CITY COUNCIL REGULAR MEETING

JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY

TUESDAY, JANUARY 21, 2025

5:30 PM

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

City Council Regular Meeting - Tuesday, January 21, 2025
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 WEBINAR LIVE:

https://us02web.zoom.us/j/88349100938

Webinar ID: 883 4910 0938

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

Webinar ID: 883 4910 0938#

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.

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1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

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

4. 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.

5. CONSENT CALENDAR

The Consent Agenda consists of routine items for which City Council approval can be taken with a single motion and vote. A Council member may request that any item be placed on the Regular Agenda for separate consideration.

5A. Approve a Resolution of the Sand City Joint Powers Financing Authority Confirming its Officers
Staff Report
Resolution
Public Agencies Filing

5B. Approve a Resolution Confirming Members of the Sand City Arts Committee
Memo
Resolution

5C. Approve a Resolution Appointing Mary Ann Schicketanz to the Design Review Committee
Staff Report
Resolution

5D. Approve a Resolution Ratifying Appointments to Various Local and Regional Agencies and Boards Effective January 21, 2025
Memo
Resolution
Appointments List

5E. Acceptance of City/Successor Agency Financial Reports from October 2024
Staff Report
October 2024 Cash Register Activity Report
October 2024 Check Report
October 2024 Check Report Successor Agency

5F. Acceptance of City/Successor Agency Financial Reports from November 2024
Staff Report
November 2024 Cash Receipt Report
November 2024 Check Report
November 2024 Check Report - Successor Agency

6. CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

7. PRESENTATION

7A. 2025-2029 Urban County Community Development Block Grant (CDBD) Consolidated Action Plan Estimated Funding Presentation: Dawn Yonemitsu, Monterey County Housing and community Development
2025-2029 Urban County Presentation

7B. Street Paving Plan Update Presentation: Leon Gomez, City Engineer

8. PUBLIC HEARING

8A. Approve a Resolution Approving Conditional Use Permit (CUP 24-077) and Site Plan for Smooth Coffee Co Coffee Roasters to Operate a Direct-to-Consumer and Wholesale Roasting Production Operation Within an Existing Building at 748 California Avenue
Staff Report
Resolution
EXHIBIT 1A Findings of Approval
EXHIBIT 1B Conditions of Approval
Exhibit 2 Location Map
Exhibit 3 Aerial Map
Exhibit 4 Site Photo
Exhibit 5 Topographic Survey
Exhibit 6 Floor Plan
Exhibit 7 Letter of Intent
Exhibit 8 Hazardous Material Questionnaire

8B. Approve a Resolution Approving Conditional Use Permit (CUP 23-007) and Site Plan for Temporary Truck Storage (Phase I) and a Food Truck Park and Community Event Space (Phase II) ("The Yard") at 725 Dias Avenue
Staff Report
Resolution

EXHIBIT 1A Findings
EXHIBIT 1B CoA
Exhibit 2 Location Map
Exhibit 3 Aerial Map
Exhibit 4 Site Photos
Exhibit 5 Site Plan
Exhibit 6 Letter of Intent
Exhibit 7 Hazardous Materials Questionnaire

9. NEW BUSINESS

9A. Approve a Resolution Approving and Adopting a Tickets and Passes Distribution Policy
Staff Report
Resolution
Tickets and Passes Policy

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

11. 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
5A.

Approve a Resolution of the Sand City Joint Powers Financing Authority Confirming its Officers

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Kerry Lindstrom, City Clerk
SUBJECT: Confirmation of Joint Powers Financing Authority (JPFA) Officers
DATE: January 21, 2025

BACKGROUND/DISCUSSION:
In accordance with Government Code Section 53051, the State of California requires that the governing body of each public agency file with the Secretary of State on a form prescribed by the Secretary of State a Statement of Facts Roster of Public Agencies Filing of its governing body. The Bylaws of the JPFA require that an annual meeting of the Directors of the Joint Powers Financing Authority must be held at the second regular meeting of the City Council of Sand City in November each year confirming its officers. The second regular meeting of the City Council of Sand City in November was canceled and awaiting the 2024 election results of new officers, the annual meeting of the Authority is being held at the time of the second regular meeting in January 2025. This is merely an annual update to the Statement of Facts.

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

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve the attached Resolution of the Sand City Joint Powers Financing Authority Confirming its Officers.

ATTACHMENTS:
1. Resolution of the Sand City JPFA Confirming its Officers
2. State of California Registry of Public Agencies Filing

SAND CITY JOINT POWERS FINANCING AUTHORITY
RESOLUTION NO. JPFA _____, 2025

RESOLUTION OF THE SAND CITY JOINT POWERS FINANCING AUTHORITY CONFIRMING ITS OFFICERS

WHEREAS, the Bylaws ("Bylaws") of the Sand City Joint Powers Financing Authority (the "Authority") require the Directors of the Authority to hold an annual meeting at the time of the second regular meeting of the City Council of Sand City in November each year; and

WHEREAS, the second regular meeting of the City Council of Sand City in November 2024 was canceled, the annual meeting of the Authority is being held at the time of the second regular meeting of the City Council of Sand City in January 2025.

NOW, THEREFORE, the Directors of the Authority do hereby resolve as follows:

1. The present members of the City Council of Sand City and staff are hereby confirmed as Directors of the Authority pursuant to Section 1.2 of the Bylaws of the Authority, as shown on the attached Statement of Facts:

    Mary Ann Carbone, Chair
    Jerry Blackwelder, Vice Chair
    Michelle Adams, Board member
    Marilee Diaz, Board member
    Elizabeth Sofer, Board member
    Kerry Lindstrom, Secretary

PASSED AND ADOPTED, by the City Council of the City of Sand City, this ___, day of _____, 2025 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, JPFA Chair

ATTEST:
DATED: _____

_____
Kerry Lindstrom, JPFA Secretary

Secretary of State
Registry of Public Agencies
(Government Code section 53051)

SF-405

IMPORTANT — Read Instructions before completing this form.

There is **No Fee** for a Registry of Public Agencies filing

Copy Fees – First page $1.00; each attachment page $0.50; Certification Fee - $5.00

This Space For Office Use Only

1. Type of Filing (Check one.)

- ☐ Initial Filing (first Registry of Public Agencies filing for an agency)
- ☑ Updated Filing (change to an existing Registry of Public Agencies record)

2. Agency Information

a. Full Legal Name of Public Agency
Sand City Joint Powers Financing Authority

b. Nature of Update (complete if Updated Filing)
Confirmation of governing board members

c. County
Monterey

d. Official Mailing Address
1 Pendergrass Way, Sand City, California 93955

3. Chairperson, President, or Other Presiding Officer

a. Name
Mary Ann Carbone

b. Title
Mayor

c. Business or Residence Address
1 Pendergrass Way, Sand City, California 93955

4. Clerk or Secretary

a. Name
Kerry Lindstrom

b. Title
City Clerk

c. Business or Residence Address
1 Pendergrass Way, Sand City, California 93955

5. Other Members of the Governing Board (Enter as many as applicable. Attach additional pages for additional members.)

Name	Business or Residence Address
Michelle Adams	1 Pendergrass Way, Sand City, California 93955
Jerry Blackwelder	1 Pendergrass Way, Sand City, California 93955
Marilee Diaz	1 Pendergrass Way, Sand City, California 93955
Elizabeth Sofer	1 Pendergrass Way, Sand City, California 93955

6. Date and Sign Below (Additional members set forth on attached pages, if any, are incorporated herein by reference and made part of this Form SF-405, Registry of Public Agencies.)

Date _____ Signature _____ Kerry Lindstrom, City Clerk
Type or Print Name

Instructions for Completing the Registry of Public Agencies (Form SF-405)

The governing body of a public agency is required, within 70 days after the commencement of the agency's legal existence, to file a specified statement of facts about the agency with the Secretary of State. This information is also required to be updated within 10 days of a change to it.

Fees:

- **Filing Fee:** There is **no fee** for a Registry of Public Agencies filing.

Copies: To obtain copies or certified copies of the filed document, include payment for copy fees and certification fees at the time the document is submitted. Copy fees are $1.00 for the first page and $0.50 for each additional page. For certified copies, there is an additional $5.00 certification fee, per copy.

Payment Type: Check(s) or money orders should be made payable to the Secretary of State. **Do not send cash by mail.** If submitting the document in person in our Sacramento office, payment also may be made by credit card (Visa or Mastercard).

If you are not completing this form online, please **type or legibly print** in black or blue ink. **Complete the Registry of Public Agencies (Form SF-405) as follows:**

Item	Instruction	Tips
1.	You must check the appropriate box (**check one**).	• If this is the first Registry of Public Agencies filing for an agency, check "Initial Filing". • If this is a change to an existing Registry of Public Agencies record, check "Updated Filing".
2a.	Enter the full legal name of the public agency.	
2b.	Indicate the nature of the update if this is an updated filing.	• Leave this blank for initial filings. • For updated filings, list information that has changed.
2c.	Enter the county or counties in which the agency operates.	• List as many as applicable. If additional space is required, attach additional pages.
2d.	Enter the agency's official mailing address.	• The **complete address** is required, including the street name and number, city, state, and zip code. • P.O. box is acceptable.
3a.	Enter the Chairperson, President, or Other Presiding Officer's name.	
3b.	Enter the Chairperson, President, or Other Presiding Officer's official title.	• Include the full official title.
3c.	Enter the Chairperson, President, or Other Presiding Officer's business or residence address.	• A **complete address** is required, including the street name and number, city, state, and zip code.
4a.	Enter the Clerk or Secretary's name.	
4b.	Enter the Clerk or Secretary's official title.	• Include the full official title.

4c.	Enter the Clerk or Secretary's business or residence address.	• A **complete address** is required, including the street name and number, city, state, and zip code.
5.	Enter the name and business or residence of any other members of the agency's governing board, if applicable.	• A **complete address** is required, including the street name and number, city, state, and zip code. • Attach additional pages if additional space is required.
6.	Date, sign, and print the name of the individual completing the form.	

Where to File: Completed forms along with the applicable fees, if any can be mailed to Secretary of State, Special Filings Unit, P.O. Box 942870, Sacramento, CA 94277-2870 or delivered in person (drop off) to the Sacramento office, 1500 11th Street, 2nd Floor, Sacramento, CA 95814. This form is filed only in the Sacramento office.

Legal Authority: General statutory filing provisions are found in Section 53051. All statutory references are to the California Government Code, unless otherwise stated.

AGENDA ITEM
5B.

Approve a Resolution Confirming Members of the Sand City Arts Committee

MEMO

TO: City Council
FROM: Mayor Mary Ann Carbone
SUBJECT: Confirming Members of the Sand City Arts Committee
DATE: January 21, 2025

BACKGROUND/DISCUSSION:
The Sand City Arts Committee was established in 1995 by Resolution SC 95-73 and is a body of 5 members that seek to bring a vision and commitment of the arts to Sand City.

Arts Committee appointments are considered on an annual basis and are appointed by the Mayor, ratified by the City Council, and re-appointed annually before the expiration of their term.

It is recommended that the Council approve the attached resolution confirming members of the Sand City Arts Committee whose appointments will be through January 31, 2026.

ATTACHMENTS:
1. Resolution

CITY OF SAND CITY
RESOLUTION SC 25-____, 2025

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY CONFIRMING MEMBERS OF THE SAND CITY ARTS COMMITTEE

WHEREAS, Resolution SC 95-73 established the structure and organization of the Sand City Arts Committee; and

WHEREAS, the Sand City Arts Committee is a body of five (5) members; and

WHEREAS, the Arts Committee's function is as outlined in Resolution SC 95-73, including to establish, promote, and enhance artistic endeavors within Sand City and to advise and make recommendations to City Council regarding same; and

WHEREAS, according to Resolution SC 95-73, Art Committee members are appointed by the Mayor and ratified by the City Council; and

WHEREAS, Arts Committee appointments are considered on an annual basis and thereby require renewal by the City Council; and

WHEREAS, other volunteers who participate in Arts Committee events and meetings are considered "Friends of the Sand City Arts Committee" and not voting members.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Sand City as follows:

1. Membership for the Sand City Art Committee will be through January 31, 2026, subject to annual appointment and/or reappointment thereafter;
2. The Sand City Arts Committee will follow the policy and recommendations as outlined in Resolution SC 95-73;
3. The following have been recognized as the official Sand City Arts Committee members: Brian Clark, Michelle Djokic, Libby Sofer, Fred Saunders, and Shelby Hawthorne.

PASSED AND ADOPTED by the Sand City Council on this ____, day of _____, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

_____
Kerry Lindstrom, City Clerk

AGENDA ITEM
5C.

Approve a Resolution Appointing Mary Ann Schicketanz to the Design Review Committee

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Vibeke Norgaard, City Manager
SUBJECT: Appointment to Fill Design Review Committee Vacancy
DATE: January 21, 2024

BACKGROUND/DISCUSSION:
The Design Review Committee (DRC) is a City of Sand City standing advisory committee comprised of property owners, professionals and residents who specialize in architecture and landscape architecture. Appointees to the DRC serve a 2-year term. The DRC currently has two (2) vacancies.

Mary Ann Schicketanz has agreed to participate on the DRC. Mary Ann Schicketanz is the Founding Principal Architect, of Studio Schicketanz a full-service architecture, interior design, and consultancy firm based in Carmel, California. Mary Ann Schicketanz has been a practicing architect for more than three decades, with a portfolio spanning the Western United States, as well as Europe. She is known for creating designs that offer classic simplicity and natural elegance.

A leader in the integration of green design principles with strong thematic design concepts, her work is widely published and she frequently speaks on the subject. Mary Ann is a past president of AIA Monterey Bay and serves on the Board of the Philip Glass Center. Mary Ann Schicketanz has won numerous awards, the most recent of which is the 2024 Robert Stanton Award for her contribution to the profession of architecture on the Central Coast of California.

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

FISCAL IMPACT:
No fiscal impact.

RECOMMENDATION:
Staff recommends appointment of Mary Ann Schicketanz to the DRC with a term ending on January 31, 2027.

ATTACHMENTS:

1. Resolution

CITY OF SAND CITY
RESOLUTION SC 25-___, 2025

RESOLUTION OF THE CITY COUNCIL OF SAND CITY APPOINTING MARY ANN SCHICKETANZ TO THE DESIGN REVIEW COMMITTEE

WHEREAS, the Sand City Design Review Committee (DRC) is a standing advisory committee appointed by the City Council of Sand City that conducts architectural and site design review of development projects in Sand City and participates in other design issues for the City; and

WHEREAS, the DRC consists of five (5) Committee Members comprised of local property owners, professionals, and residents specializing in architecture and landscape architecture; and

WHEREAS, the City received interest from Mary Ann Schicketanz, founding Principal Architect of Studio Schicketanz, a full-service architecture, interior design, and consultancy firm; and

WHEREAS, candidate Mary Ann Schicketanz is sufficiently able to function and serve on the DRC for the full 2-year term ending on January 31, 2027;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby appoint Mary Ann Schicketanz, Principal Architect, to the DRC for a full 2-year term lasting until January 31, 2027

PASSED AND ADOPTED by the City Council of the City of Sand City this ___, day of _____, 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, Mayor

ATTEST:
DATED: _____

_____
Kerry Lindstrom, City Clerk

AGENDA ITEM
5D.

Approve a Resolution Ratifying Appointments to Various Local and Regional Agencies and Boards Effective January 21, 2025

MEMO

TO: City Council
FROM: Mary Ann Carbone, Mayor
SUBJECT: Update the Local and Regional Agency Appointments for 2025
DATE: January 21, 2025

BACKGROUND/DISCUSSION:
Each year, the City Council appoints Council and staff to serve on various local and regional agencies throughout Monterey County. The appointed representatives serve to represent the City of Sand City on various local and regional agency boards.

Attached is the proposed list of the designated representatives to serve on those committees.

It is recommended that the Council approve the attached resolution ratifying the appointments for the year 2025.

ATTACHMENTS:
1. Resolution
2. 2025 Sand City Appointments List

CITY OF SAND CITY

RESOLUTION SC 25-___, 2025

RESOLUTION OF THE CITY COUNCIL OF SAND CITY RATIFYING APPOINTMENTS TO VARIOUS LOCAL AND REGIONAL AGENCIES AND BOARDS EFFECTIVE JANUARY 21, 2025

WHEREAS, the Sand City Council appoints representatives who represent the City of Sand City on certain committees and regional entities; and

WHEREAS, the attached Sand City Appointments List reflects staff and Council appointments to various agencies and organizations; and

WHEREAS, the attached Sand City Appointments List has been updated to reflect the changes to appointments of those who have expressed their desire to serve on various agencies.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City hereby approves the appointments including changes as listed on the 2025 Sand City Appointments List attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the City Council this ___ day of ____, 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, Mayor

ATTEST:
DATED:

_____
Kerry Lindstrom, City Clerk

Agency	**Appointed Members**	**Agency Telephone**
AMBAG	Board: Mayor Mary Ann Carbone; Marilee Diaz	883-3750
2nd Wednesday each month @ 6:00 p.m.	Technical/Planning: City Manager Vibeke Norgaard; Staff: EMC (Contract Planning staff)	
AMBAG: Regional Analysis and Planning Services(RAPs)	Mayor Mary Ann Carbone	883-3750
Airport Land Use Commission	Board: Mayor Mary Ann Carbone (Appointment by MCMA)	755-5066
4th Monday each month @ 3:00 p.m.		
Community Human Services	Board: Mayor Mary Ann Carbone	899-4131
3rd Thursday each month @ 11:00 a.m.	Alternate: Libby Sofer Finance: Mary Ann Carbone	
League of CA Cities - Legislative Liaison Team	Mayor Mary Ann Carbone, President Monterey Bay Division (Elected)	915-8293
MBASIA	City Manager Vibeke Norgaard Alternate: HR/Risk Manager Audrey Cray	394-3054
Quarterly or as Needed		
MC Convention & Visitors Bureau	Community Relations: Marilee Diaz Alternate: Libby Sofer	831-657-6409
Quarterly or as Needed		
Monterey One Water	Chair: Mayor Mary Ann Carbone; Alternate: Jerry Blackwelder	372-3367
last Monday of each month @ 6:00 p.m.		
Monterey Bay Air Resources District	Mayor Mary Ann Carbone	647-9411
3rd Wednesday, every other month @ 1:30 pm		

Mosquito Abatement District	Mayor Mary Ann Carbone	373-2483
2nd Tuesday @ 12:00 Noon	Alternate: Michelle Adams	
Monterey County Business Council	Marilee Diaz	833-9443
Monterey County Mayor's Association	Mayor Mary Ann Carbone	429-6605
1st Friday of each month @ 12:00 pm	Alternate: Jerry Blackwelder	
Monterey County Integrated Waste Management	Public Works Manager Mark Parker	755-8909
Monterey Peninsula Chamber of Commerce; Government Affairs Committee	Board: Marilee Diaz	648-5360
2nd Monday of each month at 3:30 pm	Alternate: Michelle Adams	
Monterey-Salinas Transit District (MST)	Chair: Mayor Mary Ann Carbone Alternate: Michelle Adams	1-888-678-8271
2nd Monday of each month @10:00 a.m.		
Monterey Regional Stormwater Management Program	City Engineer Leon Gomez	646-3799
4th Wednesday of every month @10:00 a.m.		
ReGen Monterey	Jerry Blackwelder Alternate: Mayor Mary Ann Carbone	384-5313/755-8923
3rd Friday each month @ 9:30 a.m.	Tech Comm: City Manager Vibeke Norgaard; Public Works Manager Mark Parker	
ReGen Monterey	Policy Advisory: Jerry Blackwelder Technical Advisory: City Manager Vibeke Norgaard	658-5600
3rd Monday of each month @ 7:00 p.m.		

