



REGULAR MEETING

**JOINT SAND CITY COUNCIL AND
SUCCESSOR AGENCY OF THE
REDEVELOPMENT AGENCY**

TUESDAY, OCTOBER 17, 2023

5:30 PM

AGENDA
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY OF THE REDEVELOPMENT
AGENCY

Regular Meeting - Tuesday, October 17, 2023
5:30 PM

THIS MEETING WILL BE HELD VIRTUALLY AND IN PERSON, IS COMPLIANT WITH ASSEMBLY BILL (“AB”) 2449, SIGNED INTO LAW ON SEPTEMBER 13, 2022, WHICH AMENDS GOVERNMENT CODE SECTION 54953 TO PROVIDE AUTHORITY FOR PUBLIC AGENCIES TO CONTINUE TO HOLD VIRTUAL MEETINGS AND REMAIN IN COMPLIANCE WITH THE BROWN ACT (GOV. CODE §§ 54950 ET SEQ.). TO PARTICIPATE IN THE ZOOM COUNCIL MEETING LIVE:

<https://us02web.zoom.us/j/4614728829>

Meeting ID: 461 472 8829

**To participate telephonically by calling the number below:
(669) 900-6833**

Meeting ID: 461 472 8829#

If prompted to enter a participant ID, press #

**TO PARTICIPATE IN PERSON:
City Hall Council Chamber
1 Pendergrass Way
Sand City, CA**

How to submit written Public Comments:

If any member of the public would like to provide written comments at the meeting, please do as set forth below.

Written: All comments received before 8:00 am the day of the meeting will be posted on the City’s website as “Correspondence” under the relevant agenda item and provided to the City Council members at the meeting. Please email your comments to: cityclerk@sandcityca.org.

Read Aloud During the Meeting: Email your comments to cityclerk@sandcityca.org. When the Mayor opens the public comment period for the relevant agenda item; please indicate the agenda item and title in your email subject line. If you want your comment read aloud, prominently write “Read Aloud at Meeting” at the top of the email and your comments will be read into the record (not to exceed three minutes at staff’s cadence).

DURING EACH MEETING, members of the public may participate by calling and speaking live during the designated time(s), subject to time limits that may be imposed pursuant to the

Brown Act at the number provided above. Please use the "raise your hand" option on Zoom, and the City Clerk will call on your name.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. ANNOUNCEMENT BY MAYOR, CITY ATTORNEY, AND CITY MANAGER

5. COMMUNICATIONS

Members of the public may address the City Council/Successor Agency on matters not appearing on the City Council/Successor Agency Agenda at this time for up to three minutes. In order that the City Clerk may later identify the speaker in the minutes of the meeting, it is helpful if speakers state their names. Public comments regarding items on the scheduled agenda will be heard at the time the item is being considered by the City Council/Successor Agency.

The City Council Chambers podium is equipped with a portable microphone for anyone unable to come to the podium. If you need assistance, please advise the City Clerk as to which item you would like to comment on and the microphone will be brought to you.

6. PRESENTATION

- 6A. Economic Development Administration Recompete Grant Application and Proposed Future Plans for The Independent at 600 Ortiz Presentation: City Planner and Property Owner

7. PUBLIC HEARING

- 7A. Adopt the Findings of Fact Required by the California Environmental Quality Act (CEQA), The Final Initial Study [Mitigated Negative Declaration](#) and a Mitigation Monitoring and Reporting Program (MMRP) for the Sand City West End Parking Plan and Adopt the Sand City West End [Parking Plan](#).
[Staff Report](#)
[CEQA Resolution](#)
[Plan Adoption Resolution](#)

8. NEW BUSINESS

- 8A. Authorize State of California Local Jurisdiction Cannabis Retail Access Grant Program Funding
[Staff Report](#)
[Resolution](#)
[Application for Grant](#)

9. COMMENTS BY COUNCILMEMBERS ON ITEMS OF INTEREST TO SAND CITY

10. ADJOURNMENT

The current agenda is available in PDF format on our website at:
www.sandcity.org

If you have a request for a disability-related modification or accommodation, including auxiliary aids or services, which will allow you to participate in a Sand City public meeting, please call the City Clerk at (831) 394-3054 extension 220, or give your written request to the City Clerk at 1 Pendergrass Way, Sand City, CA 93955 at least 48 hours prior to the scheduled meeting to allow the City Clerk time to arrange for the requested modification or accommodation.

**AGENDA ITEM
6A.**

**Economic Development Administration
Recompete Grant Application and
Proposed Future Plans for The
Independent at 600 Ortiz Presentation:
City Planner and Property Owner**

AGENDA ITEM 7A.

