between the General Plan and the City's Zoning Code.

Evidence: The proposed amendment to Title 17 of the Municipal Code would bring the text of the City's Zoning Code into consistency with the City of Seaside General Plan, which provides for the Specific Plan zoning district classification of the North Gateway Regional Commercial Area.

Evidence: With the approval of the Projects at Main Gate Specific Plan, which is being processed concurrently as part of this Ordinance, the proposed amendment to Title 17 of the Municipal Code would make the text and map of the City's Zoning Code consistent with the Projects at Main Gate Specific Plan.

4. The Final EIR has been processed in accordance with the California Environmental Quality Act (CEQA).

Evidence: The Final EIR has been prepared and circulated in accordance with the State Guidelines. All feasible Mitigation Measures have been imposed upon the project to ensure that identified impacts have been reduced to the maximum extent feasible. The Final EIR was certified as complete and adequate by the City Council and Findings of Fact and Statements of Overriding Consideration have been adopted pursuant to CEQA.

NOW, THEREFORE BE IT FURTHER RESOLVED, the City Clerk shall certify to the adoption of this Ordinance for the Projects at Main Gate Specific Plan included as Exhibit "A"

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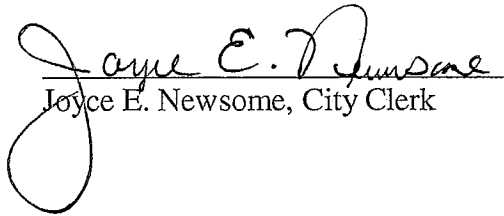
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 5th day of August, 2010, by the following vote:

AYES: Council Members: Alexander, Mancini, Oglesby, Bloomer, Rubio
NOES: Council Members: None
ABSENT: Council Members: None
ABSTAIN: Council Members: None



Ralph Rubio, Mayor
City of Seaside

ATTEST:



Joyce E. Newsome, City Clerk