Seaside County Sanitation District	Jerry Blackwelder	899-6200
2nd Tuesday of each month @ 9:30 a.m.	Alternate: Mayor Mary Ann Carbone	
Transportation Agency of Monterey County (TAMC)	Board: Mayor Mary Ann Carbone Alternate: Jerry Blackwelder BIKE: Libby Sofer	755-0903
4th Wednesday of each month @ 9:00 a.m. TAC: 1st Thursday of each month	RAIL: Mayor Mary Ann Carbone TAC: City Engineer Leon Gomez,/City Manager Vibeke Norgaard	
WaterMaster Board (Seaside Groundwater Basin)	Mayor Mary Ann Carbone; Alternate: City Manager Vibeke Norgaard	641-0113
1st Wednesday of each month @ 1:30 p.m.	TAC: Mayor Mary Ann Carbone / City Engineer Leon Gomez; City Manager Vibeke Norgaard Budget: Mayor Mary Ann Carbone	
Sand City Subcommittees (Ad-Hoc)		
City Specials Events Advisory Committees	Mayor Mary Ann Carbone; Michelle Adams	
	Staff: City Manager Vibeke Norgaard; Records Coordinator Laura Morales	
Website Committee	Marilee Diaz; Jerry Blackwelder Staff: City Manager Vibeke Norgaard; EMC (Contract Planning staff)	
Sand City Standing Advisory Committees		
Budget & Personnel	Chair: Mayor Mary Ann Carbone; Marilee Diaz Staff: City Manager Vibeke Norgaard	
Arts Committee	Chair vacant	
1 - Year Appointment	Brian Clark	Term Ends 1/31/2026
	Michelle Djokic	Term Ends 1/31/2026
	Shelby Hawthorne	Term Ends 1/31/2026
	Fred Saunders	Term Ends 1/31/2026

	Libby Sofer	Terms Ends 1/31/2026
	Staff: City Manager Vibeke Norgaard	
Design Review Committee	Chair: Vacant	
2 - Year Appointment	Chris Barlow, Architect	Term Ends 1/31/2026
	Libby Sofer, Resident	Term Ends 1/31/2026
	Paul Davis Jr., Architect	Term Ends 1/31/2026
	Mary Ann Schicketanz, Architect	Term Ends 1/31/2026
	Staff: City ManagerVibeke Norgaard; EMC (Contract Planning staff)	Term Ends 1/31/2027
Housing Committee	Marilee Diaz; Jerry Blackwelder Staff:City Manager Vibeke Norgaard; EMC (Contract Planning staff)	
Public Safety/Public Works	Jerry Blackwelder; Michelle Adams Staff: City Manager Vibeke Norgaard; Public Works Manager Mark Parker, Police Chief David Honda	
West End Oversight Committee	Mayor Mary Ann Carbone; Libby Sofer	
	City Manager Vibeke Norgaard	
	Police Chief David Honda	

AGENDA ITEM
5E.

Acceptance of City/Successor Agency Financial Reports from October 2024

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council/Successor Agency Board Members
FROM: Jennifer Pope, Finance Manager
SUBJECT: October 2024 Financial Report
DATE: January 21, 2024

BACKGROUND/DISCUSSION:
Attached are the financial reports for the City of Sand City and the Sand City Successor Agency of the former Redevelopment Agency.

A. City of Sand City Reports

a. Cash Register Activity Report, October 2024 (Attachment 1)
   Revenue total - **$1,068,134**
b. Check Report, October 2024 (Attachment 2)
   Expenditure total - **$402,644**

B. Sand City Successor Agency for the former Redevelopment Agency Reports

a. Cash Register Activity Report, October 2024
   Revenue total - **$0**
b. Check Report, October 2024 (Attachment 3)
   Expenditures total - **$131,557**

Transfers
Transfers are shown in the Month End Cash Register Activity Report; they are transfers from one bank account to another and should not be considered as a revenue or expenditure.

Date	Source	Amount	Description

There were no transfers in October 2024.

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

FISCAL IMPACT:
There is no fiscal impact with receiving this report.

RECOMMENDATION:

Receive the report.

ATTACHMENTS:

1. Sand City Month End Cash Register Activity Report
2. Sand City Check Report
3. Successor Agency Check Report

City of Sand City
Month End Cash Register Activity Report
Reporting Period: 10/24

Period	Post Date	Receipt	Receipt Date	Description	Debit Acct	Credit Acct	Amount paid
24-Oct	10/1/2024	29940	10/1/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/1/2024	29941	10/1/2024	TOT TAX	99 1001	10 4034 00	984.59
24-Oct	10/1/2024	29942	10/1/2024	UTILITY USERS TAX	99 1001	10 4025 00	1,237.87
24-Oct	10/1/2024	29943	10/1/2024	UTILITY USERS TAX	99 1001	10 4025 00	35.32
24-Oct	10/1/2024	29944	10/1/2024	UTILITY USERS TAX	99 1001	10 4025 00	0.33
24-Oct	10/1/2024	29945	10/1/2024	UTILITY USERS TAX	99 1001	10 4025 00	16,943.84
24-Oct	10/1/2024	29946	10/1/2024	BUSINESS LICENSE	99 1001	10 4055 00	447,737.74
24-Oct	10/1/2024	29947	10/1/2024	RENTAL INCOME	99 1001	10 4740 00	1,699.59
24-Oct	10/1/2024	29948	10/1/2024	BUILDING PERMIT 4115	99 1001	10 4115 06	203.00
24-Oct	10/1/2024	29948	10/1/2024	CBSC FEE - SB1473	99 1001	10 2012	1.00
24-Oct	10/1/2024	29949	10/1/2024	BUILDING PERMIT 4115	99 1001	10 4115 06	203.00
24-Oct	10/1/2024	29949	10/1/2024	CBSC FEE - SB1473	99 1001	10 2012	1.00
24-Oct	10/1/2024	29950	10/1/2024	UTILITY USERS TAX	99 1001	10 4025 00	3,353.50
24-Oct	10/1/2024	29951	10/1/2024	TRANSACTION/USE TAX	99 1001	10 4032 00	319.01
24-Oct	10/1/2024	29952	10/1/2024	TRANSACTION/USE TAX	99 1001	10 4032 00	3.82
24-Oct	10/1/2024	29953	10/1/2024	TRANSACTION/USE TAX	99 1001	10 4032 00	343,107.93
24-Oct	10/1/2024	29954	10/1/2024	SALES TAX RECEIVED	99 1001	10 4030 00	247,672.75
24-Oct	10/1/2024	29955	10/1/2024	TEMPORARY USE PERMIT	99 1001	10 4126 05	250.00
24-Oct	10/1/2024	29956	10/1/2024	ENGINEERING FEES	99 1001	10 4160 11	435.00
24-Oct	10/1/2024	29957	10/1/2024	PLAN CHECK FEE 4165	99 1001	10 4165 06	3,081.33
24-Oct	10/1/2024	29958	10/1/2024	PLAN CHECK FEE 4165	99 1001	10 4165 06	448.83
24-Oct	10/1/2024	29959	10/1/2024	SQUARE FEES	99 1001	10 2116	(5.16)
24-Oct	10/3/2024	29960	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29961	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	10.00
24-Oct	10/3/2024	29962	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29963	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29964	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29965	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29966	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29967	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29968	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29969	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	40.00
24-Oct	10/3/2024	29970	10/3/2024	SAND CITY PARKING	99 1001	10 4221 08	10.00
24-Oct	10/3/2024	29971	10/3/2024	SQUARE FEES	99 1001	10 2116	(0.38)
				Total Cash Register Activity			**1,068,133.91**

City of Sand City

Check Report

By Check Number

Date Range: 10/01/2024 - 10/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Mechanics - General-Mechanics Bank - General Pooled Cash						
NUN01	Nuna's Grill and Prime Seafood, LLC	10/08/2024	Regular	0	600	40001
4LE01	4Leaf, Inc.	10/21/2024	Regular	0	13268.1	40002
A&R01	A & R Plumbing, Inc	10/21/2024	Regular	0	120	40003
AFL01	Aflac	10/21/2024	Regular	0	527.94	40004
OlI01	Alejandro Tuesta	10/21/2024	Regular	0	100	40005
ASC01	American Supply CO	10/21/2024	Regular	0	161.58	40006
ATT03	AT&T	10/21/2024	Regular	0	202.72	40007
BCM01	BCM One, Inc	10/21/2024	Regular	0	242.23	40008
CHA04	California Highway Adoption Co.	10/21/2024	Regular	0	-350	40009
CHA04	California Highway Adoption Co.	10/21/2024	Regular	0	350	40009
CLE01	California Law Enforcement Association	10/21/2024	Regular	0	288	40010
CAS06	Casas De Humo Barbecue	10/21/2024	Regular	0	100	40011
CEN07	Central Coastan Pizza, LLC	10/21/2024	Regular	0	100	40012
CIT11	City of Del Rey Oaks	10/21/2024	Regular	0	1000	40013
LAK01	Cody Lake	10/21/2024	Regular	0	100	40014
COF02	Coffee Tree	10/21/2024	Regular	0	100	40015
COM11	Comcast	10/21/2024	Regular	0	306.91	40016
COR01	Corbin Willits Systems	10/21/2024	Regular	0	276.53	40017
COR05	Corodata Records Management	10/21/2024	Regular	0	56.45	40018
DEL04	Dell Marketing L.P. C/O Dell USA L.P.	10/21/2024	Regular	0	224.86	40019
SOF02	Elizabeth A. Sofer	10/21/2024	Regular	0	10.58	40020
ELS01	ELS Architecture and Urban Design	10/21/2024	Regular	0	3725	40021
FED01	Federal Express	10/21/2024	Regular	0	131.63	40022
FLO03	Flock Safety	10/21/2024	Regular	0	32500	40023
ABB01	Frank Abbruzzetti	10/21/2024	Regular	0	100	40024
HDL02	HDL Companies, LLC.	10/21/2024	Regular	0	360	40025
MRF01	Hossameldin F. Hassan	10/21/2024	Regular	0	100	40026
HUM02	Humana Insurance Company	10/21/2024	Regular	0	4619.19	40027
IND01	India Gourmet	10/21/2024	Regular	0	100	40028
MAI03	Koichi Shuraku	10/21/2024	Regular	0	100	40029
LAP01	La Papa Pd, Inc.	10/21/2024	Regular	0	100	40030
WEB02	Lai Huynh	10/21/2024	Regular	0	100	40031
MOR07	Laura Morales	10/21/2024	Regular	0	40	40032
LEH01	Lehr	10/21/2024	Regular	0	18640.46	40033
BRA02	Lugano Swiss Bistro	10/21/2024	Regular	0	100	40034
MBC02	Maria Bertilia Mojica	10/21/2024	Regular	0	100	40035
DIA01	Marilee Diaz	10/21/2024	Regular	0	72	40036
MEY01	Meyers Nave, Corporation	10/21/2024	Regular	0	17268.99	40037
MOU01	Michael Mount	10/21/2024	Regular	0	40	40038
BIG04	Mina Samaan	10/21/2024	Regular	0	100	40039
MCW01	Monterey County Weekly	10/21/2024	Regular	0	1244	40040
MON04	Monterey Tire Service, Inc.	10/21/2024	Regular	0	2253.67	40041
OFF03	ODP Business Solutions	10/21/2024	Regular	0	228.54	40042
PET01	Petty Cash- Cashed by Shannon Norton	10/21/2024	Regular	0	245.45	40043
SEA16	Randy Seamoss, LLC.	10/21/2024	Regular	0	100	40044
SHA03	Shamrock Office Solutions	10/21/2024	Regular	0	178.57	40045
SPC01	SPCA	10/21/2024	Regular	0	245	40046
SPI01	Spice It Up Catering	10/21/2024	Regular	0	100	40047
STU02	Sturdy Oil Company	10/21/2024	Regular	0	2244.23	40048
SUN02	Sun Life Financial	10/21/2024	Regular	0	933.92	40049
TAC01	Tacos Don Beto	10/21/2024	Regular	0	100	40050
HER01	The Monterey County Herald	10/21/2024	Regular	0	1000	40051
TYL03	Tyler Business Forms	10/21/2024	Regular	0	540.81	40052
VER01	Verizon Wireless	10/21/2024	Regular	0	128.86	40053
TLL01	Windham, Zeny	10/21/2024	Regular	0	100	40054
USB01	U.S. Bank Corp Payment Systems	10/25/2024	Regular	0	4516.83	40055

City of Sand City

Check Report

By Check Number

Date Range: 10/01/2024 - 10/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Mechanics - General-Mechanics Bank - General Pooled Cash						
4LE01	4Leaf, Inc.	10/30/2024	Regular	0	2557.5	40057
ALH01	Alhambra	10/30/2024	Regular	0	133.85	40058
ATT03	AT&T	10/30/2024	Regular	0	202.72	40059
ATT05	AT&T Mobility	10/30/2024	Regular	0	1015.03	40060
CAL01	California American Water	10/30/2024	Regular	0	838.57	40061
CAL15	California Consulting, Inc	10/30/2024	Regular	0	4250	40062
CHA04	California Highway Adoption Co.	10/30/2024	Regular	0	700	40063
CLE01	California Law Enforcement Association	10/30/2024	Regular	0	256	40064
CSD01	California State Disburse Unit	10/30/2024	Regular	0	770	40065
CLA03	CliftonLarsonAllen	10/30/2024	Regular	0	4875	40066
COM11	Comcast	10/30/2024	Regular	0	678.71	40067
COR01	Corbin Willits Systems	10/30/2024	Regular	0	276.53	40068
COR04	Corodata Shredding, Inc	10/30/2024	Regular	0	61.75	40069
COS02	Costco Membership	10/30/2024	Regular	0	195	40070
CYP04	Cypress Coast Ford	10/30/2024	Regular	0	488.91	40071
DEP01	Department of Conservation	10/30/2024	Regular	0	6620.61	40072
VIS01	Elan Financial Services	10/30/2024	Regular	0	73.96	40073
ELS01	ELS Architecture and Urban Design	10/30/2024	Regular	0	1072.5	40074
EMC02	EMC Planning Group, Inc.	10/30/2024	Regular	0	113495.79	40075
EWI02	Ewing Irrigation Products, Inc	10/30/2024	Regular	0	437.91	40076
FIR03	First Alarm Security and Patrol, Inc	10/30/2024	Regular	0	1288.11	40077
HAR06	Harris & Associates, Inc	10/30/2024	Regular	0	64740	40078
HDL01	HDL Coren & Cone	10/30/2024	Regular	0	1386	40079
HOM01	Home Depot Credit Service	10/30/2024	Regular	0	690.08	40080
HOP01	Hope Services	10/30/2024	Regular	0	6175	40081
HUM02	Humana Insurance Company	10/30/2024	Regular	0	4437.38	40082
BUS05	Jeff Bushnell	10/30/2024	Regular	0	209.06	40083
BAL05	Jerod Balthrop	10/30/2024	Regular	0	5026.17	40084
LAP02	LA Police Gear	10/30/2024	Regular	0	47.68	40085
LEG01	Legal Notification Services, Inc.	10/30/2024	Regular	0	775.56	40086
LEH01	Lehr	10/30/2024	Regular	0	17715.46	40087
LIN01	Matrix Telecom, LLC	10/30/2024	Regular	0	139.88	40088
MOB02	Mobile Modular	10/30/2024	Regular	0	574.99	40089
MBT01	Monterey Bay Technologies, Inc.	10/30/2024	Regular	0	3196.8	40090
MCW01	Monterey County Weekly	10/30/2024	Regular	0	819	40091
MOW01	Monterey One Water	10/30/2024	Regular	0	308.16	40092
MRW02	Monterey Regional Waste Management Distric	10/30/2024	Regular	0	545.39	40093
MON04	Monterey Tire Service, Inc.	10/30/2024	Regular	0	958.48	40094
NAP01	Napa Auto Parts	10/30/2024	Regular	0	286.04	40095
PGE01	Pacific Gas & Electric	10/30/2024	Regular	0	3262.97	40096
PET01	Petty Cash- Cashed by Shannon Norton	10/30/2024	Regular	0	98.45	40097
PUB01	Public Storage	10/30/2024	Regular	0	597	40098
SAN01	Sand City Police Officers & Dept. Employees As	10/30/2024	Regular	0	2840	40099
SHA03	Shamrock Office Solutions	10/30/2024	Regular	0	170.9	40100
STA03	Star Sanitation, LLC	10/30/2024	Regular	0	789.7	40101
SUN02	Sun Life Financial	10/30/2024	Regular	0	933.92	40102
SWE01	Sweeper Shop	10/30/2024	Regular	0	1009.62	40103
CAM03	Talking Walls, LLC	10/30/2024	Regular	0	20000	40104
TYL02	Tyler Technologies, Inc.	10/30/2024	Regular	0	6429.17	40105
VER01	Verizon Wireless	10/30/2024	Regular	0	24.47	40106
VES01	Vestis	10/30/2024	Regular	0	563.88	40107
WHI01	Whitson Engineers	10/30/2024	Regular	0	1898	40108
ESC01	Lawrence Escobar	10/30/2024	Regular	0	5813	40109

City of Sand City

Check Report

By Check Number

Date Range: 10/01/2024 - 10/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number

Bank Code: Mechanics - General-Mechanics Bank - General Pooled Cash

Bank Code Mechanics - General Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	108	108	0.00	402,993.71
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	-350.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	108	**110**	**0.00**	**402,643.71**

City of Sand City Successor Agency

Check Report

By Check Number

Date Range: 10/01/2024 - 10/31/2024

Check Report **Date Range: 10/01/2024 - 10/31/2024**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Mechanics - SA-Mechanics Bank - Successor Agency						
MEY01	Meyers Nave, Corporation	10/30/2024	Manual	0	65,175.5	2310
MEY01	Meyers Nave, Corporation	10/30/2024	Manual	0	59,628.77	2311
RSG01	RSG	10/30/2024	Manual	0	1,215	2312
RSG01	RSG	10/30/2024	Manual	0	3,237.5	2313
USB02	US Bank- Corporate Trust Services	10/30/2024	Manual	0	2,300	2314

Bank Code Mechanics - SA Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	0	0	0.00	0.00
Manual Checks	5	5	0.00	131,556.77
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	5	**5**	**0.00**	**131,556.77**

AGENDA ITEM
5F.

Acceptance of City/Successor Agency Financial Reports from November 2024

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council/Successor Agency Board Members
FROM: Jennifer Pope, Finance Manager
SUBJECT: November 2024 Financial Report
DATE: January 21, 2024

BACKGROUND/DISCUSSION:
Attached are monthly financial reports for the City of Sand City and the Sand City Successor Agency of the former Redevelopment Agency.

A. City of Sand City Reports

a. Cash Receipt Report, November 2024 (Attachment 1)
   Revenue total - **$1,577,060**
b. Check Report, November 2024 (Attachment 2)
   Expenditure total - **$231,474**

B. Sand City Successor Agency for the former Redevelopment Agency Reports

a. Cash Receipt Report, November 2024
   Revenue total - **$0**
b. Check Report, November 2024 (Attachment 3)
   Expenditures total - **$207,419**

Transfers
Transfers are shown in the Cash Receipt Report; they are transfers from one bank account to another and should not be considered as a revenue or expenditure.

Date	Source	Amount	Description

There were no transfers in November 2024.

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

FISCAL IMPACT:
There is no fiscal impact with receiving this report.

RECOMMENDATION:
Receive the report.