Adopt the Findings of Fact Required by the California Environmental Quality Act (CEQA), The Final Initial Study Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP) for the Sand City West End Parking Plan and Adopt the Sand City West End Parking Plan.



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Michael Groves
SUBJECT: West End Parking Plan
DATE: October 17, 2023

BACKGROUND/DISCUSSION:

EMC Planning Group, with the assistance of Chuck Pooler, City Planner (prior to him retiring from the City) has completed the West End Parking Plan and the CEQA environmental documentation for the West End Parking Plan, along with receiving and reviewing public comments. The Parking Plan CEQA environmental documentation was available to the public for a 30-day public review period. The Plan has been provided in hard copy to the City Council and made available to the public at City Hall. Comments on the environmental document were due to the City by 5:00 pm on July 27, 2023. Two comments were received from Monterey-Salinas Transit (MST).

EMC Planning Group, on behalf of the City, will present at the October 17, 2023 City Council Meeting:

1. A brief Power Point Presentation on the West End Parking Plan Summary of Recommendations.

FISCAL IMPACT:

There is no fiscal impact to the City

RECOMMENDATION:

It is recommended by staff that the City Council hear the presentation on the West End Parking Plan, take public comment, and consider the following actions:

ATTACHMENTS:

1. Resolution for City Council Adoption of the CEQA Environmental Review Documentation on the West End Parking Plan; and
2. Resolution for City Council Adoption of the West End Parking Plan

**CITY OF SAND CITY
RESOLUTION SC ___, 2023**

**A RESOLUTION OF THE CITY COUNCIL OF SAND CITY, CALIFORNIA ADOPTING
THE FINDINGS OF FACT REQUIRED BY THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT (CEQA), THE FINAL INITIAL STUDY-MITIGATED NEGATIVE
DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP) FOR THE SAND CITY WEST END PARKING PLAN**

**THE CITY COUNCIL OF THE CITY OF SAND CITY DOES HEREBY RESOLVE AS
FOLLOWS:**

WHEREAS, when the City of Sand City (“City”) adopted the Sand City General Plan in 2002 (“General Plan”), the land use program for the West End District shifted from the existing industrial, warehouse, and service commercial uses to a vision of mixed uses with live-work studios, residences, art, entertainment, and restaurants. Along with the shift in vision has come a concern that adequate public parking be available to serve the new types of uses. The City contracted for a parking study to be completed by the RRM Design Group, W-Trans, and Watry Design Inc., which was finalized in 2004. The City then followed up with a parking plan, known as the West End Parking Plan (herein after “Plan”). EMC Planning Group was contracted to do an environmental initial study (IS) that analyzed the potential for the implementation of new parking in Sand City, as recommended by the Plan, to cause environmental impacts in accordance with California Environmental Quality Act (CEQA).

WHEREAS, the City determined that the subject project would not result in significant impacts on the environment after the implementation of mitigation measures, and therefore prepared an Initial Study-Mitigated Negative Declaration (IS-MND) pursuant to the California Environmental Quality Act (CEQA) and related Guidelines (Public Resources Code 21000 et seq.); and

WHEREAS, the CEQA analysis and conclusions take into account the whole of the action, including off-site as well as on-site, cumulative as well as project-level effects;

WHEREAS, the basis for a Mitigation and Monitoring Program (MMRP) is the mitigation measures included in the project’s mitigated negative declaration as part of the Plan. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. The categories for monitoring fall under hazards, biological and cultural resources.

WHEREAS, all mitigation measures identified in the Final Initial Study-Mitigated Negative Declaration and the MMRP will be required to be implemented in the future along with identified plan improvements;

WHEREAS, the City Council held a duly-noticed public hearing for the IS-MND and MMRP on July 18, 2023, where all interested persons were given the opportunity to be heard, and notice of said hearing was made public at City Hall and the Seaside Branch Monterey County Library and online on the City of Sand City's website.

WHEREAS, the Final Initial Study-Mitigated Negative Declaration and MMRP reflects the City Council's independent judgment.

NOW, THEREFORE, BE IT RESOLVED that there are no significant unavoidable effects and any significant effects on the project can be mitigated based upon the environmental analysis contained in the Final Initial Study-Mitigated Negative Declaration and MMRP, which properly assessed the environmental impacts of the project, in accordance with CEQA and the CEQA Guidelines. This resolution incorporates by reference the environmental findings and analysis set forth in the Final IS-MND.