ATTACHMENTS:

1. Sand City Cash Receipt Report
2. Sand City Check Report
3. Sand City Successor Agency Check Report

City of Sand City
Cash Receipt Report
Totals by General Ledger Cash Account
Dates Range: 11/1/2024 - 11/30/2024

Period	Receipt Date	Receipt Number	Transaction Description	Amount
24-Nov	11/8/2024	R00000038	Business License	9,795.93
24-Nov	11/8/2024	R00000029	Gas Tax 2103	353.86
24-Nov	11/25/2024	R00000104	Gas Tax 2103	271.68
24-Nov	11/8/2024	R00000029	Gas Tax -2105 31	222.63
24-Nov	11/25/2024	R00000104	Gas Tax -2105 31	204.08
24-Nov	11/8/2024	R00000029	Gas Tax 2106 32	497.12
24-Nov	11/25/2024	R00000104	Gas Tax 2106 32	491.06
24-Nov	11/8/2024	R00000029	Gax Tax- 2107 33	304.97
24-Nov	11/25/2024	R00000104	Gax Tax- 2107 33	278.48
24-Nov	11/14/2024	R00000082	Building Permit 4115	446.00
24-Nov	11/14/2024	R00000084	Building Permit 4115	690.50
24-Nov	11/25/2024	R00000102	Cable Franchise	1,151.61
24-Nov	11/25/2024	R00000103	Cable Franchise	240.33
24-Nov	11/8/2024	R00000035	COPS Grant	8,333.33
24-Nov	11/8/2024	R00000039	COPS Grant	8,333.33
24-Nov	11/8/2024	R00000041	COPS Grant	94,663.46
24-Nov	11/25/2024	R00000098	Criminal PC1463/City Fines	124.69
24-Nov	11/25/2024	R00000101	Conditional Use Permit	1,400.00
24-Nov	11/25/2024	R00000099	Edgewater Habitat Conservation Fund	30,000.00
24-Nov	11/8/2024	R00000034	Engineering Fees	870.00
24-Nov	11/14/2024	R00000083	Engineering Fees	435.00
24-Nov	11/25/2024	R00000105	Engineering Fees	435.00
24-Nov	11/12/2024	R00000063	MBASIA Claims Reimbursement	2,320.70
24-Nov	11/25/2024	R00000098	1/2 Tax Police/Prop 172	35.43
24-Nov	11/8/2024	R00000045	Sand City Parking	40.00
24-Nov	11/8/2024	R00000046	Sand City Parking	10.00
24-Nov	11/8/2024	R00000048	Sand City Parking	40.00
24-Nov	11/8/2024	R00000049	Sand City Parking	40.00
24-Nov	11/8/2024	R00000050	Sand City Parking	40.00
24-Nov	11/8/2024	R00000051	Sand City Parking	40.00
24-Nov	11/14/2024	R00000080	Sand City Parking	40.00
24-Nov	11/25/2024	R00000107	Sand City Parking	40.00
24-Nov	11/14/2024	R00000073	Sand City Parking	75.00
24-Nov	11/14/2024	R00000074	Sand City Parking	40.00
24-Nov	11/14/2024	R00000075	Sand City Parking	40.00
24-Nov	11/14/2024	R00000076	Sand City Parking	40.00
24-Nov	11/14/2024	R00000077	Sand City Parking	40.00
24-Nov	11/14/2024	R00000078	Sand City Parking	329.86
24-Nov	11/8/2024	R00000052	Sand City Parking	40.00
24-Nov	11/8/2024	R00000053	Sand City Parking	40.00
24-Nov	11/14/2024	R00000068	Sand City Parking	40.00
24-Nov	11/14/2024	R00000070	Sand City Parking	40.00
24-Nov	11/14/2024	R00000071	Sand City Parking	40.00
24-Nov	11/14/2024	R00000072	Sand City Parking	40.00
24-Nov	11/14/2024	R00000082	Plan Check Fee 4165	289.90
24-Nov	11/8/2024	R00000047	Police Report 4560	10.00
24-Nov	11/8/2024	R00000054	Police Report 4560	10.00
24-Nov	11/8/2024	R00000055	Police Report 4560	10.00
24-Nov	11/14/2024	R00000069	Police Report 4560	10.00
24-Nov	11/25/2024	R00000106	Police Report 4560	10.00
24-Nov	11/8/2024	R00000037	Franchise TX RF.4040	18,120.22

Period	Receipt Date	Receipt Number	Transaction Description	Amount
24-Nov	11/8/2024	R00000040	Rental Income	1,699.59
24-Nov	11/25/2024	R00000098	County/Rev & Recovery	340.27
24-Nov	11/26/2024	R00000111	Sign Permit & Master Sign Program	50.00
24-Nov	11/8/2024	R00000032	Site Plan Review	350.00
24-Nov	11/8/2024	R00000044	Sales Tax Received	260,180.20
24-Nov	11/8/2024	R00000003	Short Term Rental Inspection Fee	197.00
24-Nov	11/8/2024	R00000016	Short Term Rental Inspection Fee	190.00
24-Nov	11/14/2024	R00000081	Short Term Rental Inspection Fee	197.00
24-Nov	11/26/2024	R00000113	Short Term Rental Inspection Fee	197.00
24-Nov	11/8/2024	R00000004	TOT Tax	565.20
24-Nov	11/8/2024	R00000005	TOT Tax	951.36
24-Nov	11/8/2024	R00000006	TOT Tax	513.36
24-Nov	11/8/2024	R00000007	TOT Tax	908.84
24-Nov	11/8/2024	R00000008	TOT Tax	342.00
24-Nov	11/25/2024	R00000093	TOT Tax	93.24
24-Nov	11/25/2024	R00000094	TOT Tax	245.40
24-Nov	11/25/2024	R00000096	TOT Tax	771.17
24-Nov	11/8/2024	R00000017	TOT Tax	4,113.91
24-Nov	11/12/2024	R00000060	TOT Tax	1,482.48
24-Nov	11/14/2024	R00000079	TOT Tax	837.59
24-Nov	11/25/2024	R00000090	TOT Tax	270.00
24-Nov	11/25/2024	R00000091	TOT Tax	1,657.92
24-Nov	11/25/2024	R00000092	TOT Tax	955.06
24-Nov	11/8/2024	R00000011	TOT Tax	310.30
24-Nov	11/8/2024	R00000012	TOT Tax	207.00
24-Nov	11/8/2024	R00000013	TOT Tax	252.00
24-Nov	11/8/2024	R00000014	TOT Tax	380.52
24-Nov	11/8/2024	R00000015	TOT Tax	1,392.36
24-Nov	11/8/2024	R00000018	Transient Occupancy Tax Penalties	881.33
24-Nov	11/8/2024	R00000030	Temporary Use Permit	425.00
24-Nov	11/8/2024	R00000031	Temporary Use Permit	100.00
24-Nov	11/8/2024	R00000042	Transaction/Use Tax	39.03
24-Nov	11/8/2024	R00000043	Transaction/Use Tax	336,680.82
24-Nov	11/8/2024	R00000019	Utility Users Tax	125.61
24-Nov	11/8/2024	R00000020	Utility Users Tax	191.72
24-Nov	11/8/2024	R00000021	Utility Users Tax	3,503.94
24-Nov	11/8/2024	R00000022	Utility Users Tax	34.88
24-Nov	11/8/2024	R00000023	Utility Users Tax	0.73
24-Nov	11/8/2024	R00000024	Utility Users Tax	8.18
24-Nov	11/25/2024	R00000085	Utility Users Tax	7.99
24-Nov	11/25/2024	R00000086	Utility Users Tax	0.73
24-Nov	11/25/2024	R00000087	Utility Users Tax	34.00
24-Nov	11/25/2024	R00000088	Utility Users Tax	3,018.98
24-Nov	11/25/2024	R00000089	Utility Users Tax	126.03
24-Nov	11/26/2024	R00000110	Utility Users Tax	16,759.25
24-Nov	11/8/2024	R00000025	Utility Users Tax	17,340.82
24-Nov	11/8/2024	R00000026	Utility Users Tax	1,373.77
24-Nov	11/8/2024	R00000027	Utility Users Tax	64.94
24-Nov	11/8/2024	R00000028	Utility Users Tax	0.36
24-Nov	11/12/2024	R00000059	MST ENV	439,956.00
24-Nov	11/12/2024	R00000061	Cannabis Grant	80,000.00
24-Nov	11/12/2024	R00000062	IRWM Grant Reimbursement- Catalina St	37,417.20
24-Nov	11/12/2024	R00000065	IRWM Grant Reimbursement- Catalina St	4,818.75
24-Nov	11/14/2024	R00000082	Strong Motion Fee	3.25
24-Nov	11/14/2024	R00000082	CBSC	1.00
24-Nov	11/14/2024	R00000084	CBSC	1.00
24-Nov	11/25/2024	R00000098	County/Proof of Corr	6.60
24-Nov	11/25/2024	R00000100	Coastal Conservancy Grant	17,316.86

Period	Receipt Date	Receipt Number	Transaction Description	Amount
24-Nov	11/26/2024	R00000108	Square Fees	(1.89)
24-Nov	11/26/2024	R00000109	Square Fees	(9.04)
24-Nov	11/26/2024	R00000112	Successor Agency Admin Fees Reimbursement	155,727.58
			Total Cash Register Activity	**1,577,060.36**

City of Sand City

Check Report

By Check Number

Date Range: 11/01/2024 - 11/30/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Mechanics - General-Mechanics Bank - General Pooled Cash						
LAP02	LA Police Gear	11/25/2024	Regular	0	(47.68)	40085
GRE01	Mitsugu Mori	11/07/2024	Regular	0	12,355.82	40111
CEB01	Mauricio Cebada	11/07/2024	Regular	0	320.00	40112
MEY01	Meyers Nave, Corporation	11/07/2024	Regular	0	17,535.58	40113
MBT01	Monterey Bay Technologies, Inc.	11/07/2024	Regular	0	217.00	40114
MOT03	Motorola Solutions, Inc.	11/07/2024	Regular	0	29,577.04	40115
SIG01	Signworks	11/07/2024	Regular	0	630.16	40116
TYL02	Tyler Technologies, Inc.	11/07/2024	Regular	0	8,540.50	40117
AFL01	Aflac	11/21/2024	Regular	0	527.94	40118
ALH01	Alhambra	11/21/2024	Regular	0	145.85	40119
ALT01	Alternator Starter Exchange, Inc.	11/21/2024	Regular	0	2,466.41	40120
ASC01	American Supply CO	11/21/2024	Regular	0	42.77	40121
ANG01	Angel Armor	11/21/2024	Regular	0	10,633.11	40122
ATT05	AT&T Mobility	11/21/2024	Regular	0	973.12	40123
BLU01	Blue Star Investigations, LLC	11/21/2024	Regular	0	1,600.00	40124
CAL01	California American Water	11/21/2024	Regular	0	766.48	40125
CAL15	California Consulting, Inc	11/21/2024	Regular	0	8,750.00	40126
CHA04	California Highway Adoption Co.	11/21/2024	Regular	0	350.00	40127
CLE01	California Law Enforcement Association	11/21/2024	Regular	0	256.00	40128
COM11	Comcast	11/21/2024	Regular	0	464.25	40129
COR05	Corodata Records Management	11/21/2024	Regular	0	56.45	40130
COR04	Corodata Shredding, Inc	11/21/2024	Regular	0	61.75	40131
CYP04	Cypress Coast Ford	11/21/2024	Regular	0	437.20	40132
DEL04	Dell Marketing L.P. C/O Dell USA L.P.	11/21/2024	Regular	0	1,395.49	40133
DOJ02	Department of Justice	11/21/2024	Regular	0	66.00	40134
VIS01	Elan Financial Services	11/21/2024	Regular	0	20.24	40135
EMC02	EMC Planning Group, Inc.	11/21/2024	Regular	0	113.59	40136
GRE01	Mitsugu Mori	11/21/2024	Regular	0	800.00	40137
HAR06	Harris & Associates, Inc	11/21/2024	Regular	0	43,843.75	40138
HDL02	HDL Companies, LLC.	11/21/2024	Regular	0	144.00	40139
HOM01	Home Depot Credit Service	11/21/2024	Regular	0	985.43	40140
HOP01	Hope Services	11/21/2024	Regular	0	7,101.25	40141
HUM02	Humana Insurance Company	11/21/2024	Regular	0	4,437.38	40142
LCW01	Liebert Cassidy Whitmore	11/21/2024	Regular	0	6,035.00	40143
LIN01	Matrix Telecom, LLC	11/21/2024	Regular	0	139.88	40144
PAR08	Mark Parker	11/21/2024	Regular	0	364.14	40145
MOU01	Michael Mount	11/21/2024	Regular	0	69.54	40146
MBA01	Monterey Bay Area Self Insurance	11/21/2024	Regular	0	7,008.50	40147
MBT01	Monterey Bay Technologies, Inc.	11/21/2024	Regular	0	3,870.00	40148
MCW01	Monterey County Weekly	11/21/2024	Regular	0	1,911.00	40149
OFF03	ODP Business Solutions	11/21/2024	Regular	0	240.54	40150
PGE01	Pacific Gas & Electric	11/21/2024	Regular	0	3,905.67	40151
PET01	Petty Cash- Cashed by Shannon Norton	11/21/2024	Regular	0	212.11	40152
PUB01	Public Storage	11/21/2024	Regular	0	597.00	40153
SAF02	Safeguard Business Systems	11/21/2024	Regular	0	348.51	40154
SPC01	SPCA	11/21/2024	Regular	0	735.00	40155
STA03	Star Sanitation, LLC	11/21/2024	Regular	0	909.20	40156
TYL03	Tyler Business Forms	11/21/2024	Regular	0	325.40	40157
TYL02	Tyler Technologies, Inc.	11/21/2024	Regular	0	4,080.00	40158
VER01	Verizon Wireless	11/21/2024	Regular	0	64.44	40159
VES01	Vestis	11/21/2024	Regular	0	704.85	40160
NOR02	Vibeke Norgaard	11/21/2024	Regular	0	305.30	40161
WHI01	Whitson Engineers	11/21/2024	Regular	0	2,184.00	40162
AFL01	Aflac	11/22/2024	Regular	0	527.94	40163
ATT03	AT&T	11/22/2024	Regular	0	202.72	40164
COM11	Comcast	11/22/2024	Regular	0	170.06	40165
FED01	Federal Express	11/22/2024	Regular	0	10.53	40166
GRA11	Granicus, LLC	11/22/2024	Regular	0	5,314.68	40167
BUS05	Jeff Bushnell	11/22/2024	Regular	0	209.06	40168
HILL01	Melissa Hill	11/22/2024	Regular	0	5,000.00	40169
MAI01	Main Street Designs, Inc	11/22/2024	Regular	0	2,290.92	40170
KLI01	Mary Ann Carbone	11/22/2024	Regular	0	57.44	40171
MOB02	Mobile Modular	11/22/2024	Regular	0	574.99	40172

City of Sand City

Check Report

By Check Number

Date Range: 11/01/2024 - 11/30/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Mechanics - General-Mechanics Bank - General Pooled Cash						
MBP03	Monterey Bay Pest Control	11/22/2024	Regular	0	130.00	40173
MBT01	Monterey Bay Technologies, Inc.	11/22/2024	Regular	0	33.45	40174
MCW01	Monterey County Weekly	11/22/2024	Regular	0	3,605.00	40175
MRW02	Monterey Regional Waste Management District	11/22/2024	Regular	0	436.20	40176
OFF03	ODP Business Solutions	11/22/2024	Regular	0	238.58	40177
REN01	Rental Depot	11/22/2024	Regular	0	245.00	40178
STU02	Sturdy Oil Company	11/22/2024	Regular	0	2,268.79	40179
SUN02	Sun Life Financial	11/22/2024	Regular	0	933.92	40180
HER01	The Monterey County Herald	11/22/2024	Regular	0	221.52	40181
USB01	U.S. Bank Corp Payment Systems	11/22/2024	Regular	0	10,504.34	40182
CSD01	California State Disburse Unit	11/27/2024	Regular	0	269.00	40183
ESC01	Lawrence Escobar	11/27/2024	Regular	0	5,813.00	40184
SAN01	Sand City Police Officers & Dept. Employees Association	11/27/2024	Regular	0	2,840.00	40185

Bank Code Mechanics - General Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	111	75	0.00	231,521.78
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-47.68
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	111	**76**	**0.00**	**231,474.10**

City of Sand City Successor Agency

Check Report

By Check Number

Date Range: 11/01/2024 - 11/30/2024

Check Report **Date Range: 11/01/2024 - 11/30/2024**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Mechanics - SA-Mechanics Bank - Successor Agency						
CIT12	City of Sand City	11/26/2024	Regular	0	155,727.58	2352
MEY01	Meyers Nave, Corporation	11/26/2024	Regular	0	51,691.40	2353

Bank Code Mechanics - SA Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	6	4	0.00	207,418.98
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	6	**6**	**0.00**	**207,418.98**

AGENDA ITEM
7A.

2025-2029 Urban County Community Development Block Grant (CDBD) Consolidated Action Plan Estimated Funding Presentation: Dawn Yonemitsu, Monterey County Housing and community Development

2025-2029 Urban County

Community Development Block Grant (CDBG)

CONSOLIDATED ACTION PLAN
ESTIMATED FUNDING

Presented by: Dawn M. Yonemitsu

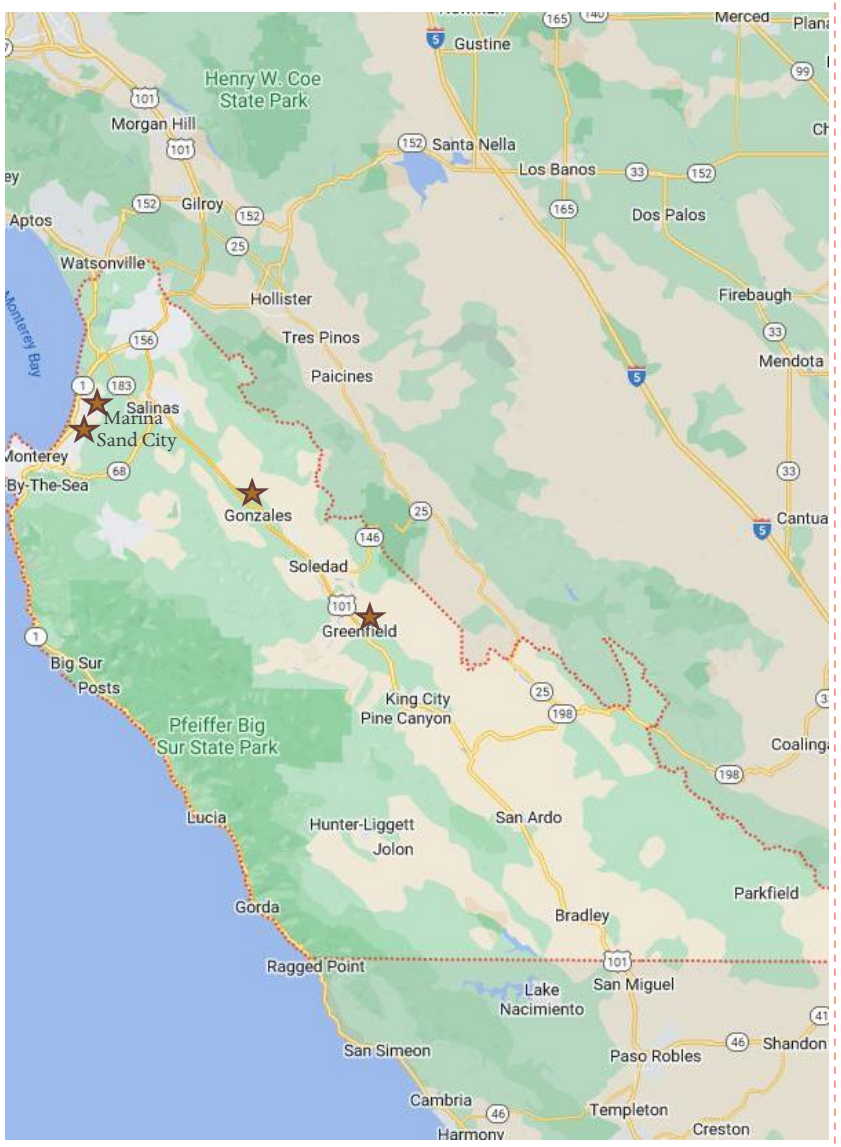
Urban County & Process

Urban County

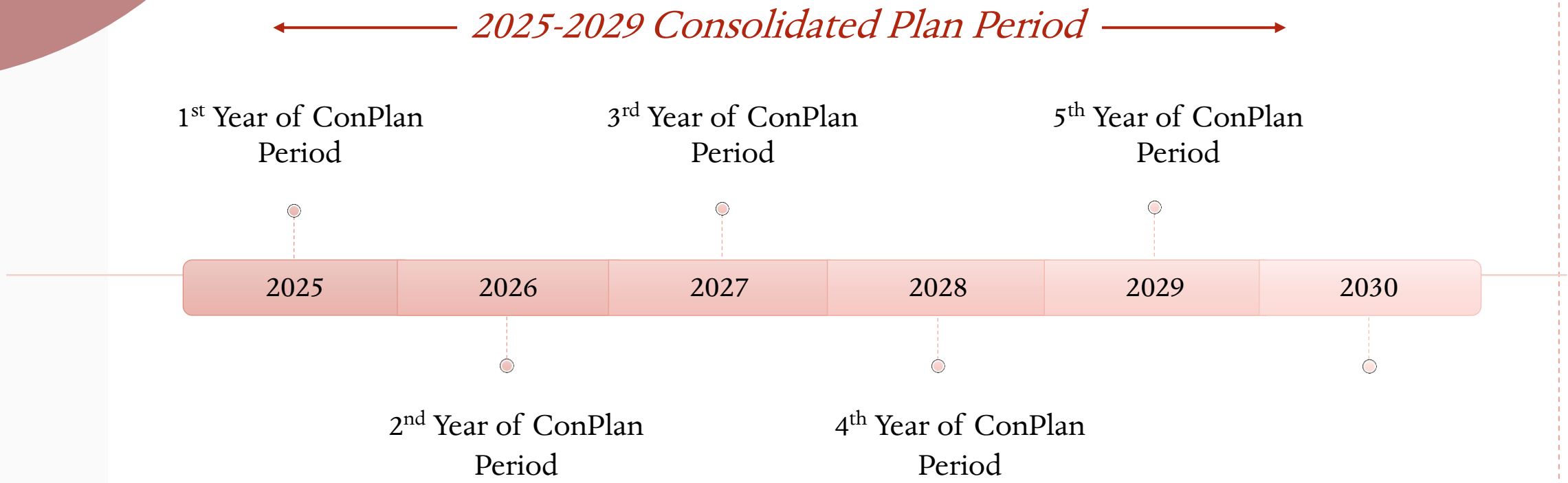
- Urban County consortium includes the cities of Gonzales, Greenfield, Marina, and Sand City
- Consortium was required to meet minimum overall population and low- and moderate-income population requirements

Process for Selecting Projects for Funding

- Notice of Funding Availability
- Consortium members review & score public service applications
- Board of Supervisors Urban County Committee recommends funding for public services and public facilities to the full Board of Supervisors



Lifecycle of the Urban County 5-year Consolidated Plan period



Joint Powers Authority Periods

2025-2027

2028-2030

JPA signed and adopted by Board of Supervisors on 9/17/2024

The Joint Power Authority Agreement covers the first 3 years of the next Consolidated Plan

Lifecycle of the Urban County Annual Plan period

Urban County Members Contribution of Funds with Limits on Uses

- Estimated grant allocation of funding for 2025-2027 consolidated plan period is $4,279,170.
- The Urban County may use up to 15% of the annual CDBG award for public services = **$641,876**.
- The Urban County may use up to 20% of the annual CDBG award for general administration & fair housing = **$855,834**.
- Affordable Housing, Public Facilities and Infrastructure = **$2,781,460.**

3-YEAR FUNDING Source/Use	Amount Available
Gonzales	$240,090
Greenfield	$748,443
Marina	$619,071
Sand City	$12,486
Monterey County	$2,659,080
TOTAL FUNDING	**$4,279,170**

Urban County Members Contribution of Funds with Limits on Uses

- Estimated grant allocation of funding for 2025-2029 consolidated plan period is $7,131,950.
- The Urban County may use up to 15% of the annual CDBG award for public services = **$1,069,792.**
- The Urban County may use up to 20% of the annual CDBG award for general administration & fair housing = **$1,426,390.**
- Affordable Housing, Public Facilities and Infrastructure = **$4,635,768.**

5-YEAR FUNDING Source/Use	Amount Available
Gonzales	$400,203
Greenfield	$1,247,405
Marina	$1,031,785
Sand City	$20,810
Monterey County	$4,431,800
TOTAL FUNDING	**$7,131,950**

Estimates for City Projects

City	Amount
Gonzales	$292,610
Greenfield	$912,165
Marina	$754,493
Sand City	$100,293
Monterey County	$2,808,653

5-Year Estimates

3-Year Actuals

City	Amount
Gonzales	$175,566
Greenfield	$547,299
Marina	$452,696
Sand City	$74,076
Monterey County	$1,693,834

Public Facility Past Expenditures

- North County Fire Protection District
  - $835,110 – Fire Engine Replacement
- EAH Housing
  - $350,000 – Greenfield Commons
- North County Public Recreation Center
  - $70,000 – Crane St Park Improvements
- City of Greenfield
  - ADA Improvements Patriot Park
- City of Gonzales
  - ADA Improvements Centennial Park, Community Pool, City Hall, and Council Chambers
  - Medical Clinic Roof
  - Central Park Lighting
  - ADA Sidewalk Curb Cuts
  - Childcare Center Roof & HVAC
- Veteran's Transition Center
  - $80,500 – HVAC Replacement
- Castroville
  - $110,000 – Sidewalks
- San Lucas
  - $894,140 – Sidewalks
- Aromas
  - $282,450 – Sidewalks
- Interim
  - $1,066,771 – Sun Rose Housing
- Greenfield Fire Station
  - $757,520 – Fire Engine

SAN LUCAS STREETLIGHTS

CASTROVILLE SIDEWALKS

SAN LUCAS SIDEWALKS

Gonzales Community Center

- $35M Project

- $357,475 in CDBG in FY 2022-23
- $347,382 in CDBG in FY 2023-24

Total funding granted $704,857, which is around 87% of the 2020-2024 Consolidated Plan amount.

ENTRANCE FROM 5TH STREET

ENTRY PLAZA

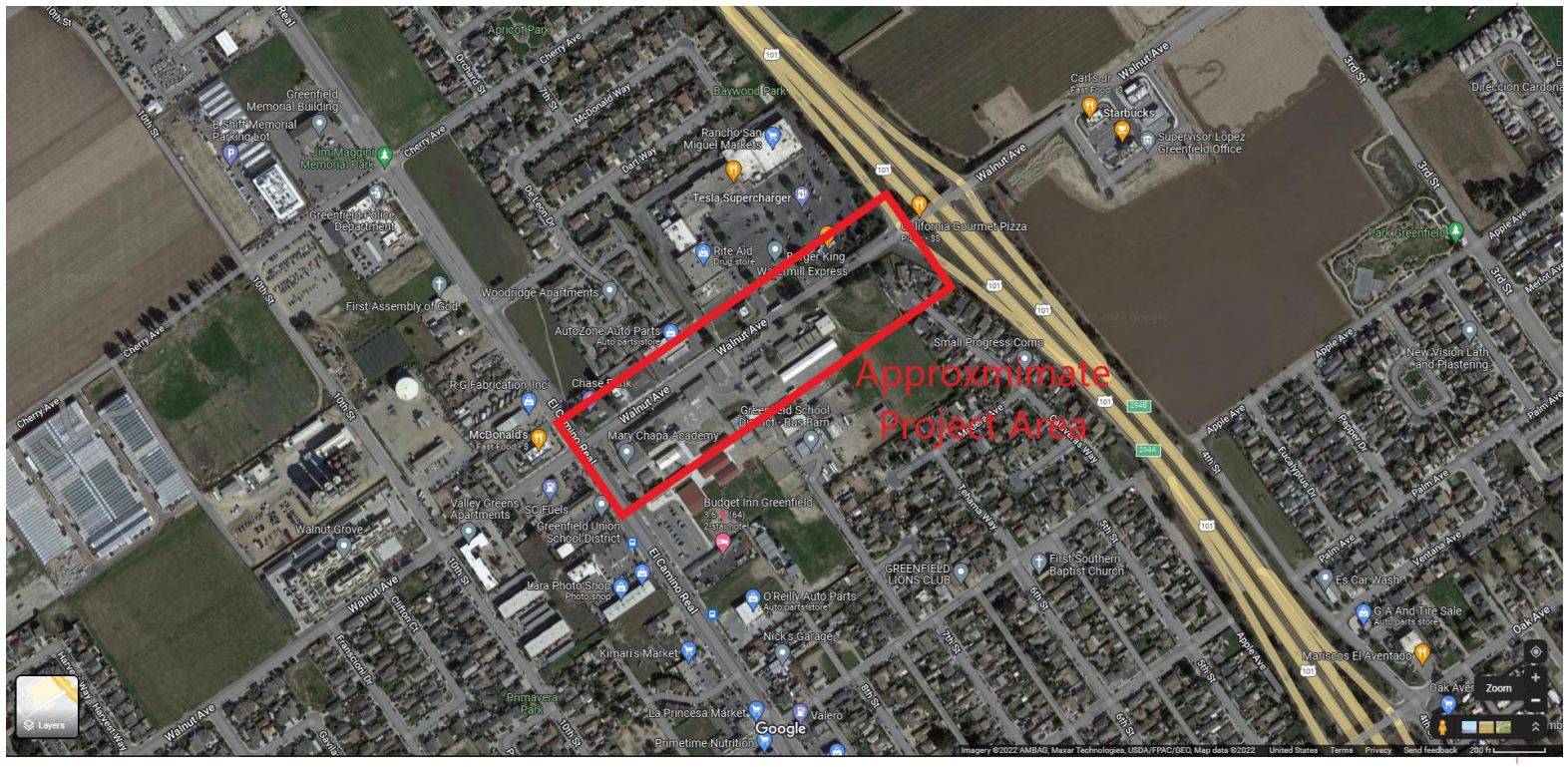
COURTYARD PLAY AREA & AMPHITHEATER

COURTYARD OUTDOOR LOUNGE

Greenfield Walnut Avenue Pedestrian Improvements

- Walnut Avenue Street Widening & Pedestrian Improvements
- $439,603 CDBG in FY 2021-22
- $427,191 CDBG in FY 2022-23
- $427,191 CDBG in FY 2023-24

Total funding granted $1,293,985, which is around 91% of the 2020-2024 Consolidated Plan amount.



Questions

AGENDA ITEM
7B.

Street Paving Plan Update Presentation:
Leon Gomez, City Engineer

AGENDA ITEM
8A.

Approve a Resolution Approving Conditional Use Permit (CUP 24-077) and Site Plan for Smooth Coffee Co Coffee Roasters to Operate a Direct-to-Consumer and Wholesale Roasting Production Operation Within an Existing Building at 748 California Avenue

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Esme Wahl, Contract City Associate Planner
SUBJECT: Application for a Conditional Use Permit (24-077) and Site Plan for a Coffee Roastery on property located at 748 California Avenue (APN: 011-192-004); Applicant: Noah Reeves
DATE: **January 21, 2025**

I. RECOMMENDATION:

Staff recommends the City Council adopt a Resolution, attached as Exhibit 1, to:

1. Determine that the subject project is exempt from CEQA (Categorical Exemption Class 32, CEQA Guidelines §15332, Infill Development); and

2. Approve Conditional Use Permit (CUP) 24-077 and Site Plan (attached and incorporated herein by reference) based on findings in Exhibit 1A and subject to conditions of approval in Exhibit 1B.

II. BACKGROUND:

Project Description:
The applicant proposes to establish coffee roasting and packaging within an approximately 507 square foot unit (Unit B) of an approximately 1,289 square foot building located at 748 California Avenue. Activities will include coffee roasting and packaging. Orders will be delivered by personal vehicle to post or local address. The proposed project involves operation of a Coffee Crafters Valenta 7, a fully electric roaster with batch capacity of 5 pounds. Hours of operation are proposed to be 7am to 7pm, daily. Deliveries will consist of pallets of green coffee accepted by the on-site employee from 8:00 a.m. to 2:00 pm Monday through Friday. Deliveries are anticipated to occur once per week.

The owner/applicant would be the sole employee. The applicant has proposed no on-site parking and no onsite loading/unloading. No exterior site improvements or interior building improvements are proposed. See Exhibit 4, Site Photo and Exhibit 5, Floor Plan.

Site Description

The property is currently developed with an approximately 1,289 square feet, single-story building that includes two units: Unit A and Unit B. Unit B, which is approximately 507 square feet, is proposed to contain the coffee roasting and packaging of finished goods for off-site distribution. Unit A is currently vacant and no use is proposed at this time. The applicant has informed City staff that use of Unit A is intended for a commercial use. Tenant improvements to Unit A will be required to be approved by a building permit for commercial occupancy at such time that a use is proposed for Unit A.

The site is accessed from California Avenue via a concrete driveway apron leading to a dirt driveway. The property is currently screened by a deteriorating chain-link and wood slat fence. Existing building and street improvements (i.e. curb, gutter, drive-apron, etc) are in fair condition along the Subject Property's California Avenue frontage. Utilities (i.e. gas, electric, water, sewer, etc.) are available. The driveway serving current uses on the site is unpaved.

Previous and Current Entitlements and Uses:

According to the Applicant, the most recent use of the structure on the Subject Property has been for commercial purposes.

General Plan, Zoning and Surrounding Land Uses:

General Plan

The Subject Property has a General Plan land use designation of Mixed-Use (MU-D) and is within the 'Old Town Planning District'. The proposed coffee roastery is consistent with the following applicable General Plan policies:

- *Goal 2.1: Transform the Old Town district from an area of heavy industrial, unplanned land use mix and warehouse uses to a planned area of light manufacturing, service commercial and residential uses, with a heavy emphasis towards streetscape beautification.*

- *Policy 2.1.1: Encourage the establishment of new land uses within the Old Town district that: • Provide goods and services required by the community and surrounding area • Are generally complementary to other desirable businesses in the area and are residentially compatible in terms of being low-impact neighbors to residential uses • Contribute to a diversity of activities that could include artisans, ethnic markets, and restaurants, entertainment, and incubator industries.*

Vibrancy Plan

Vibrancy Plan recommendations for commercial development in the area are principally intended to support transformation of the existing warehousing/manufacturing/commercial – service orientation of the core planning area to one oriented to retail and visitor serving uses. The Vibrancy Plan includes tools focused on increasing commercial and visitor serving uses in the area:

- *ED-3a: Encourage adaptive re-use of existing buildings.*

Zoning Code Regulations

The subject property is located in the Planned Mixed Use (MU-P) zoning district. The proposed use is consistent with the above General Plan policies related to incubator industries. The use is a light manufacturing use that the City Council may find consistent with General Plan goals and policies (Sand City Municipal Code 18.13.040(C)). Therefore, coffee roasting and packaging operations are an allowed uses within this zoning district, subject to an approved Conditional Use Permit.

The proposed project does not involve expansion of existing, or the construction of new buildings. The proposed project complies with the zoning regulations outlined in Sand City Municipal Code Chapter 18.13 (MU-P), including, but not limited to, height, setbacks, and allowable area.

Surrounding Land Uses

Generally, the property is surrounded by light industrial and commercial uses and some residential uses. The nearest residence is approximately 180 feet south of the Subject Property. Adjacent to the west, the property is a vacant lot that is owned by the same property owner, proposed for a Conditional Use Permit to allow a phased truck/equipment storage yard (Phase I, two-year term) and a food truck court (Phase II). Adjacent to the east is a warehouse.

III. ANALYSIS

General Plan and Zoning

The Applicant intends to utilize the Subject Property for a direct-to-consumer wholesale coffee roastery. The business owner and Applicant, Noah Reeves, would be the sole employee and would be on-site during roasting and packaging. Orders will be delivered by personal vehicle to post or local address. Hours of Operation are allowed from 7:00 am – 7:00 pm Sunday through Saturday (daily) and will depend on order volume.

The proposed use, which is considered light manufacturing, is consistent with General Plan Goal 2.1 which encourages transition from heavy industrial to light manufacturing and service commercial uses. The proposed use is also consistent with General Plan Policy 2.1.1 which encourages incubator industries.

Sand City Municipal Code Chapter 18.13.040(C) requires a Conditional Use Permit for coffee roasting and packaging in the MU-P Zoning District. The following is an evaluation of various aspects of the proposed use related to its daily operation:

Parking and Loading Standards: An on-site loading space is not required per Sand City Municipal Code 18.64.010 which only requires an on-site loading space for manufacturing and wholesale uses occupying over 2,000 square feet of gross floor area of a building. The proposed use occupies approximately 507 square feet of gross floor area. If, at any point, the Applicant determines that an on-site loading/unloading space is desired, they may request an amendment to their site plan.

The Applicant submitted a site plan that does not accommodate on-site parking, citing state law AB 2097. AB 2097 was signed into law on September 22, 2022 and generally prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within ½ mile of a major transit stop.

"Major transit stop" means a site containing any of the following: (a) An existing rail or bus rapid transit station; (b) A ferry terminal served by either a bus or rail transit service; or (c) The intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods.

Sand City has a major transit stop that meets criteria (c). With the implementation of the Better Bus Network on December 10, 2022, Jazz A and Jazz B have a combined frequency of 15-minute service from 7:26 a.m. to 6:48 p.m. at Sand City Station. The subject property is located approximately 0.45-miles from the Sand City Station. Therefore, it has been determined that AB 2097 applies to the subject property. While AB 2097 does provide for some exceptions, none would apply in this particular case. AB 2097 may not preclude the enforcement of any requirement for parking spaces that are accessible to person with disabilities.

Sand City Municipal Code section 18.64.050.S requires one on-site parking space for each two employees on the maximum shift, resulting in the requirement of one on-site parking space for the proposed use.

Given the limited supply of parking in the City's West End District, the City believes it is in the Applicant's best interest to provide one (1) on-site employee parking space. However, the Applicant has pointed to AB 2097, meaning the one (1) required on-site parking space cannot be enforced pursuant to the applicability of AB 2097. The applicant may still voluntarily comply with this requirement to provide employee parking.

Water: The current use on file with Monterey Peninsula Water Management District (MPWMD) for 748 California Avenue, Unit B is for a residential water use. A water permit from MPWMD is required for the conversion of a residential use to a non-residential use. The property will need to obtain a Water Permit from MPWMD and comply with MPWMD's water efficiency standards for this change in use.

If additional water credits are required for the Change of Use, further water allocation will require separate City Council approval. The approval of the Conditional Use Permit (CUP24-077) does not convey water to the property.

Storage: Items stored on-site will pertain only to coffee roasting and packaging material, including green coffee, roasted, coffee, packaging materials, which will be stored in the storage room. All materials will be stored inside Unit B.

Trash: The Applicant is required to maintain refuse and trash for their operation within the building or in the trash receptacles. No trash dumpsters are allowed, unless the Applicant provides sufficient access for trash pick-up and a fully enclosed/screened trash dumpster. The storage of refuse bins or dumpsters on the City right of way by the Applicant is prohibited with the exception of curbside trash removal on scheduled collection days.

Pursuant to Sand City Municipal Code section 13.04.290, trash enclosures shall be located in places of convenient collection and must be maintained in good appearance and working condition. A condition of approval is included that requires the applicant to establish a trash storage enclosure for the trash receptacles (trash, recycling, and organic materials bins) on the subject property.

Air Quality: A small-scale wholesale and direct-to-consumer coffee roastery is considered to be a relatively modest activity that does not produce excessive detrimental noise, vibrations, dust, or particulates. The Monterey Bay Air Resources District does not require a permit for coffee roasters with a roasting capacity of less than or equal to 5 pounds of beans per batch. Provided the Applicant abides by the requirements as stated in the conditions of approval, the Applicant's Use should not result in impacts to air quality.

Noise: Noise associated with the proposed use is related to the operation of the Coffee Crafter's Valenta 7. The Valenta 7 is a fully electric coffee roaster with a 5-pound batch capacity. The Valenta 7 is considered a fairly quiet, small batch coffee roaster and produces a low humming sound. It is not anticipated that the noise produced by roasting would be detectable outside the building. The Applicant is required to follow all noise guidelines as outlined in Sand City Municipal Code Section 8.04 (Loud Noises).

Odor: Coffee roasting has the potential to produce strong odors. A condition of approval is included which requires the Applicant to implement an odor reducing mechanism.

Signs: The Applicant has not requested a sign for the coffee roastery and has not indicated an intent to establish a business sign on the Subject Property. Commercial signs are subject to City Design Review Committee (DRC) review and approval, with the

issuance of a sign permit prior to installation. Should the Applicant decide to add a sign in the future, the Applicant will need to file a permit with the City subject to DRC approval prior to the installment of such a sign.

Fence: The existing fence along the property's California Avenue frontage is in poor quality and is visually unappealing. A condition of approval has been included which requires a new ornamental fence.

FISCAL IMPACT:
There will be minimal cost associated with staff time; however, this use will generate revenue for the City through the business license tax as required by Sand City Municipal Code Section 5.04.360.

CALIFORNIA ENVIRONMENTAL EQUALITY ACT (CEQA):
The proposed project is categorically exempt, under the California Environmental Quality Act (CEQA) Guidelines, Section 15332, Class 32, Infill Development, as the proposed project, as conditioned, is consistent with applicable General Plan policies and Zoning designation regulations. The proposed development is surrounded by urban uses, and the project site has no value as habitat for endangered species. The site can be adequately serviced by all required utilities and public services. As proposed, the project is consistent with the Class 32 categorical exemption.

ATTACHMENTS:

Exhibit 1: Resolution, including
- Exhibit A Findings of Approval
- Exhibit B Conditions of Approval

Exhibit 2: Location Map
Exhibit 3: Aerial Map
Exhibit 4: Site Photo
Exhibit 5: Topographic Survey
Exhibit 6: Floor Plan
Exhibit 7: Letter of Intent
Exhibit 8: Hazardous Materials Questionnaire

CITY OF SAND CITY
RESOLUTION SC ___, 2025

RESOLUTION OF THE CITY COUNCIL OF SAND CITY APPROVING CONDITIONAL USE PERMIT (CUP24-077) AND SITE PLAN FOR SMOOTH COFFEE CO COFFEE ROASTERS TO OPERATE A DIRECT-TO-CONSUMER AND WHOLESALE ROASTING PRODUCTION OPERATION WITHIN AN EXISTING BUILDING AT 748 CALIFORNIA AVENUE

WHEREAS, Noah Reeves of Smooth Coffee Co. (the "Applicant") submitted an application to the City of Sand City (the "City") for a Conditional Use Permit to establish and operate a wholesale and direct-to-consumer coffee roasting and packaging operation (the "Applicants Use") within an approximately 507 square foot portion of an existing building at 748 California Avenue, Unit B (portion of APN 011-192-004) in Sand City (the "Subject Property"); and

WHEREAS, the Applicant's Use at the subject property, at the scale and intensity described in the staff report dated January 21, 2025 together with conditions of approval contained in Exhibit B, and based on the Findings described in Exhibit A, is consistent with General Plan Policy 2.1.1 and Municipal Code section 18.13.040.P for the "Planned Mixed-Use" (MUP) zoning designation of the subject property and compatible with neighboring properties and uses; and

WHEREAS, the project is not required to comply with City parking requirements pursuant to AB 2097; and

WHEREAS, the noise generated by the Applicant's use is related mainly to operation of the fully electric, small batch, coffee roaster, which produces a low humming sound and is not anticipated to generate excessive noise, vibration, odors, or pose a general nuisance to neighboring properties or the tenants therein; and

WHEREAS, the type and scale of operation proposed by the Applicant is considered compatible with a mixed-use community and is not anticipated, as conditioned, to impose negative impacts or blighting influence upon the surrounding units and properties; and

WHEREAS, if it is determined by the MPWMD that the on-site water credit is insufficient for the Applicant's Use, the Applicant will be required to receive a water allocation from the City; and

WHEREAS, the Applicant's Use within an existing building qualifies for a Categorical Exemption under CEQA (California Environmental Quality Act) Guidelines, Section 15332 (Infill Development); and

WHEREAS, the City Council of the City of Sand City has reviewed the findings contained in Exhibit A and the Conditions of Approval in Exhibit B for approving Conditional Use Permit CUP24-077 as supported by the City staff report, dated January 21, 2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby grant and issue Conditional Use Permit CUP24-077 based on the Findings of Approval in Exhibit A and subject to Conditions of Approval in Exhibit B, all of which is herein incorporated by reference.