PASSED AND ADOPTED by the City Council of the City of Sand City this 17th, day of October, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

**CITY OF SAND CITY
RESOLUTION SC ___, 2023**

**A RESOLUTION OF THE CITY COUNCIL OF SAND CITY, CALIFORNIA
ADOPTING THE SAND CITY WEST END PARKING PLAN**

WHEREAS, when the City of Sand City (“City”) adopted the Sand City General Plan 2002-2017 (“General Plan”), the land use program for the West End District shifted from the existing industrial, warehouse, and service commercial uses to a vision of mixed uses with live-work studios, residences, art, entertainment, and restaurants. Along with the shift in vision has come a concern that adequate parking be available to serve the new types of uses, and a trend toward reducing parking standards to attract those preferred uses. The Sand City Vibrancy Plan builds upon the adopted General Plan with new insights and approaches in order to reach the City’s goals. EMC Planning Group was contracted to create a parking plan that analyzed the potential for new parking and to identify and prioritize a list of parking improvements for implementation;

WHEREAS, this parking plan provides an updated analysis and action plan for implementing expanded or new parking strategies, facilities, and funding consistent with the General Plan and the Vibrancy Plan;

WHEREAS, this plan has provided a number of ways to address parking inefficiencies and the creation of new parking opportunities, while suggesting that the City’s Capital Improvement Plan and annual operating budget be utilized to prioritize parking improvements for implementation;

WHEREAS, the City of Sand City prepared an environmental document in accordance with the California Environmental Quality Act (CEQA) in order to analyze the potential impacts of implementing the Parking Plan recommendations. That environmental document was released for public review on June 28, 2023. The public review period ended July 27, 2023. It was published and made available on the City’s website, hard copies made available at City Hall and the public library, and was reviewed with the City Council on July 18, 2023;

WHEREAS, the City Council held a duly-noticed public hearing on July 18, 2023, all interested persons were given the opportunity to be heard, and notice of said hearing was made public at City Hall and in the local newspaper;

WHEREAS, the approval of the West End Parking Plan reflects the City Council’s independent judgment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby approve the West End Parking Plan and finds that the Plan implements the City’s need to add more public parking within the West End District

PASSED AND ADOPTED by the City Council of the City of Sand City this 17th day of October, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

**AGENDA ITEM
8A.**

**Authorize State of California Local
Jurisdiction Cannabis Retail Access Grant
Program Funding**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Zane Mortensen
SUBJECT: Receiving Cannabis Retail Grant Funds
DATE: October 17, 2023

BACKGROUND:

Commercial and medicinal cannabis businesses are currently prohibited from operating in the City under Section 18.69.010 of the Municipal Code. On December 15, 2020, , Council directed City staff to provide a roadmap reflecting how the City could potentially navigate the process of considering retail cannabis sales. Staff presented the roadmap to Council on February 2, 2021.

A draft Commercial Cannabis Ordinance was provided to council at the April 28, 2022 City Council Meeting. This draft Ordinance outlined the proposed standards of operation and permitting requirements for cannabis retail. While the ordinance provides the framework, additional funding was required to develop the permitting and licensing procedures required to properly implement cannabis retail within the City. Therefore, the City pursued this funding through grant opportunities provided by the California Department of Cannabis Control.

DISCUSSION:

The Cannabis Local Jurisdiction Retail Access Grant Program, which is administered by the California Department of Cannabis Control and provides funding to local jurisdictions that do not currently have a local cannabis retailer licensing program to assist them in developing and implementing a program and issuing permits pursuant to the program. The City of Sand City was awarded \$115,000 in funding on October 1st, 2023 and plans to use this funding to assist in the implementation of a retail cannabis permitting program.

The purpose of this grant is to assist municipalities with the implementation of a permitting program for the retail sale of cannabis within the recipient's jurisdiction. This grant is awarded to municipalities that do not already have a permitting program in place.

Goals and intended outcomes of the awarded grant are:

Goal 1. Develop and implement a local cannabis retailer licensing program.

Goal 2. Develop and implement a local cannabis equity program.

Goal 3. Issue Retail Licenses.

Goal 4. Support Equity Retail Applicants and Licensees.

The City of Sand City will use grant funds from the Department of Cannabis Control to establish a local cannabis retailer licensing program as described in its application for grant funds (attached).

CEQA: This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.

RECOMMENDATION:

Staff recommends APPROVAL of the attached resolution to accept funds allocated to The City of Sand City by The Cannabis Local Jurisdiction Retail Access Grant Program to develop a retail cannabis permitting and licensing program.