PASSED AND ADOPTED by the City Council of the City of Sand City this ___, day of _____, 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, Mayor

ATTEST:
DATED: _____

_____
Kerry Lindstrom, City Clerk

EXHIBIT A

CITY OF SAND CITY
CONDITIONAL USE PERMIT CUP24-077 AND SITE PLAN FINDINGS OF APPROVAL

Project Name: Conditional Use Permit (CUP24-077) for Smooth Coffee Co. at 748 California Avenue
Address: 748 California Avenue, Sand City, CA
Hearing Date: January 21, 2025

Findings for Approval:

The City Council finds that:

1. **Finding**: The proposed project is exempt from the requirements of the California Environmental Quality Act. The intended use on this property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) Guidelines Section 15332, Class 32, Infill Development.

    a. *Evidence:* The proposed project is planned to be contained inside of an existing building that is fully surrounded by urban uses and the subject property has no value as habitat for endangered species. The proposed project, as conditioned, is consistent with applicable General Plan policies and zoning regulations.

2. **Finding**: The proposed use, which allows for the establishment of a coffee roastery, packaging, remote orders and product delivery (no on-site sale) and wholesale operation within a 507 square foot unit (Unit B) of an existing 1,289 square foot building, conforms to the policy direction of the General Plan and the requirements and the intent of the City's zoning code as follows:

    a. *Evidence*: The proposed project, as defined in the Applicant's letter of intent, the City's Staff Report and as conditioned by the City, is consistent with the MU – D designation of the General Plan and the subsequent Vibrancy Plan. The proposed use, which is considered light manufacturing, is consistent with General Plan Goal 2.1 which encourages transition from heavy industrial to light manufacturing and service commercial uses. The proposed use is also consistent with General Plan Policy 2.1.1 which encourages incubator industries;

    b. *Evidence*: The establishment of a light manufacturing/commercial space with the intended use types as described in CUP24-077 is allowed under the MU-P zoning regulations (SCMC 18.13.040C) with an approved Conditional Use Permit. The proposed project complies with the zoning regulations outlined in

Sand City Municipal Code Chapter 18.13 (MU-P), including, but not limited to, height, setbacks, and allowable area.

c. *Evidence*: The intended use type for the existing building is compatible with the Planned Mixed-Use (MU-P) zoning of the surrounding properties as indicated on the City of Sand City Zoning Map. Generally, the property is surrounded by light industrial and commercial uses and some residential uses. The nearest residence is approximately 180 feet south of the subject property. Adjacent to the west is a property that is owned by the same property owner and has been used for storage. The property owner is now requesting of the City a Conditional Use Permit to allow a phased truck/equipment storage yard (Phase I, two-year term) and a food truck court (Phase II). Adjacent to the east of the subject property is a warehouse.

3. **Finding**: Any additional conditions stipulated by the City Council as deemed necessary in the public interest will be met:

a. Evidence: As conditioned, the project is exempt from parking requirements pursuant to AB 2097, and complies with requirements for commercial driveways, trash enclosures, landscaping, and water.

4. **Finding**: Such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the public health and welfare of the community:

a. *Evidence:* Utilities, including electricity, gas, and sewer, are sufficiently available to facilitate the Applicant's Use at the Subject Property (Condition #26);

b. *Evidence:* Additional water allocation to accommodate the proposed use is available, if deemed necessary, but will require City Council approval (Condition #13);

c. *Evidence:* The Applicant's Use is not anticipated to pose an impediment of traffic flow (Condition #8);

d. *Evidence:* No noise or activity that disturbs the peace and quiet of neighboring businesses or residents is allowed (Condition #19);

e. *Evidence:* Trash and waste produced by the proposed use is required to be disposed of in appropriate trash and recycling receptacles which shall be located in a screened enclosure (Condition #9); and

f. *Evidence:* The Applicant is required to comply with all applicable rules and regulations of the Monterey Bay Air Resources District (Condition #15).

EXHIBIT B

CITY OF SAND CITY
CONDITIONAL USE PERMIT CUP24-077 CONDITIONS OF APPROVAL

Project Name: Conditional Use Permit (CUP24-077) for coffee roasting, processing, packaging by Smooth Coffee Company, LLC
Location: 748 California Avenue, Sand City, CA (APN 011-192-004)
Hearing Date: January 21, 2025

Conditions of Approval:

A. Permit Terms

1. Purpose: The Use Permit (CUP24-077) allows for the establishment of a coffee roastery, packaging, remote orders and product delivery (no on-site sale) and wholesale operation within a 507 square foot unit (Unit B) of an existing 1,289 square foot building subject to the following conditions. A Site Plan approval, pursuant to Zoning Ordinance Section 18.68, is combined and made a part of the referenced Conditional Use Permit. There shall be no expansion of the scope or intensity of the applicant's use or related improvements beyond that authorized as referenced in the project description and conditions of approval by CUP24-077 without either an amendment of said Permit or the issuance of a new Conditional Use Permit.

2. Validity: Conditional Use Permit CUP24-077, is not valid, and project use(s) shall not commence, until two (2) copies of this Resolution/Permit, signed by the permittee and landowner, acknowledging receipt of the Resolution/Permit and acceptance of the terms and conditions, are returned to the City's Planning Department. Failure of the applicant to return the two 2 copies of the signed Resolution/Permit within thirty (30) days from the date of City Council approval shall cause said Conditional Use Permit to become null and void unless good cause to grant an extension is found acceptable by the City Manager.

3. Interpretation: All commercial use shall remain consistent with the permitted uses and related operation as described in the application, letter of intent, referenced in the staff report dated January 21, 2025, resolution of the same date and related exhibits. Any questions of intent or interpretation regarding any condition of Use Permit CUP24-077 shall be resolved by the City Manager or Designee.

4. Violation: If the City determines any term or condition of the Conditional Use Permit CUP24-077 has been violated, written notice shall be issued to the property owner, that if such violation is not corrected or removed within a specified time, a public hearing may then be scheduled where the City Council may consider amending or revoking the Conditional Use Permit CUP24-077 and may then order said Permits amended or revoked.

5. Indemnification: The property owner agrees, by return signature required in Condition 2, to defend with counsel approved by the City, indemnify, and hold harmless the City of Sand City, its agents, officers, and employees from any legal claims or actions that seek to challenge, void, or annul the permit approval, as outlined in applicable laws. The property owner will reimburse the City for any court costs and attorney's fees the City is required to pay as a result of such actions.

B. Conditional Use Permit Special Conditions

6. Revised Site Plan: A revised and final Site Plan shall be submitted within 30-days of approval of this permit and include a trash enclosure per Condition 9, to be approved by the City Planner and City Manager.

7. Property Maintenance: The site shall be maintained in a clean, orderly, weed-free, and litter-free condition. The property owner shall be responsible for maintenance and upkeep of the entire property, while the Applicant for the subject use permit and site plan approval shall be responsible for maintenance and upkeep of the space used by the proposed business.

8. Deliveries/Loading/Unloading: Deliveries/shipments and/or loading/unloading activities of inventory and/or products related to the operation at the subject property shall be conducted in such a manner as to avoid interruption to the flow of traffic on California Avenue. If loading/unloading activities result in interruption to the flow of Traffic on California Avenue, loading/unloading will be required to be accommodated onsite. Applicant may request one on-site parking/loading space upon approval by the City Manager, which shall be improved consistent the requirements Sand City Municipal Code 18.64.060.B.

9. Trash Enclosure: Prior to final occupancy permit approval, the applicant shall submit and implement a plan for review and approval in writing by the City for solid waste storage & pickup. Trash, litter, boxes, crates, debris, or other used

and/or discarded materials generated by the business unit shall be stored at all times inside the building (Unit B) or in waste collection receptacle(s) of a size necessary to accommodate all solid waste generated by the business. Solid waste receptacles (trash, recycling, and organic materials receptacles) shall be located within an enclosure located and designed to the satisfaction of the City Manager or designee and the City's solid waste franchise. The design of the trash receptacle enclosure shall be compatible with the exterior design of the exiting building. The property owner shall be responsible for arranging and providing waste hauler access for standard pick-up services, subject to review and approval by the City Manager or designee.

10. Fence and Landscaping: The fence located along the property frontage shall be replaced or removed. Prior to issuance of a Building Permit, the applicant shall submit a plan for landscaping and, if desired, fencing along the California Street property frontage. Said plan shall, at a minimum, include low profile, hardy, evergreen, drought resistant plants suitable for the area. The plan shall include automatic irrigation. The plan shall be implemented prior to final occupancy approval to the satisfaction of the City Manager or designee. Any replacement fencing shall be low profile, decorative and compatible with the design of structures on the site.

11. Storage: All material and equipment shall be stored inside the existing building (Unit B). Freestanding outdoor storage or storage containers shall not be placed on the site.

12. Hazardous Material: Any Hazardous materials used in the operation shall be stored to the satisfaction of the City's Fire Dept. The business shall be subject to annual fire safety inspection by the City's Fire Dept.

13. Water: Prior to issuance of Building Permits, the Applicant must obtain a Water Permit for the Change of Use from the Monterey Peninsula Water Management District (MPWMD). The Applicant must follow all water efficiency standards for the Change of Use. If additional water credits are required for the Change of Use, further water allocation will require separate City Council approval. The approval of the Conditional Use Permit (CUP24-077) does not convey water to the property.

14. Sewer: Prior to issuance of Building Permits, the Applicant shall obtain a sewer permit for Change of Use from the Seaside County Sanitation District.

15. Air District: The Applicant shall be responsible for complying with applicable rules and regulations of the Monterey Bay Air Resources District. Failure to comply shall be sufficient grounds for City termination of CUP24-077.

16. Odor: Applicant shall install equipment to eliminate detectable odors from operation of coffee roasting such as, but not limited to, activated carbon filters, water ecofilters, an after-burner, electrostatic precipitators (ESP), catalytic oxidizers, or similar.

17. All commercial use types shall remain consistent with the permitted uses and related operation as described in the application, letter of intent, referenced in the staff report dated January 21, 2025, resolution of the same date and related exhibits.

C. General Conditions

17. Code Compliance: Applicant shall comply with all Building Department and fire code requirements. Building permits shall be obtained for all construction related to a change of occupancy and proposed activities, including interior building remodel and trash enclosures, subject to approval of the City Building Official.

18. Driveway: In the event that the Applicant amends the site plan to include an onsite loading/unloading space or parking space and the business intensifies to add an employee (in addition to the owner), the applicant shall obtain an Encroachment Permit and shall complete demolition and reconstruction of the existing driveway on California Avenue sufficient to meet City standards for commercial driveways. Construction plans shall be designed by a registered civil engineer and shall be installed to the satisfaction of the City Engineer prior to final occupancy approval.

19. Noise/unlawful conduct: There shall be no noise or activity that disturbs the peace and quiet of neighboring businesses or residents. In the event of a complaint regarding activities on the property, the property owner and/or onsite manager shall respond within thirty (30) minutes from time of notification of any issue to address concerns/complaints pertaining, but not limited to, disorderly or unlawful conduct on the subject property, overcrowding of the unit, and/or unreasonable noise or other requirements or limits specified in the Sand City Municipal Code, the City's administrative policies or procedures, or other governing law.

20. Business License: Prior to final occupancy approval, the applicant shall acquire a Sand City business license for the duration of the Applicant's Use at the Subject Property. Failure to maintain a current Sand City business license shall be sufficient grounds for revocation of CUP24-077.

21. Examination of Plans: All site and improvement plans, documents, reports, and supporting materials for the Project shall be reviewed and approved in writing by the City prior to the issuance of any building or encroachment permits. Any and all requirements specified by the City during the plan review process shall be implemented to the satisfaction of the City. All public and site improvement plans (architectural, civil, electrical, landscaping, etc.) shall be fully integrated to ensure that the improvements may be constructed safely and without conflict with one another.

22. All requirements of the City's Planning, Building, Fire, Public Works, and Engineering Departments, and the requirements of any Agencies with Jurisdiction (AWJ) over the project, including but not limited to: California American Water, Monterey Peninsula Water Management District, Seaside County Sanitation District, Monterey One Water, and the Monterey County Health Department shall be implemented to the satisfaction of each agency/department. All requirements of AWJ over the project shall be met to the satisfaction of the City prior to issuance of any building permits or final occupancy approval for the project.

23. Water and Sewer: All water and sewer improvements shall be designed and constructed in accordance with the standards and specifications of Monterey Peninsula Water Management District and the Seaside County Sanitation District, and to the satisfaction of the City Engineer. The Applicant shall provide approvals from both Monterey Peninsula Water Management District and the Seaside County Sanitation District for all water and sewer improvements, and/or connections.

24. Stormwater: the project shall comply with applicable requirements of Sand City Municipal Code (SCMC) 13.05 Stormwater Management and the City's Phase 2 National Pollutant Discharge Elimination System (NPDES) General Permit, including the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (PCRs).

    a) Determination: The Applicant shall complete a Stormwater Compliance Tracking Form or similar documentation for review and approval in writing

by the City Engineer, to determine whether the Project is subject to the following requirements.

b) Stormwater Control Plan (SWCP): If applicable, the Applicant shall prepare and submit a Stormwater Control Plan (SWCP) for the Project demonstrating compliance with the PCRs. The SWCP shall be prepared by the project civil engineer in accordance with City requirements. The SWCP shall be prepared in accordance with the latest adopted Stormwater Technical Guide (STG) and templates.

c) Best Management Practices (BMPs): During all phases of construction and/or land disturbance activities, the Project shall implement site-specific BMPs to protect water quality and prevent storm water pollution, as required by SCMC 13.05 Stormwater Management. The Application shall submit an Erosion and Sediment Control Plan (ESCP) or Water Pollution Prevention Plan (WPPP), as applicable, for review and approval by the City Engineer.

25. Public Improvements: Public improvements required for the project shall be designed and installed by the Applicant in accordance with City standards and requirements, and to the satisfaction of the City Engineer. All public improvements shall be shown on public improvement plans and shall be designed by a California licensed professional civil engineer.

26. Utility Plans: Prior to final occupancy approval, the Applicant shall install any utilities that are required for the Project. The Applicant shall submit a Utility Improvement Plan for review and approval in writing by the City Engineer showing how utilities will serve the property. The Utility Improvement Plans shall identify all utilities and connections required for the Project, including but not limited to storm drainage, sanitary sewer, water, electric, gas, telephone, cable, and associated infrastructure. Any trenching of street asphalt pavement and/or concrete for utility connections shall require an Encroachment Permit and shall be replaced per City standards and requirements.

27. Encroachment Permits: An encroachment permit shall be required for any work within public rights-of-way and/or easements. An Encroachment Permit shall be issued based upon plans reviewed and approved in writing by the City Engineer, which plans shall contain and reference final, approved public improvement plans and an engineer's estimate for the work to be performed. The Applicant shall submit an Encroachment Permit application for review and approval in writing by the City Engineer and shall pay all fees associated

with the processing and review of the permit. All encroachment permits shall be subject to review and approval in writing by the City Engineer.

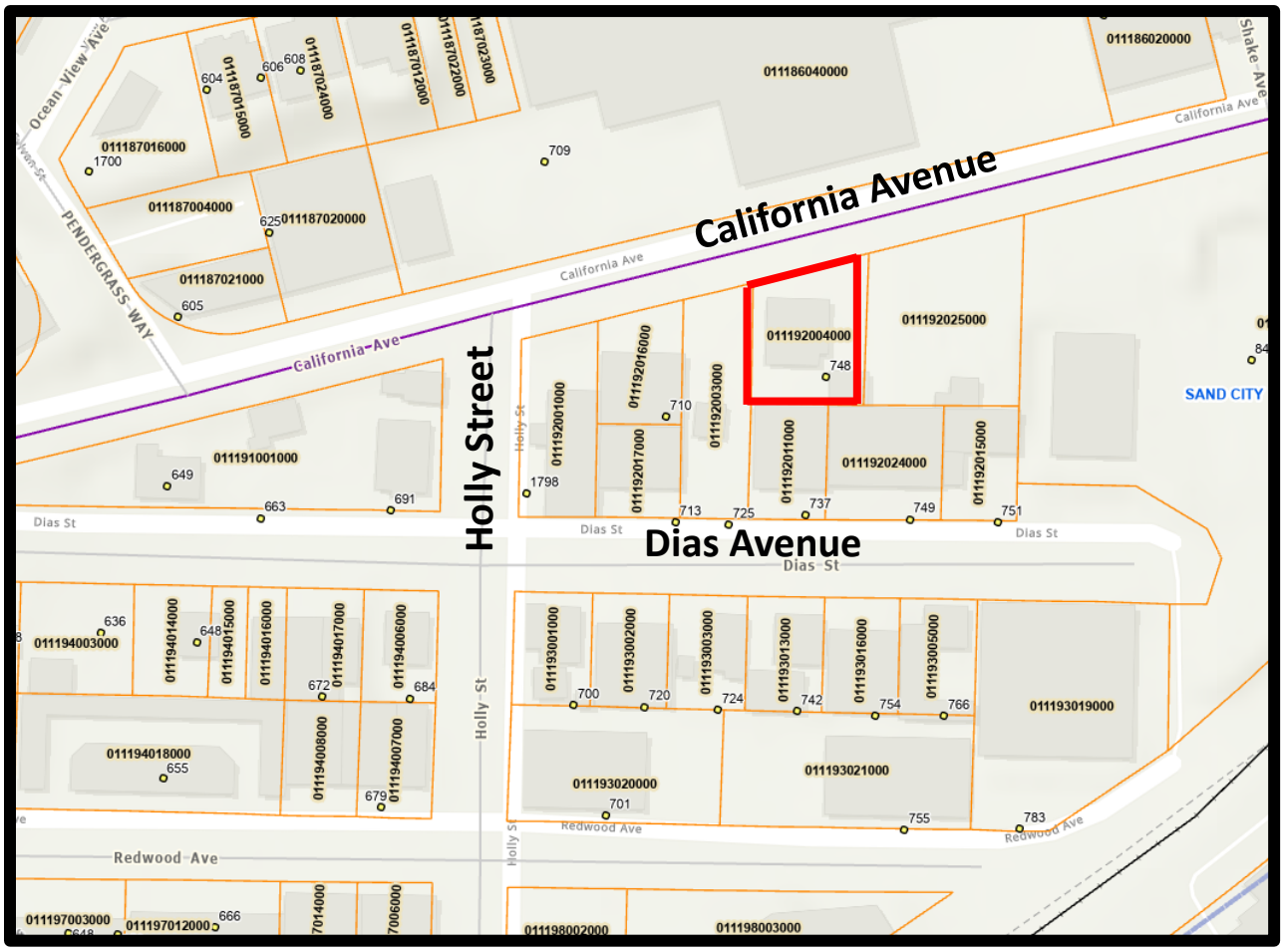
_____ _____

Applicant Signature Date

_____ _____

Property Owner Signature Date

EXHIBIT 2
LOCATION MAP



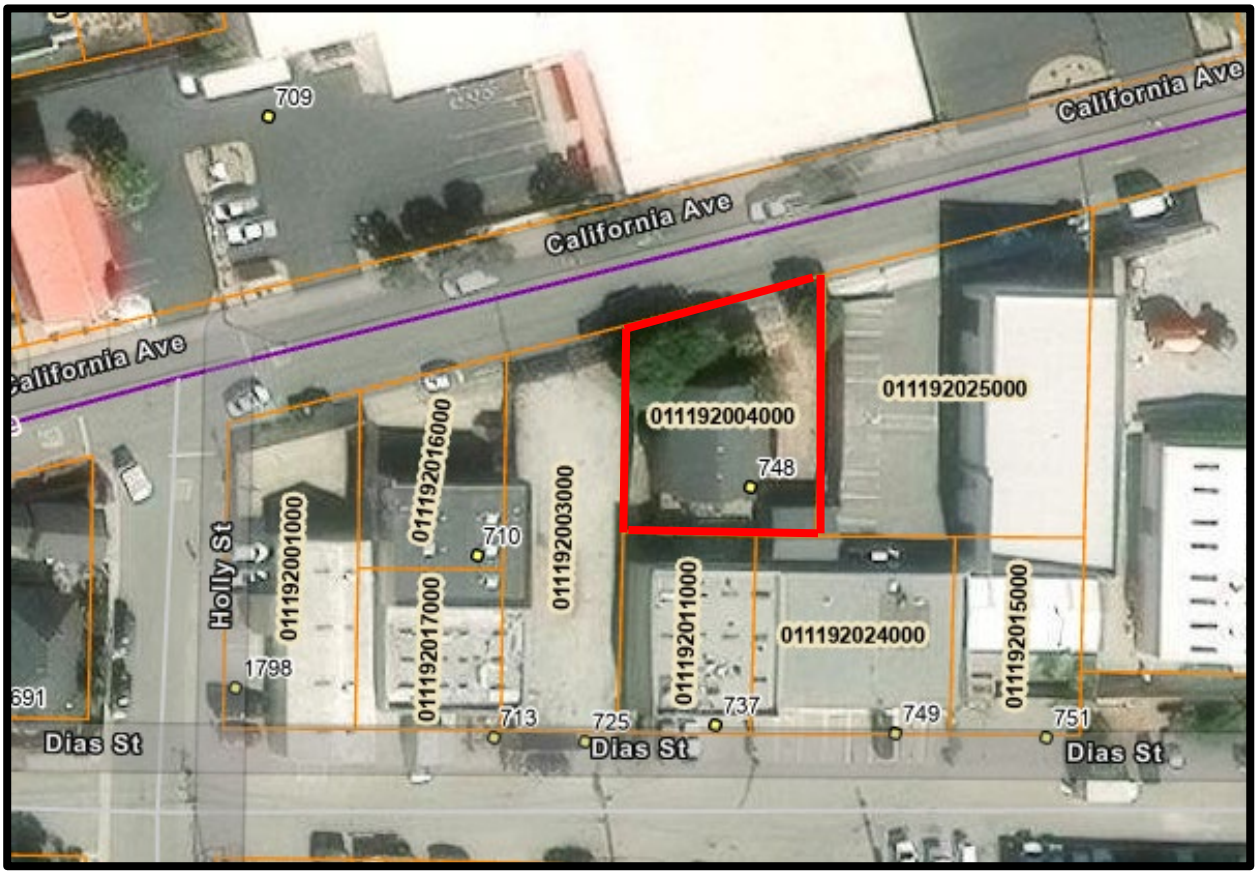
Project Site

N

EXHIBIT 2
CUP24-077 LOCATION MAP

EXHIBIT 3

AERIAL MAP



Project Site

Parcel Lines

N

EXHIBIT 3
CUP24-077 AERIAL MAP

EXHIBIT 4
SITE PHOTO

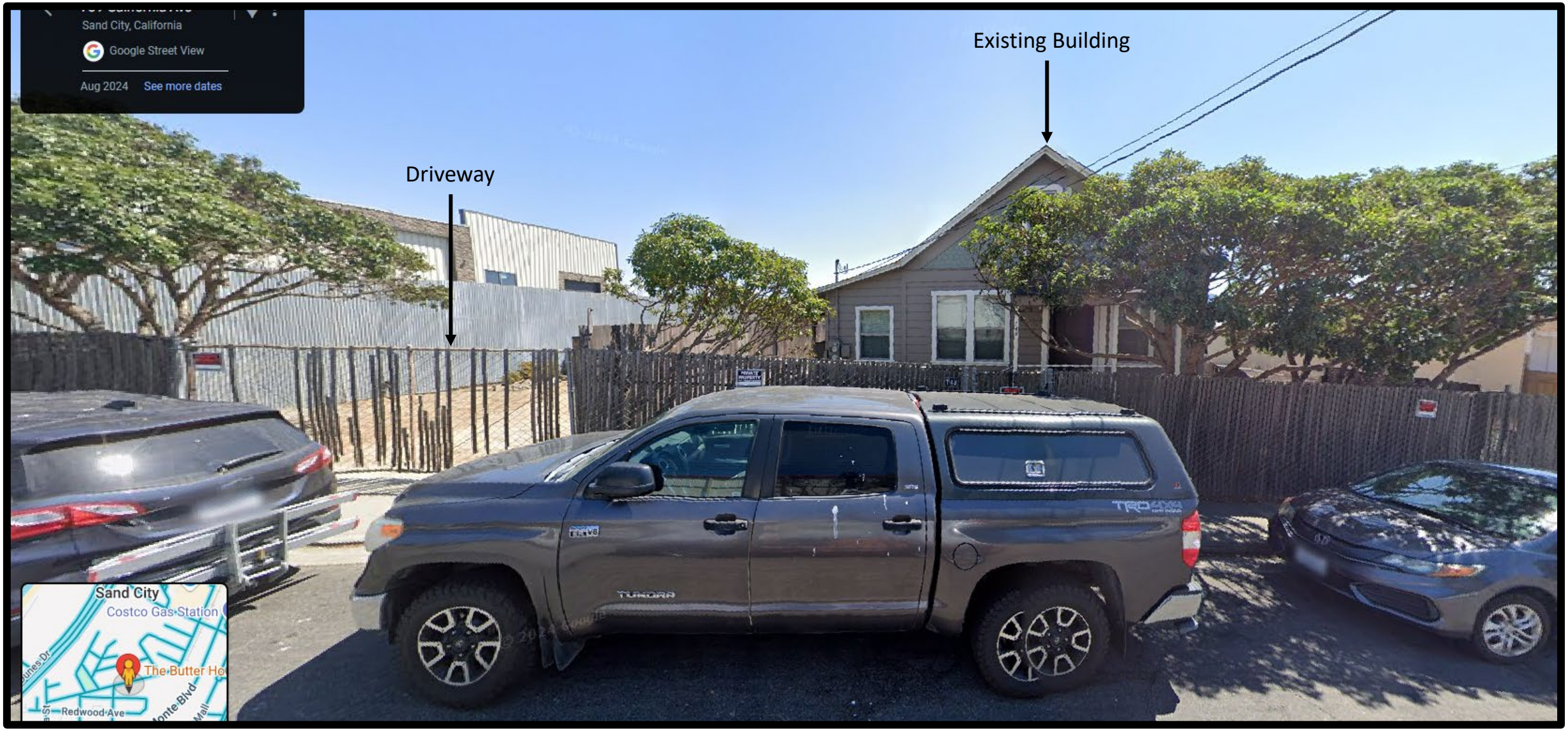
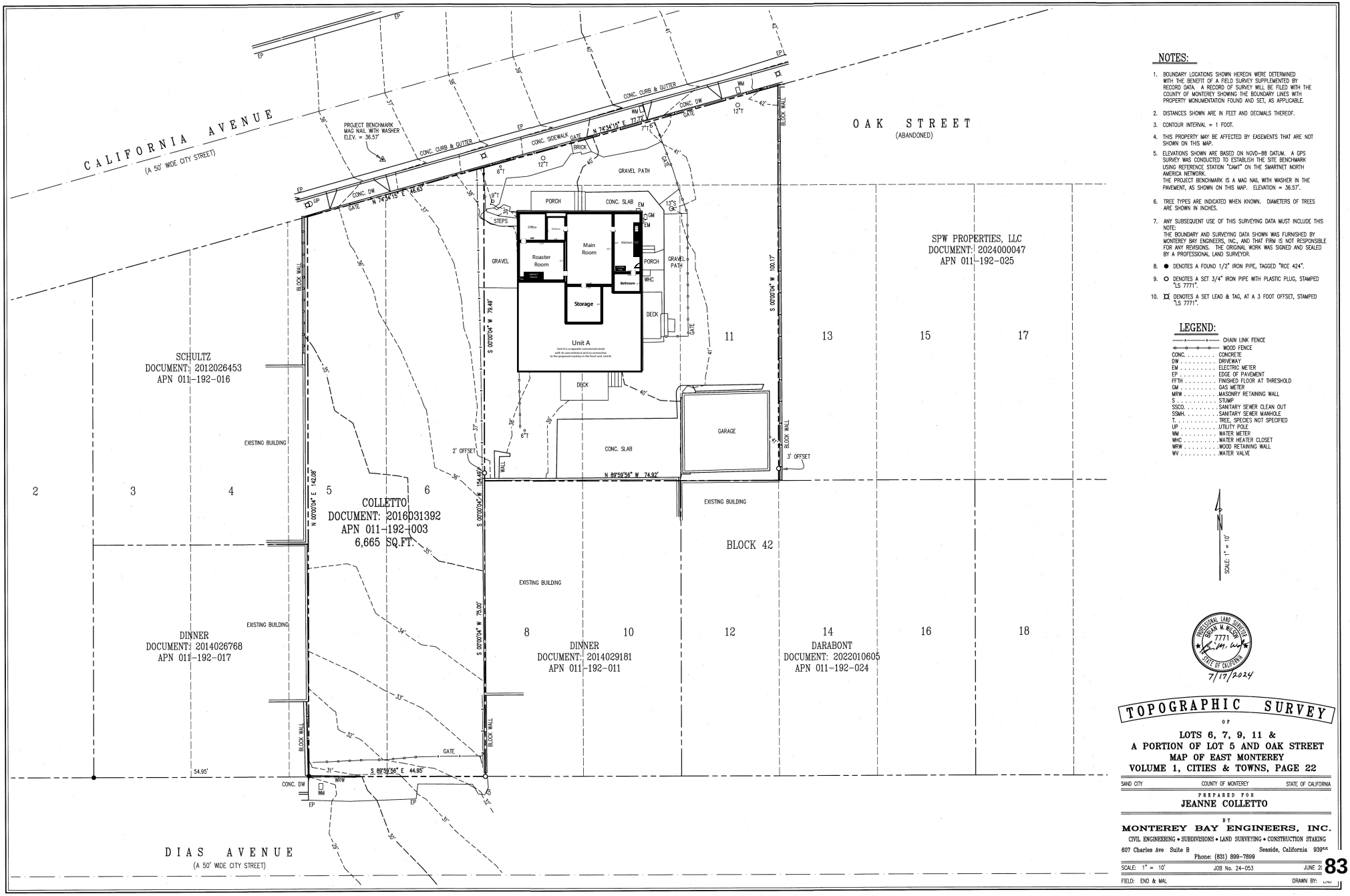


Exhibit 4
CUP24-077 Site Photo



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 THE BOUNDARY LINES WITH PROPERTY MONUMENTATION FOUND AND SET, AS APPLICABLE.
2. DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. CONTOUR INTERVAL = 1 FOOT.
4. THIS PROPERTY MAY BE AFFECTED BY EASEMENTS THAT ARE NOT SHOWN ON THIS MAP.
5. ELEVATIONS SHOWN ARE BASED ON NGVD-88 DATUM. A GPS SURVEY WAS CONDUCTED TO ESTABLISH THE SITE BENCHMARK USING REFERENCE STATION "CAMT" ON THE SMARTNET NORTH AMERICA NETWORK.
   THE PROJECT BENCHMARK IS A MAG NAIL WITH WASHER IN THE PAVEMENT, AS SHOWN ON THIS MAP. ELEVATION = 36.57'.
6. TREE TYPES ARE INDICATED WHEN KNOWN. DIAMETERS OF TREES ARE SHOWN IN INCHES.
7. ANY SUBSEQUENT USE OF THIS SURVEYING DATA MUST INCLUDE THIS NOTE:
   THE BOUNDARY AND SURVEYING DATA SHOWN WAS FURNISHED BY MONTEREY BAY ENGINEERS, INC., AND THAT FIRM IS NOT RESPONSIBLE FOR ANY REVISIONS. THE ORIGINAL WORK WAS SIGNED AND SEALED BY A PROFESSIONAL LAND SURVEYOR.
8. ● DENOTES A FOUND 1/2" IRON PIPE, TAGGED "RCE 424".
9. ○ DENOTES A SET 3/4" IRON PIPE WITH PLASTIC PLUG, STAMPED "LS 7771".
10. ⌑ DENOTES A SET LEAD & TAG, AT A 3 FOOT OFFSET, STAMPED "LS 7771".

LEGEND:

x x	CHAIN LINK FENCE
o o	WOOD FENCE
CONC.	CONCRETE
DW	DRIVEWAY
EM	ELECTRIC METER
EP	EDGE OF PAVEMENT
FFTH	FINISHED FLOOR AT THRESHOLD
GM	GAS METER
MRW	MASONRY RETAINING WALL
S	STUMP
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
T	TREE, SPECIES NOT SPECIFIED
UP	UTILITY POLE
WM	WATER METER
WHC	WATER HEATER CLOSET
WRW	WOOD RETAINING WALL
WV	WATER VALVE

SCALE: 1" = 10'

PROFESSIONAL LAND SURVEYOR
BRIAN M. MALSNER
7771
STATE OF CALIFORNIA
7/17/2024

TOPOGRAPHIC SURVEY

OF

LOTS 6, 7, 9, 11 &
A PORTION OF LOT 5 AND OAK STREET
MAP OF EAST MONTEREY
VOLUME 1, CITIES & TOWNS, PAGE 22

SAND CITY | COUNTY OF MONTEREY | STATE OF CALIFORNIA

PREPARED FOR
JEANNE COLLETTO

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" = 10' | JOB No. 24-053 | JUNE 20

FIELD: END & MAL | DRAWN BY:

Smooth Coffee Company, LLC
Roastery Floor Plan
748 California Ave, Unit B

Submitted by Noah Reeves
P: (831) 915-6624

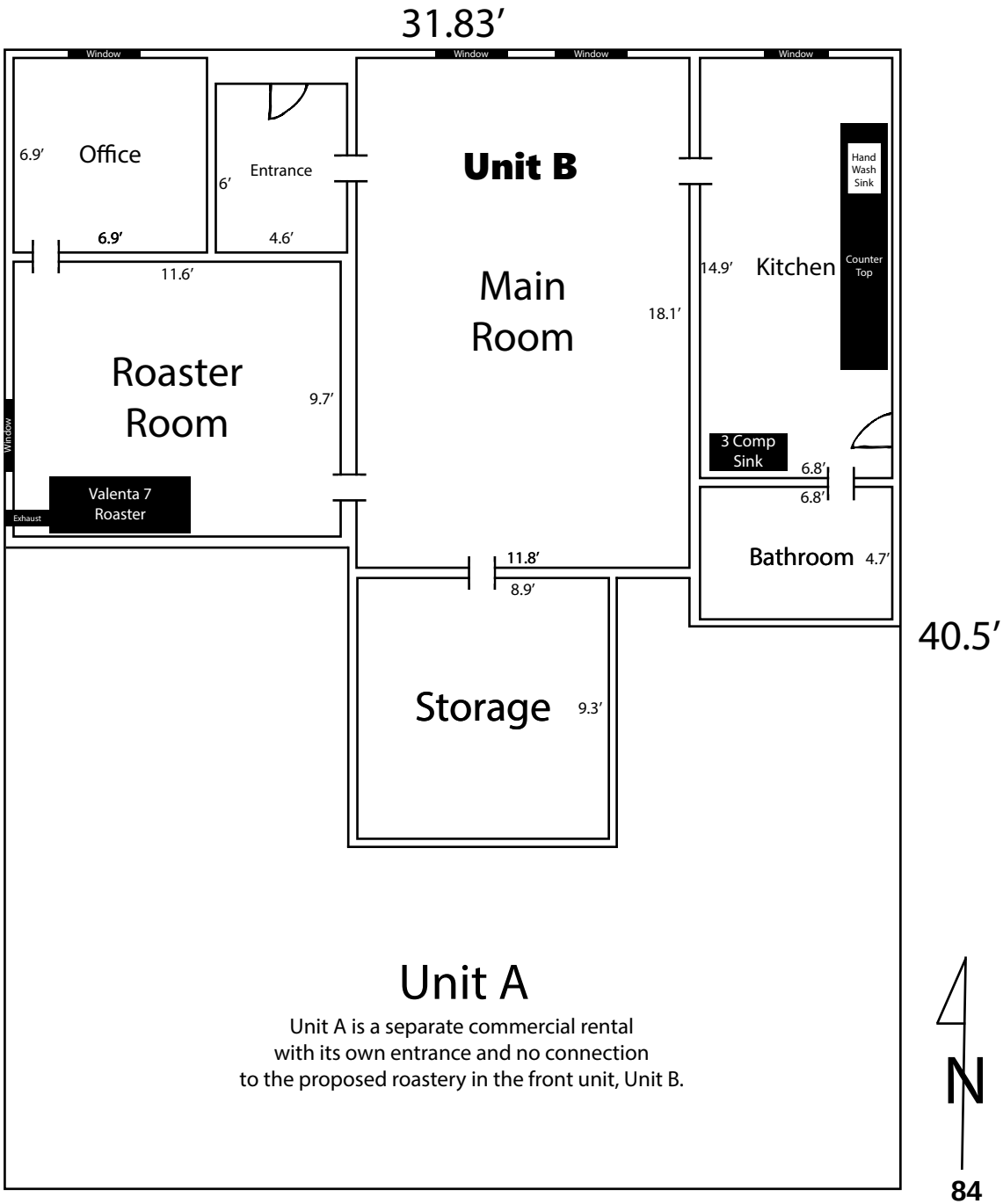


Exhibit 6 Floor Plan

To whom it may concern,

My name is Noah Reeves, and I am submitting this Letter of Intent as the owner, manager, and sole employee of Smooth Coffee Company, LLC. I am applying for a use permit to operate my coffee roastery at 748 California Ave., Unit B, Sand City, CA 93955.

Smooth Coffee Co. will begin its life as a direct-to-consumer and wholesale coffee roasting business. Our mission is to “Make Modern Coffee Accessible to Anyone” with sustainability, accessibility, and community at the center of every choice we make.

Smooth Coffee Co.’s initial operations will consist only of roasting and packaging coffee between the hours of 7am and 7pm Sunday through Saturday, depending on order volume. Coffee will be roasted on Coffee Crafters’ Valenta 7, a fully electric roaster with a functional batch capacity of 5lbs. According to MBARD, roasters with a capacity of 5lbs or less are not subject to afterburner or permitting requirements.

Employee parking will be located next door at 756 California Ave via a parking space lease agreement. Orders will be delivered by personal vehicle to post or local address.

Deliveries will consist of pallets of green coffee shipped by freight to the designated loading zone marked on the included site map between 8am and 2pm Monday-Friday.

Materials and equipment stored on site will pertain only to coffee roasting and packaging, including the Valenta 7 roaster, coffee grinder, packaging materials, etc.

I look forward to reviewing these plans with Sand City to begin developing my dream business into something that truly makes an impact on the local community and grows alongside Sand City’s vibrant plans for its future. Thank you for your consideration.

Sincerely,

Noah Reeves
Owner / Manager / Roaster
Smooth Coffee Company, LLC

Monterey County Health Department
1270 Natividad Road, Room B301
Salinas, CA 93906
(831) 755-4511
Fax (831) 755-8954

Jurisdiction Name _____
Use Permit # _____
Or
Building Permit # _____
Contact Name _____
Phone # _____

HAZARDOUS MATERIAL QUESTIONNAIRE

Business Name Smooth Coffee Company, LLC Type of Business Coffee Roasting, Packaging
Site Location 748 California Ave, Unit A City San Carlos, CA APN: 011-192-004-000
Mailing Address As above
Business Contact Noah Reeves (831) 915-6624
Name *Phone Number*
Property Owner Lois Colletto (831) 649-3736
Name *Phone Number*

1. Will your business/proposed project be using any hazardous materials such as oil, fuels, solvents, compressed gases, acids, corrosives, pesticides, fertilizers, paints or other chemicals?
☐ Yes ☒ No

2. Will your business/proposed project be using hazardous materials in quantities of 55 gallons and above for liquids, 500 lbs. and above for solids and/or 200 cubic feet and above for compressed gases?
☐ Yes ☒ No

3. Will your business/proposed project be using any quantities of acutely hazardous materials such as ammonia, chlorine, sulfuric acid, formaldehyde, hydrogen peroxide, methyl bromide or other restricted pesticides?
☐ Yes ☒ No

4. Will your business/proposed project be using underground storage tanks to store hazardous materials?
☐ Yes ☒ No

5. Will your business/proposed project be generating any quantities of hazardous waste such as waste oil, waste solvents, etc?
☐ Yes ☒ No

6. Will your business/proposed project be emitting any hazardous air emissions?
☐ Yes ☒ No

CERTIFICATION:
I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge and belief.

Executed AT:
San Carlos, CA
City, State

ANY QUESTIONS REGARDING THIS FORM CAN BE DIRECTED TO:
Monterey County Health Department
Division of Environmental Health
1270 Natividad Road, Room B301
Salinas, CA 93906
(831) 755-4511

Print Name of Owner/Operator: Noah Reeves
Signature of Owner/Operator: _____

For Local Jurisdiction Use Only:

1. Is there a known or proposed school, hospital, day care, or long term care facility within 1,000 feet of this site location?
☐ Yes ☐ No

2. Is there a known or proposed school, hospital, day care, or long term care facility ¼ mile of this site location?
☐ Yes ☐ No

Health Department Clearance
Signature: _____ Date: _____
Print Name and Title: _____

Air Pollution District Clearance
Signature: _____ Date: _____
Print Name and Title: _____

AGENDA ITEM
8B.