ATTACHMENTS:

1. Resolution
2. Application for Grant

**CITY OF SAND CITY
RESOLUTION SC ___, 2023**

**RESOLUTION OF CITY COUNCIL OF THE CITY OF SAND CITY AUTHORIZING
STATE OF CALIFORNIA LOCAL JURISDICTION CANNABIS RETAIL ACCESS
GRANT PROGRAM FUNDING**

The City Council finds:

WHEREAS, the California Legislature has appropriated funds for award by the California Department of Cannabis Control to eligible local jurisdictions to develop and implement a cannabis retailer licensing program;

WHEREAS, The City of Sand City has a plan to develop and implement a program to issue permits to commercial cannabis retail businesses;

WHEREAS, The City of Sand City has determined that it will use grant funds from the Department of Cannabis Control to establish a local cannabis retailer licensing program as described in its application for grant funds.

NOW, THEREFORE, BE IT RESOLVED that the City Manager of The City of Sand City is authorized to execute by electronic signature on behalf of The City of Sand City the grant agreement with the Department of Cannabis Control, including any extensions or amendments thereof and any subsequent grant agreement with Department of Cannabis Control in relation thereto.

BE IT FURTHER RESOLVED that The City of Sand City agrees to abide by the terms and conditions of the Grant Agreement as set forth by the Department of Cannabis Control.

Passed, approved, and adopted by the City Council in a meeting thereof held on October 17th, 2023 by the following:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

State of California, Department of Cannabis Control, Retail Access Grant

Attachment A: Permitting Plan

The Permitting Plan (DCC-2626) describes the local jurisdiction's plan to establish a cannabis retailer licensing program. If selected for a grant award, this Permitting Plan will be incorporated into the Grant Agreement as the Scope of Work.

Anticipated Local Cannabis Retail Licensing Program

What type(s) of cannabis retail activity will the jurisdiction allow? (Select all that apply)

- ☒ Retail Storefront
- ☒ Retail Non-storefront (Delivery)

Will the jurisdiction allow adult-use, medicinal, or both adult-use and medicinal commercial cannabis activities?

- ☐ Adult-use only
- ☐ Medicinal only
- ☒ Both adult-use and medicinal

How will the jurisdiction license cannabis retail businesses?

- ☐ Through the existing non-cannabis business license process (**eligible for priority review**)
- ☒ Through a new cannabis-specific licensing process

Will the jurisdiction limit the number of cannabis retail licenses available?

- ☒ Yes
- ☐ No

If the jurisdiction plans to limit the number of retail licenses available, approximately how many licenses will be made available? (*Please enter a whole number for each, not a range.*)

of storefront retail licenses: TBD- Based on zoning

of non-storefront (delivery) retail licenses: TBD- Based on zoning

If the jurisdiction plans to limit the number of retail licenses available, how do you propose to issue the licenses? (Select one)

- ☐ Competitive
- ☒ First-come, first-serve
- ☐ Lottery
- ☐ Other: Click or tap here to enter text.



Will your program license only cannabis retail business projects that are eligible for a categorical exemption under the California Environmental Quality Act (CEQA)?

- ☒ Yes (**eligible for priority review**)
- ☐ No

Anticipated Equity Program (If Applicable)

Will the jurisdiction's cannabis retail licensing program contain provisions to assist equity applicants?

- ☒ Yes (**eligible for priority review**)
- ☐ No

How will the jurisdiction assist equity businesses? (Select all that apply)

- ☐ Financial assistance
- ☐ Application fee waivers
 - ☐ License fee waivers
- Please describe: [Click or tap here to enter text.](#)
- ☒ Technical assistance (*select one or more of the following*):
- ☐ Legal guidance
 - ☐ Financial guidance
- ☒ Assistance with local and state license applications
- ☐ Compliance training
- ☐ Other: [Click or tap here to enter text.](#)

How will "equity" be defined?

- ☐ The jurisdiction has already completed an equity assessment. Provide a link or attach a copy: [Click or tap here to enter text.](#)
- ☐ The jurisdiction will complete an equity assessment.
- ☒ The jurisdiction will adopt the state's definition of "qualified equity applicant or licensee" ([CCR Title 4, §15014.1\(a\)](#)).

Will the jurisdiction limit the number of equity licenses available to cannabis retail businesses?

- ☐ Yes
- ☒ No

If the jurisdiction plans to limit the number of equity licenses available, approximately how many licenses will be made available? (*Please enter a whole number for each, not a range.*)

of storefront retail licenses: [Click or tap here to enter text.](#)

of non-storefront (delivery) retail licenses: [Click or tap here to enter text.](#)



Local Cannabis Retail Permitting Plan

Completed Efforts

What steps have already been taken, if any, to develop a local cannabis retail licensing program?