Approve a Resolution Approving Conditional Use Permit (CUP 23-007) and Site Plan for Temporary Truck Storage (Phase I) and a Food Truck Park and Community Event Space (Phase II) ("The Yard") at 725 Dias Avenue

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Esme Wahl, Contract City Associate Planner
SUBJECT: Application for a Conditional Use Permit (CUP23-007) for Truck Storage and a Food Truck Park and Community Event Space on property located at 725 Dias Avenue (APN 011-192-003)
Applicant: Jeanne Colletto
DATE: **January 21, 2025**

RECOMMENDATION
Staff recommends the City Council adopt a Resolution, attached as Exhibit 1, to:

1. Determine that the subject project is exempt from CEQA (Categorical Exemption Class 1, CEQA Guidelines §15332, In-Fill Development Projects); and

2. Approve Conditional Use Permit (CUP) 23-007 and the proposed Site Plan, based on findings in Exhibit 1A and subject to conditions of approval in Exhibit 1B.

BACKGROUND
An application was submitted by Jeanne Colletto (the "Applicant") for a Conditional Use Permit (CUP 23-007) to utilize an approximately 6,700 square foot fenced, unimproved lot at 725 Dias Avenue (APN 011-192-003) (the "Subject Property") as a storage yard, for a period of two years, and thereafter as a food truck court and community event space (the "applicant's proposed use"). See Exhibit 2, Location Map and Exhibit 3, Aerial Map.

The current use permit application no longer matches the Applicant's initial Letter of Intent (Exhibit 6). This request evolved over the course of the application process, as follows:

- September 12, 2023: the Applicant submitted their application;

- October 5, 2023: the City submitted a grant application for the Recompete Strategy Development Grant to help assist the Applicant's project;

- March 5, 2024: City planning, building, engineering, and public works staff met with the Applicant at City Hall to discuss the information that was still outstanding for a complete application;

- September 9, 2024: the Applicant submitted an amended Letter of Intent to request use of the property for truck storage for up to 3-years while they raised funding for the food truck park use; and

- September 22, 2024: the Applicant submitted revised plans for the food truck park.

Project Description
The Applicant proposes improvement and use of the Subject Property in two phases, as follows:

Phase I: Corporation Yard (single user truck and equipment storage)
The Applicant proposes to establish outdoor storage of four (4) trucks, on-site parking for six (6) employees, and installation of a standard shipping container for storage of tools related to the hauling business.

Hauling trucks will be dumped on the day of the haul, unless the disposal site is closed, in which case trucks will be parked overnight on-site, with truck beds covered and dumped the morning of the next business day. No deliveries are proposed and no hazardous materials are proposed to be stored on the site. No exterior site improvements or interior building improvements are proposed. See Exhibit 4, Site Photos.

Access to the property is proposed to be restricted to the existing California Avenue entrance. Hours of operation are 7:30 a.m. to 4:30 p.m. Monday through Saturday.

The proposed use will operate on the site for a period of two years and thereafter will transition from commercial/industrial use (Phase I) to a retail-oriented use (Phase II) consistent with uses allowed in the MU-P Zoning District. Use of the Subject Property as a storage yard is a non-conforming use and may not be renewed after the two-year period.

No site improvements are proposed for Phase I.

Phase II: Proposed Food Truck Court:
The Applicant proposes improvement and use of the Subject Property to establish an open-air food truck court and community event space (the Yard). The 6,665 square feet site is proposed to be improved and used as follows (square feet references are approximate):

- 5,823 square feet of ADA engineered wood fiber (EWF) mulch to be used throughout the site within areas proposed for pedestrian circulation;
- 662 square feet of landscaped area, located in the center of the Subject Property around the seating;
- 180 square feet of decomposed granite (DG);
- Four (4) 240 square feet spaces for each food truck or trailer;
- Two portable restrooms comprised of one regular and one ADA accessible portable restroom, including a hand wash station;
- Space for up to four (4) temporary pop-up retail shops;
- 31 seats for food service customers distributed within the following areas:
    - Two firepits with seating;
    - Bistro lounge seating area;
- 240 square feet stage and 200 square feet assembly area;
- A water storage tank;
- A two foot (2') tall retaining wall delineating the bistro seating area;
- Bike rack; and
- A play element comprised of wooden blocks.

On-site parking is not proposed. Pedestrian entrances are located along both the Dias Avenue and California Avenue frontages. Food trucks/trailers would enter the site daily using the existing curb cuts on Dias Avenue and California Avenue. The existing curb cuts do not meet the minimum width for commercial driveways per City standards. See Exhibit 5, Site Plan.

Hours of operation are proposed from 7am to 9pm, daily. Food truck service at the Yard will typically include a lunch and dinner service. Special and/or private events could include movie nights, art exhibitions, and farm-to-table dinners. All special events would occur

within the stated hours of operation. If the Applicant plans to hold an event that exceeds 100-participants or goes past 9pm, a Special Event Permit will be required.

In addition to the food truck operators, at least one (1) employee (owner/co-owner) would be on-site during open business hours.

Product shipments to/from the site with loading/unloading activities are required to occur only within the hours of operation stated above.

Site Description
The subject property is an approximately 65' W x 150' L parcel, comprised of two legal lots of record with frontage on both Diaz Avenue and California Avenue. The site is unimproved, with the exception of fencing and gates. Along the California Avenue frontage, the property is screened by a chain link and wood fence. Along the Dias Avenue frontage, fencing includes a combination of a wood fence and a metal gate.

The surface of the site and interior driveway is a rough combination of bare ground, gravel and sparse ruderal vegetation throughout the site.

The street improvements (i.e. curb, gutter, drive-apron, etc.) are in substandard condition along the Subject Property's California Avenue and Dias Avenue frontage. The driveway serving the site from the California frontage is inconsistent with City Commercial Driveway design standards. Commercial driveways are required to have a 12-foot-wide approach. The California Avenue driveway is 16 feet wide, with 2-foot 6-inch ears on each side, resulting in an 11-foot-wide approach. There is no driveway on Dias Avenue currently. Utilities (i.e. gas, electric, water, sewer, etc.) have not been provided to the site.

Previous Entitlements and Uses
The subject site has been used most recently, from February 6th 2018 to February 6th 2023, as a corporation yard by a masonry business for the storage of tools, machinery, and vehicles. Conditional Use Permit CUP 619 allowed such uses subject to 25 conditions of approval, which reduced the negative impacts on the surrounding community that can be associated with a corporation yard. At the time that this use was in operation, it was located within the MU-P Zoning District. As such, this previous use was defined, by operation of the SCMC Section 18.70 as a nonconforming use as : "…a … premises legally …used at the time of adoption of the ordinance …which … premises is not in full conformity with the use regulations of the district in which same is located; (Municipal Code Section 18.04.380).

The subject application for Conditional Use Permit CUP23-007 was submitted by Jeanne Colletto on September 12, 2023, and accepted for filing thirty (30) days thereafter. Submittal of the application and acceptance for filing occurred more than sixty (60) days after cessation of the previous non-conforming use and cannot be re-established pursuant to provisions of Municipal Code Chapter 18.04 (see discussion regarding Zoning Ordinance consistency below). The proposed use is similar in nature to the

nonconforming use established via CUP 619 with respect to the storage of trucks, truck trailers, employee parking, storage of equipment and material.

General Plan, Zoning, and Surrounding Land Uses

General Plan

The Subject Property has a General Plan land use designation of Mixed-Use (MU-D) and is within the 'Old Town Planning District'. Applicable Land Use Element policies are as follows:

- *Goal 2.1: Transform the Old Town district from an area of heavy industrial, unplanned land use mix and warehouse uses to a planned area of light manufacturing, service commercial and residential uses, with a heavy emphasis towards streetscape beautification.*

- *Policy 2.1.1: Encourage the establishment of new land uses within the Old Town district that: • Provide goods and services required by the community and surrounding area • Are generally complementary to other desirable businesses in the area and are residentially compatible in terms of being low-impact neighbors to residential uses • Contribute to a diversity of activities that could include artisans, ethnic markets, and restaurants, entertainment, and incubator industries*

- *Policy 2.1.2: Prohibit any new self-storage or purely warehouse uses.*

Vibrancy Plan

Vibrancy Plan recommendations for commercial development in the area are principally intended to support transformation of the warehousing/manufacturing/commercial – service orientation of the core planning area to one oriented to retail and visitor serving uses. The Vibrancy Plan includes tools focused on increasing commercial and visitor serving uses in the area:

- *LU-1d. "Strive for the greatest concentration of retail uses, restaurants, brew pubs, artists' studios, and entertainment venues along Contra Costa Street, Ortiz Avenue, and adjoining side streets."*

- *LU-1h. "…The market is strongest for residential, then industrial, followed by mixed use, commercial retail, and then office …. Of these, commercial retail is the use most aligned with the City's vision. Residential units (including residential within mixed use or live work units) increase the immediate customer base".*

- *LU-1e. "Establish locations for use by food trucks or other mobile vendors."*

- *ED-4: "Encourage and facilitate the establishment of small-scale retail, entertainment, and visitor-serving businesses."*

Zoning Code Regulations
The Planned Mixed Use (MU-P) zoning district, within which the site is located, implements General Plan and Vibrancy Plan policies and recommendations. A corporation yard or outdoor truck storage yard are not principal permitted or conditional uses in the MU-P District (SCMC Chapter 18.13).

The truck yard and equipment storage use, by itself, is inconsistent with the above referenced General Plan / Vibrancy Plan policies and is not listed as either a permitted or conditional use in the MU-P District.

The proposed truck yard use could be considered as a continuation of the previous, similar "nonconforming use", a corporation yard without significant structures on-site, for a masonry business (CUP619), if commenced within sixty (60) days of February 6, 2023 (Municipal Code Section 18.70.050). However, that previous "nonconforming use" ceased in February 2023, and an application for a Conditional Use Permit was not submitted for City Council approval nor was the same or a similar use legally established on the site within the sixty (60) after operations cease. The proposed truck and equipment storage use cannot be considered a nonconforming use, and, by itself, would not be allowed due to inconsistency with the General Plan / Vibrancy Plan and MU-P Zoning District. However, such a use can be allowed provided it is integrated as a first phase of a use that is allowed.

While an outdoor food truck park and community event space is not expressly stated as a conditional use pursuant to SCMC Section 18.13 (MU-P), the City can allow any other use not expressly listed as a conditional use if the City Council finds such use to be consistent with the goals and policies of the Sand City General Plan and the purposes of this zoning district (SCMC Section 18.13.040.P). The proposed use of the subject property as an open-air food truck court and community event space is consistent with the above referenced General Plan and Vibrancy Plan policies listed above.

Surrounding Land Uses:
The property is predominantly surrounded by light industrial and commercial uses. The nearest residence is across the street on Dias Avenue, less than 100-feet away.

Analysis
Phase I: Truck and Equipment Storage

Land Use
The truck yard and equipment storage use, by itself, is inconsistent with the above referenced General Plan / Vibrancy Plan policies and is not listed as either a permitted or conditional use in the MU-P District.

A truck and equipment storage yard (corporation yard) use may be allowed if determined to be a continuation of the previous, similar “nonconforming use”, a corporation yard for a masonry business (CUP619). The proposed new use would need to be fully permitted and operational, including any condition compliance, commenced within sixty (60) days of February 6, 2023, the date that the masonry business ceased use of the site. (Municipal Code Section 18.70.050.C). However, that previous “nonconforming use” ceased nearly two years ago, and a similar use was not legally established and an application to extend such use was not submitted within the (60) day time limit for continuation after operations cease. The proposed truck and equipment storage use, therefore, cannot be considered a nonconforming use, and, by itself, would not be allowed due to inconsistency with the General Plan / Vibrancy Plan and MU-P Zoning District.

The applicant’s letter of intent overcomes the above restriction (Exhibit 6) by combining the corporation yard use as the first phase of an overall plan to develop the site with a proposed Phase II, food truck court, consistent with policies and recommendations of the General Plan / Vibrancy Plan.

No property improvements are proposed for the subject corporation yard use. To ensure the inter-relationship of Phases I and II, conditions of approval require improvements, consistent with the nature of the Phase I use, yet also useful for Phase II improvement and use, to be completed during the two years that Phase I is in operation. Such improvements include repair/replacement of deteriorated fencing and installation of driveway aprons consistent with the City’s design standards for commercial driveways. Prior to commencement of Phase I, clearing the site of weeds and debris, minor grading to ensure positive site drainage, and installation of site coverage material sufficient to control dust is required pursuant to Municipal Code section 18.64.060.B.

Parking

Phase I of the project proposes to provide off-street parking for six (6) employees of Jasso’s Hauling. Employees will park their vehicles on-site during the day. Sand City Municipal Code 18.64.060.B requires areas used for parking and storage of vehicles to be surfaced with an asphaltic, cement, or some other appropriate pavement material so as to provide a durable and dustless surface. A condition of approval has been added which requires the Applicant to surface the site in compliance with SCMC section 18.64.060.B.

A condition of approval prohibits parking and/or storage of hauling trucks, trailers, and employee vehicles on any public street.

Use of Site

Mechanical work on vehicles is prohibited on-site.

Driveway Improvements

A condition of approval is included which requires the Applicant to install new driveways per City standards for commercial driveways.

Phase II Food Truck Court

Land Use

The General Plan designates the subject property as Mixed-Use Development (MU-D). This land use designation is implemented by the "Planned Mixed Use" (MU-P) Zoning District. Section 18.13.040.J of the City's Zoning Ordinance allows restaurants, food service, and food take out subject to the issuance of a Conditional Use Permit. A food truck court is considered a retail restaurant/food service operation, a use that is consistent and compatible with General Plan and Vibrancy Plan policies.

Service Commercial uses are also listed as Conditional Uses in the MU-P Zoning District. These businesses are defined, in part, as businesses that are engaged in rendering services on a fee or contract basis for all phases of building construction and maintenance. These conditional uses are those with characteristics that can be made compatible with residential uses as part of, or adjacent to, residential uses. These uses are distinguished from permitted uses in the Heavy Commercial (C-2) District such as contractor's equipment storage, yard storage, and rental of equipment commonly used by contractors. For this reason, it is necessary to incorporate Phase I proposed use and improvements (truck and equipment storage and related site and access improvements), ordinarily not allowed in the MU-P District, as part of the project.

Parking

The Applicant submitted a site plan that does not accommodate on-site parking, citing state law AB 2097. AB 2097 was signed into law on September 22, 2022 and generally prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within ½ mile of a major transit stop.

"Major transit stop" means a site containing any of the following: (a) An existing rail or bus rapid transit station; (b) A ferry terminal served by either a bus or rail transit service; or (c) The intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods.

Sand City has a major transit stop that meets criteria (c). With the implementation of the Better Bus Network on December 10, 2022, Jazz A and Jazz B have a combined frequency of 15-minute service from 7:26 a.m. to 6:48 p.m. at Sand City Station. The Subject Property is located approximately 0.45-miles from the Sand City Station. Therefore, it has been determined that AB 2097 applies to the subject property. While AB 2097 does provide for some exceptions, none would apply in this particular case. AB 2097 may not preclude the enforcement of any requirement for parking spaces that are accessible to person with disabilities.

Sand City's Municipal Code does not include standards for food trucks or food truck courts. However, Section 18.64.050 allows the City to apply parking standards for the most similar

use. The most similar use is a restaurant use (SCMC Section 18.64.050(O)) which requires one parking space for each 2.5 seats or one space for each 50 square feet. 31 seats are proposed, resulting in a requirement of twelve (12) on-site parking spaces. However, the City is currently in the process of amending the Municipal Code parking requirements, including parking requirements for restaurant uses. The Municipal Code parking revisions will be considered at the January 21, 2025 City Council meeting. Proposed code revisions under consideration will reduce the required off-street parking space ratio to one space per four seats, or one space per 125 square feet, resulting in eight (8) parking spaces required to be accommodated on-site based on the proposed number of seats.

Requiring eight (8) parking spaces on-site would result in half of the site being taken up for parking. Due to the size and configuration of the Subject Property, it is recommended that only half of the required parking be required pursuant to Municipal Code section 18.64.070. This would result in a requirement of four (4) on-site parking spaces, including one (1) ADA van accessible space and a 20-foot access drive per Section 18.64.040.

Given the limited supply of parking in the City's West End District, the City believes it is in the Applicant's best interest to provide four (4) parking spaces on-site to accommodate its activities. However, the Applicant has pointed to AB 2097, meaning the four (4) required on-site parking spaces cannot be enforced pursuant to the applicability of AB 2097. The applicant may still voluntarily comply with this requirement to provide customers with parking options. The requirement of one (1) ADA van accessible space and a 20-foot access drive per Section 18.64.040 is still applicable.

A condition of approval is included which requires the Applicant provide one (1) ADA van accessible space on-site.

Noise

The Applicant will be required to follow all noise guidelines as outlined in Sand City Municipal Code Section 8.04 (Loud Noises). Noise associated with the Applicant's Use is comparable to the noises produced by a restaurant or café, and will only occur within the hours of 7am to 9pm. All special events must operate within the City's noise guidelines, including that no outdoor loudspeaker, record player, amplifier, receiver, or musical instrument may be played or operated within the City limits in such a manner that it can be heard at a place 25 feet distant (Municipal Code Chapter 8.04.010).

Any special event that exceeds 100 participants will require a special event permit.

Utilities

The Subject Property is not serviced by the following utilities: gas, electric, water, or sewer. Within two (2) years of receiving approval from City Council, the Applicant will be required to obtain a water allocation, permit, and water meter set; install PG&E electrical service;

connect to the Seaside County Sanitation District sewer collection system and obtain required permits.

The applicant is required to obtain the authorization of the necessary water credits through the Sand City water entitlement, as well as complete all permitting requirements consistent with Monterey Peninsula Water Management District.

Lighting
A lighting plan will be required to provide a building code compliant exit path of travel and to provide safe use of the Subject Property during nighttime. Dark Sky standards will be required, ensuring that lighting is shielded and directed only onto the surfaces intended to be illuminated.

Trash and Trash Enclosure
The submitted site plan includes 95-gallon trash, recycling, and organics bins. GreenWaste reviewed the site plan and, based on the proposed use, recommends a two (2) yard trash bin, a two (2) yard recycle bin, and two (2) 95-gallon organics bins scheduled for weekly pick-up. A condition of approval has been included to require the recommended bin types and pick-up schedule. The bins shall be covered with a fully roofed trash enclosure, with fire sprinklers and a connection to the sanitary sewer, that is compatible in design with the surrounding buildings on the site.

Circulation
The Site Plan indicates an ADA path of travel through the ADA engineered mulch. The City Building Official and City Engineer have determined that a hard surface will be required for the exit path of travel to meet ADA requirements.

Two (2) food trucks will enter the Subject Property using the driveway apron along the Dias Avenue frontage and two (2) food trucks will enter the property using the driveway apron along the California Avenue frontage. Food trucks will enter the site each day before the Subject Property is open to the public, and will leave the site each day, once the Subject Property is closed to the public. Food trucks will enter and exit the site within the hours of operation stated herein. Compliance with commercial driveway design standards are required.

Signs If the Applicant intends to establish a business sign on the Subject Property, it will be subject to City Design Review Committee (DRC) review and approval and will require the issuance of a sign permit prior to installation.

Fence
The existing fence along California is in deteriorating condition and is not visually attractive. A condition of approval has been included which requires the Applicant to replace the California Avenue fence with an ornamental fence or other attractive landscape entrance improvements. New replacement fencing should be installed at any time prior to the expiration of Phase I uses to ensure integration of Phases I and II.

Restrooms

The site plan indicates one (1) ADA and one (1) regular portable restroom and one wash station. California Building Code requires permanent restrooms facilities for food truck parks. A condition of approval has been included which requires the Applicant to provide a minimum of two (2) fully ADA accessible restrooms with flush toilets and handwashing facilities.

Landscaping

The site plan includes landscaped areas which will be comprised primarily of drought tolerant, native plant species. The site plan also includes a water storage tank for rain water catchment and reuse for landscaping. The site plan includes the preliminary plant species list. The proposed landscaping conforms with SCMC Section 15.12.040 (Landscaping Standards for New Projects).

Conditional Use Permit

Under SCMC Section 18.13.040(J) a Conditional Use Permit is required for a food truck court and community event space, with a corporation yard as a preliminary interim use, in the MU-P Zoning District. Findings and related conditions of approval are included as Exhibits to the City's Resolution for approval of Conditional Use Permit 23-007 and the Site Plan (attached).

FISCAL IMPACT:

There will be minimal cost associated with the Conditional Use Permit, other than staff time.

CALIFORNIA ENVIRONMENTAL EQUALITY ACT (CEQA):

The intended use of the subject property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) guidelines section 15332, In-Fill Development Projects, consisting of uses consistent with the general plan and applicable zoning designation, on a parcel within city limits on a project site of no more than five acres surrounded by urban uses, and with no value as habitat for endangered, rare or threatened species.