The City of Sand City initiated a commercial cannabis [survey](#) in 2021 to collect feedback from the community to help inform a proposed cannabis program. Until that time, the City of Sand City had not allowed for commercial cannabis retail, manufacturing, or cultivation. In that region, the cities of Seaside, Del Rey Oaks, and Marina, and the County of Monterey (unincorporated areas of Carmel, Big Sur, Moss Landing, et al.) had allowed commercial cannabis operations. Therefore, based on the feedback from the survey, City Council gave staff direction to draft a cannabis ordinance. The ordinance is sound with additional support needed from compliance and industry experts to help round out its discussion of equity, public safety, auditing, inspection, and additional areas as to not leave any gaps.

New Activities: Program Development

Will the establishment of a local cannabis retail licensing program require the adoption of a new ordinance or a change to existing ordinances?

☒ Yes.

Has an ordinance already been drafted?

☒ Yes ☐ No

☐ No. Please explain: [Click or tap here to enter text.](#)

What specific steps will you take to establish a local cannabis retailer licensing program? (Select all that you plan to do)

☐ Draft an ordinance, resolution, or regulations allowing the establishment of cannabis retail businesses within the jurisdictional boundaries of the jurisdiction

☒ Adopt an ordinance, resolution, or regulations allowing the establishment of cannabis retail businesses within the jurisdictional boundaries of the jurisdiction

☒ Hire staff and/or contractors

☐ Hold community outreach meetings and engagement events

☒ Conduct surveys or otherwise solicit input

☐ Form a stakeholder workgroup or technical advisory committee

☒ Consult local jurisdictions with existing cannabis programs

☐ Conduct economic studies

☐ Conduct environmental reviews

☒ Develop application forms and/or an online application portal

☐ Other: [Click or tap here to enter text.](#)



Estimated Timeline

Utilize the **chart** below to provide an estimated timeline for the steps that you anticipate taking to establish the local cannabis retailer licensing program. The established timeline should include the steps marked in the question above and, if applicable, the establishment of the equity program.

Date	Event
July 1, 2023	Internal infrastructure planning for permit CRM module implementation through iWorks. Staff will initiate discussion with iWorks to prepare a path forward for independent tracking and monitoring of cannabis permit workflow.
July 1, 2023	Analysis and review of other successful CA programs to inform the finalization of a permit application, renewal application, and fill in any missing elements of the existing draft ordinance.
July 14, 2023	Security and public safety implementation planning to identify any public safety implications and prepare a plan for monitoring.
August 15, 2023	Hire cannabis equity consultants to assist potential applicants who qualify for additional technical assistance.
September 1-October 31, 2023	Ordinance final review by City attorney for green light on applications. Program team will take final ordinance to City Council for approval in this time period.
November 1, 2023	Begin to accept cannabis permits
December 1, 2023	Milestone reports and progress meetings with program team. Check in with iWorks to mitigate any necessary changes to CRM.
January 1, 2023	Approve first cannabis permit authorizing operations (certificate of occupancy, inspections, State License confirmation)
January 1, 2024-June 30, 2026	Invoice grantor for Phase II support for each application approved by City
June 30, 2026	Final project close out report and final invoice.



When do you anticipate accepting your first cannabis retail license/permit application?

Date: December 2023

How long do you expect it will take to process each license application, from application submission to license issuance?

Proposed timeline in months: 1 month: Because the anticipated operation type requires less start up capital and facility modification than a cultivation or manufacturing, it is anticipated that it might take an operator one month to get through the permitting process from start to finish.

When do you anticipate issuing your first cannabis retail business license within your jurisdiction?

Date: January 2024

Staffing and Resources

Will you utilize existing staff, hire new staff, or use a contractor/consultant to operate your cannabis retail licensing program? (Select all that apply & enter the number of anticipated full-time equivalent positions for each)

- ☒ Utilize existing staff – # of positions: 3
- ☐ Hire new staff (permanent) – # of positions: To be determined
- ☐ Hire new staff (temporary) – # of positions: To be determined
- ☒ Use a contractor/consultant – # of positions: 2

How many staff members, including contractors, will you need to operate your cannabis retail licensing program on an ongoing basis?

Total number of full-time equivalent positions: Currently, at least 5 people, not including those needed to facilitate the rollout of the program and application management. The positions yet to be determined will provide new temporary and permanent staff. This will be based on the number of applications received and the increased workflow which is not anticipated to be substantial due to the limited number of licenses that will be available relative to zoning restrictions.