ATTACHMENTS:

Exhibit 1: Resolution, including
- Exhibit A Findings of Approval
- Exhibit B Conditions of Approval

Exhibit 2: Location Map
Exhibit 3: Aerial Map
Exhibit 4: Site Photos
Exhibit 5: Site Plan
Exhibit 6: Letter of Intent
Exhibit 7: Hazardous Materials Questionnaire

CITY OF SAND CITY
RESOLUTION SC ___, 2025

RESOLUTION OF THE CITY COUNCIL OF SAND CITY APPROVING CONDITIONAL USE PERMIT (CUP 23-007) AND SITE PLAN FOR TEMPORARY TRUCK STORAGE (PHASE I) AND A FOOD TRUCK PARK AND COMMUNITY EVENT SPACE (PHASE II) ("THE YARD") AT 725 DIAS AVENUE

WHEREAS, Jeanne Colletto (the "Applicant") submitted an application to the City of Sand City (the "City") for a Conditional Use Permit and Site Plan approval to utilize the Subject Property as a corporation yard for a hauling business for a time period of two (2) years (Phase I) and after a period of two (2) years to establish and operate a food truck park and community event space (Phase II) ("the Yard") within the approximately 6,700 square foot existing fenced and vacant lot at 725 Dias Avenue (also fronting the 700 block of California Avenue, APN 011-192-003) (the "Subject Property"), which will accommodate up to four (4) food trucks, four (4) pop-up shops, a stage, and 31 seats (the "Applicant's Use"); and

WHEREAS, the Applicant's Use of the Subject Property, at the scale and intensity described in the application and with the appropriate conditions of approval included, is considered consistent with General Plan Policy 2.1.1 and Municipal Code section 18.13.040.P for the non-coastal "Planned Mixed-Use" (MUP) zoning designation of the Subject Property and compatible with neighboring properties and uses; and

WHEREAS, the project is not required to comply with City parking requirements pursuant to AB 2097; and

WHEREAS, the Applicant's Use is subject to Municipal Code section 8.04 (Loud Noises) and is prohibited from generating excessive noise, vibration, odors, and/or pose a general nuisance to neighboring properties or the tenants therein; and

WHEREAS, the Applicant's use during Phase I is considered to be integral to the use of the site during Phase II and the Applicant is required to obtain all necessary approvals for water, sewer, gas and electric from Monterey Peninsula Water Management District, Seaside County Sanitation District, and Pacific Gas and Electric prior to issuance of building permits for Phase II. This is intended to be done within the two (2) year period of the truck hauling business to be located on-site (Phase I); and

WHEREAS, if it is determined by the Monterey Peninsula Water Management District that the on-site water credit is insufficient for the Applicant's Use, the Applicant will be required to receive a water allocation from the City prior to issuance of building permits for Phase II; and

WHEREAS, the type and scale of operation for Phases I and II proposed by the Applicant are considered compatible with a mixed-use community and is not anticipated, as conditioned, to impose negative impacts or blighting influence upon the surrounding units and properties; and

WHEREAS, the Applicant's Use within an urban lot for a Categorical Exemption under CEQA (California Environmental Quality Act) Guidelines, Section 15332 (Infill Development); and

WHEREAS, the City Council of the City of Sand City has reviewed and wishes to adopt the findings for approving Conditional Use Permit CUP23-007 as supported by the City staff report, dated January 21, 2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby grant and issue the Conditional Use Permit CUP23-007 and approval of the Site Plan, based on the Findings of Approval in Exhibit A and subject to the terms and conditions in Exhibit B – Conditions of Approval, both of which are attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the City Council of the City of Sand City this ___, day of _____, 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, Mayor

ATTEST:
DATED: _____

_____
Kerry Lindstrom, City Clerk

EXHIBIT A

CITY OF SAND CITY
CONDITIONAL USE PERMIT CUP23-007 FINDINGS OF APPROVAL

Project Name: Conditional Use Permit (CUP23-007) for temporary Truck Storage (Phase 1) and a Food Truck Park and Community Event Space (Phase 2) ("the Yard")
Address: 725 Dias Avenue, Sand City, CA
Hearing Date: January 21, 2025

Findings for Approval:

The City Council finds that:

1. **Finding:** The proposed project is exempt from the requirements of the California Environmental Quality Act. The intended use on this property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) Guidelines Section 15332, Class 32, Infill Development.

    a. *Evidence:* The proposed project is fully surrounded by urban uses and the subject property has no value as habitat for endangered species. The proposed project, as conditioned, is consistent with applicable General Plan policies and zoning regulations.

2. **Finding:** The proposed use, which allows for improvement and use of the subject property in two phases: Phase I is for the express purpose of authorizing use of the property as a corporation yard for the storage of four (4) trucks, six (6) employee vehicles, and a shipping container for a hauling business for a period of two years (until January 21, 2027) and Phase 2 is for the establishment of a food truck park and community event space, including up to four (4) food trucks, four (4) pop-up shops, restrooms and hand wash stations, 31 seats, a bike rack, firepits, a water storage tank, two (2) foot tall retaining wall, a stage and assembly area, and play structure, conforms to the policy direction of the General Plan and the requirements and the intent of the City's zoning code as follows:

a. *Evidence*: The proposed project, as defined in the Applicant's letter of intent, the staff report, and as conditioned, is consistent with the MU – D designation of the General Plan and the Vibrancy Plan. The proposed truck and equipment storage use cannot be considered a nonconforming use, and, by itself, would not be allowed due to inconsistency with the General Plan / Vibrancy Plan and MU-P Zoning District. However, such a use can be allowed provided it is integrated as a first phase of a use that is allowed. Use of the subject property as a food truck court and community event space is consistent with General Plan Goal 2.1 and Policies 2.1.1 and 2.1.2 which encourage new land uses that provide goods and

services to the community, including restaurants and is consistent with Vibrancy Plan LU-1e which encourages establishment of locations for use by food trucks;

b. *Evidence*: The establishment of a food truck court and community event space with the intended use types as described in CUP24-077 and on the Site Plan is allowed under the MU-P zoning regulations (SCMC 18.13.040.P) with an approved Conditional Use Permit. The proposed project complies with the zoning regulations outlined in Sand City Municipal Code Chapter 18.13 (MU-P), including, but not limited to, height, setbacks, and allowable area.

c. *Evidence*: The intended use type for the subject property is compatible with the Planned Mixed-Use (MU-P) zoning of the surrounding properties as indicated on the City of Sand City Zoning Map. The property is predominantly surrounded by light industrial and commercial uses. The nearest residence is across the street on Dias Avenue, less than 100-feet away. Adjacent to the east, the property is owned by the same property owner and proposed for a Conditional Use Permit to allow a coffee roastery. Adjacent to the west of the subject property is a commercial building.

3. **Finding:** Any additional conditions stipulated by the City Council as deemed necessary in the public interest will be met:

    a. *Evidence:* As conditioned, the project complies with parking requirements, requirements for commercial driveways, requirements for trash enclosures, landscaping.

4. Finding: Such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the public welfare of the community:

    a. Evidence: Prior to issuance of building permits, the Applicant must obtain utility connections, including water, electricity, gas, and sewer;

    b. Evidence: Water allocation to accommodate the proposed use will require City Council approval (Condition #13); and

    c. Evidence: Trash receptacles will be screened by a fully roofed and covered trash enclosure with a connection to the sanitary sewer;

    d. Evidence: The Applicant's Use is not anticipated to pose an impediment of traffic flow;

    e. *Evidence:* The subject property must comply with Sand City Municipal Code 8.04 (Loud Noises) and events and food service is not allowed past 9:00 PM; and

f. *Evidence:* Special events that do not fall into the hours of operation will be required to obtain a special event permit.

EXHIBIT B

CITY OF SAND CITY
CONDITIONAL USE PERMIT CUP23-007 CONDITIONS OF APPROVAL

Project Name: Conditional Use Permit (CUP23-007) for temporary Truck Storage (Phase I) and a Food Truck Park and Community Event Space (Phase II) ("the Yard")
Address: 725 Dias Avenue, Sand City, CA
Hearing Date: January 21, 2025

Conditions of Approval:

A. Permit Terms (Phases I and II):

1. Purpose: The Use Permit (CUP23-007) allows for improvement and use of the Subject Property in two phases. Phase I is for the express purpose of authorizing use of the property as a corporation yard for the storage of four (4) trucks, six (6) employee vehicles, and a shipping container for a hauling business for a period of two years (until January 21, 2027). Phase 2 is for the establishment of a food truck park and community event space, including up to four (4) food trucks, four (4) pop-up shops, restrooms and hand wash stations, 31 seats, a bike rack, firepits, a water storage tank, two (2) foot tall retaining wall, a stage and assembly area, and play structure. There shall be no expansion to the scope or intensity of the Applicant's Use beyond that as authorized by CUP23-007 and the Site Plan approval without either an amendment of said Permit or the issuance of a new land use entitlement permit.

2. Validity: Conditional Use Permit CUP23-007, is not valid, and project use(s) shall not commence, until two (2) copies of this Resolution/Permit, signed by the permittee and landowner, acknowledging receipt of the Resolution/Permit and acceptance of the terms and conditions, are returned to the City's Planning Department. Failure of the applicant to return the two (2) copies of the signed Resolution/Permit within thirty (30) days from the date of City Council approval shall cause said Conditional Use Permit to become null and void unless good cause to grant an extension is approved by the City Manager.

3. Site Improvements: Site improvements for the food truck park must commence by July 21, 2027. Failure of the applicant to begin site improvements by July 21,

2027 shall cause said Conditional Use Permit (CUP23-007) to become null and void unless good cause to grant an extension is approved by the City Manager.

4. Expiration: The use of the subject property as a truck storage yard shall expire on January 21, 2027 (after 2-years of City Council approval) and is not eligible for extension.

5. Violation: If the City determines any term, condition, and/or requirements of Conditional Use Permit CUP23-007 has been violated, written notice shall be issued to the property owner, that if such violation is not corrected or removed within a specified time, a public hearing may then be scheduled where the City Council may consider amending or revoking the Conditional Use Permit CUP23-007 and may then order said Permits amended or revoked. The Applicant and owner of the Subject Property shall be notified of any such public hearing, and provided an opportunity to address the City Council prior to any action by the City Council to terminate CUP23-007.

6. Indemnification: The property owner agrees, as a condition of the approval of this discretionary development permit, to defend with counsel approved by the City, indemnify, and hold harmless the City of Sand City, its agents, officers, and employees from any legal claims or actions that seek to challenge, void, or annul the permit approval, as outlined in applicable laws. The property owner will reimburse the City for any court costs and attorney's fees the City is required to pay as a result of such actions.

B. Conditional Use Permit Special Conditions:

7. Revised Site Plan **(Phase II)**: A revised and final Site Plan shall be submitted within two (2) years of approval of this permit and include all permit conditions and requirements, to be approved by the City Planner and City Manager.

8. Property Maintenance **(Phases I and II)**: The site shall be maintained in a clean, orderly, weed-free, and litter-free condition. The property owner shall be responsible for maintenance and upkeep of the entire property.

9. Fencing:

    a. **Phase I:** The subject property's perimeter fence shall be maintained in good condition, with effective visual screening to conceal the interior of the fenced yard. The determination of "good condition" shall be subject to the City interpretation. Said fence shall be maintained to be between six and eight feet (6' and 8') in height, sufficient to screen storage within the yard. Barb and

razor wire for any of the site's perimeter fencing on the Subject Property is prohibited.

b. **Phase II:** Prior to final occupancy approval, the Applicant shall remove and replace any deteriorated fencing and implement the proposed landscape plan.

10. Hours of Operation:

a. **Phase I:** Authorized hours of operation on the Subject Property are 7:30 a.m. to 4:30 p.m. Monday through Saturday. All loading/unloading activities, as well as transportation of materials to and from the Subject Property, associated with the use at this site shall only occur within the aforementioned permitted "Hours of Operation". All activities, including trucks leaving the site, will occur during hours of operation.

b. **Phase II:** Operation of the Subject Property for the Applicant's Use shall only occur between the hours of 7:00 a.m. to 9:00 p.m. daily. A Special Event Permit shall be obtained for events that would occur past 9:00 pm.

11. Sale of Alcohol **(Phase II)**: This permit shall constitute the local zoning permit only for ABC permits types limited to on-site sale of beer and wine (with minors allowed) such as Type 41 On – Sale Beer and Wine – Eating Place or Type 47 On Sale General – Eating Place or other type qualified pursuant to ABC regulations.

12. On-Site Parking:

a. **Phase I:** Parking of company vehicles and trailers and employee vehicles shall occur on-site. Vehicles (company hauling trucks and employee vehicles) associated with the subject use are prohibited from parking off-site. At no time shall unhitched trailers be parked within any City right-of-way in accordance with Sand City Municipal Code Chapter 10.08. The subject property shall not be used for the storage of non-operational vehicles.

b. **Phase II:** One (1) ADA van accessible space shall be provided on the Subject Property.

13. Surfacing and Dust Control **(Phase I):** The property owner or applicant shall be responsible for surfacing the areas where vehicles will be parked and stored with

asphaltic, cement, or other appropriate pavement material so as to provide a durable and dustless surface per Sand City Municipal Code 18.64.060(B). Stabilized decomposed granite of an appropriate depth, as reviewed and approved by the City Engineer, could be considered as an option. A grading contractor shall ensure the site drains appropriately to the satisfaction of the City Engineer.

14. Noise **(Phases I and II)**: The Subject Property shall comply with Sand City Municipal Code 8.04 (Loud Noises). There shall be no noise or activity that disturbs the peace and quiet of neighboring businesses or residents. In the event of a complaint regarding activities on the property, the property owner and/or onsite manager shall respond within thirty (30) minutes from time of notification of any issue to address concerns/complaints pertaining, but not limited to, disorderly or unlawful conduct on the subject property, overcrowding of the unit, and/or unreasonable noise or other requirements or limits specified in the Sand City Municipal Code, the City's administrative policies or procedures, or other governing law.

15. Loading/Unloading:

    a. **Phase I:** Loading and unloading of equipment shall only occur on-site and between the hours of operation as specified herein (7:30 a.m. to 4:30 p.m. Monday through Saturday).

    b. **Phase II:** Deliveries/shipments and/or loading/unloading activities of inventory and/or products related to the Applicant's operation at the subject property shall not impede public vehicular circulation on City streets. All deliveries/shipments and loading/unloading of items associated with the Applicant's Use at the Subject Property shall only occur on-site and between the hours of operation as specified herein (7:00 a.m. to 9:00 p.m. daily).

16. Refuge storage & pickup:

    a. **Phase I:** All materials, parts, tools, equipment, packaging, pallets, and or/any other items stored on the Subject property (other than the hauling trucks) shall be stored within the confines of the storage container. Prior to occupancy, the perimeter fence shall be maintained and replaced with visual screening to effectively conceal the interior of the fenced yard. Storage of non-operating vehicles or related vehicle maintenance activities on the Subject Property is prohibited.

Trucks holding debris shall be dumped off-site on the day of haul, unless the disposal site is closed. In such instances, the hauling truck beds shall remain covered and dumped during the next business day. In no instance may organic waste be stored in hauling truck beds overnight on the subject property. On site disposal of trash or materials is prohibited, except in designated trash receptacles.

b. **Phase II:** Trash, litter, boxes, crates, debris, or other used and/or discarded materials generated by the Applicant's Use shall be stored within the appropriate waste collection receptacle(s). All outdoor waste receptables/bins shall be contained within sight-obscuring enclosures. Plans for trash or material enclosures shall be reviewed and approved by the City Manager or designee and installed prior to final occupancy approval.

17. Signs **(Phase I and II)**: Any sign anywhere on the Subject Property, identifying the Applicant's business and/or Use, shall be reviewed and approved, in the issuance of a sign permit by the Sand City Design Review Committee (DRC) prior to establishment of any such sign on the Subject Property. The Applicant shall not place any free-standing sign anywhere within City limits without approval.

18. Hazardous Material **(Phase I and II)**: No hazardous materials will be stored or used on-site.

19. Restrooms **(Phase II)**: A minimum of two fully ADA accessible restrooms with flush toilets and handwashing facilities are required on-site.

20. Circulation **(Phase II)**: A fully accessible path of travel between all entrances and exits shall be required. The path of travel shall be ADA compliant and the path material shall be subject to City review and approval.

21. Air District **(Phase I and II)**: The Applicant shall be responsible for complying with applicable rules and regulations of the Monterey Bay Air Resources District. Failure to comply shall be sufficient grounds for City termination of CUP23-007.

22. Landscaping **(Phase II):** Landscaping must conform to the plans dated November 2024 and to the revised plans as required by condition B7.

23. Irrigation **(Phase II)**: Applicant is required to maintain landscaping in good, healthy condition.

D. Building Department (Phase II):

24. Building and Fire Code: The Applicant shall comply with all Building and fire code requirements. Building permits will need to be acquired for all construction related activities, including construction of restrooms, stage, and trash enclosures, subject to approval of the City Building Official.

25. Trash Enclosure: The trash enclosure shall be fully roofed and covered with a sanitary sewer connection. A fire sprinkler shall be installed within the trash enclosure. Trash dumpsters shall be sited in a location with sufficient access for pick-up, subject to review and approval of the Building Official. Except on a designated trash collection day, said waste receptacle(s) shall be screened and/or enclosed from public view. The property owner shall be responsible for arranging and providing waste hauler access for standard pick-up services, subject to review and approval of the City Building Official.

26. Electric and Gas: Prior to issuance of building permits, the Applicant shall be required to install electrical and gas services as needed for the project.

27. Lighting: A lighting plan shall be submitted within two (years) of approval of this permit to indicate the type and location of exterior lighting to provide a code compliant exit path of travel.

28. Retaining Walls: If required for the Project, retaining walls greater than 4 feet in height from bottom of footing to top of wall shall be structurally engineered and shall require a building permit. Retaining walls shall be located on-site and entirely within the property. Retaining walls shall be reviewed and approved by the City Building Official.

E. City Engineer:

29. Public Improvements **(Phase I and II**): Public improvements required for the project shall be designed and installed by the Applicant in accordance with City standards and requirements, and to the satisfaction of the City Engineer. All public improvements shall be shown on public improvement plans and shall be designed by a California licensed professional civil engineer.

    a. Driveways **(Phase I)**: The existing driveway on California Avenue does not meet the City standard for a commercial driveway. During Phase I, prior to the expiration of the 2-year term for the truck storage yard, the Applicant shall install a new driveway on California Ave. and on Dias Ave. to serve the

proposed Phase II use. All driveways shall be installed per City standards and requirements.

b. Utility Improvement Plans **(Phase II)**: Before operation of the Food Truck Yard may begin, the applicant shall install any utilities that are required for the Project. The Applicant shall submit a Utility Improvement Plan showing how utilities will serve the property. The Utility Improvement Plans shall identify all utilities and connections required for the Project, including but not limited to storm drainage, sanitary sewer, water, electric, gas, telephone, cable, and associated infrastructure. Any trenching of street asphalt pavement and/or concrete for utility connections shall require an Encroachment Permit and shall be replaced per City standards and requirements.

c. Encroachment Permits **(Phase I and II)**: An encroachment permit shall be required for any work within public rights-of-way and/or easements. An encroachment permit shall be issued based upon final, approved public improvement plans and an engineer's estimate for the work to be performed. The Applicant shall submit an encroachment permit application to the City and shall pay all fees associated with the processing and review of the permit. All encroachment permits shall be subject to review and approval by the City Engineer.

d. Coordination of Plans (**Phase II**): All public and site improvement plans (architectural, civil, electrical, landscaping, etc.) shall be fully coordinated with each other to ensure that the improvements may be constructed safely and without conflict with one another.

30. Stormwater Management: The project shall comply with applicable requirements of Sand City Municipal Code (SCMC) 13.05 Stormwater Management and the City's Phase 2 National Pollutant Discharge Elimination System (NPDES) General Permit, including the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (PCRs).

    a. Water Runoff **(Phase I and II)**: The Applicant and/or the Use, and the employees and patrons thereof, shall not create water run-off within the City in accordance with Chapter 13.05 of the Sand City Municipal Code regarding Storm Water Management. The Applicant is prohibited from washing dust, debris, or particulate into the street, storm drain, and/or sewer

system. There shall be no washing of vehicles on the Subject Property or within any public right-of-way in Sand City.

b. Determination **(Phase II)**: The Applicant shall complete a Stormwater Compliance Tracking Form or similar documentation for review by the City Engineer, to determine whether the Project is subject to these requirements.

c. Stormwater Control Plan (SWCP) **(Phase II)**: If applicable, the Applicant shall prepare and submit a Stormwater Control Plan (SWCP) for the Project demonstrating compliance with the PCRs. The SWCP shall be prepared by a California licensed professional civil engineer. The SWCP shall be prepared in accordance with the latest adopted Stormwater Technical Guide (STG) and templates.

d. Agreement Regarding Maintenance and Right of Entry for Stormwater Control Measures **(Phase II)**: If determined that the Project is subject to the PCRs and structural Stormwater Control Measures (SCMs) are required, the Applicant shall enter into a written agreement with the City to provide for the long-term operation and maintenances of all SCMs. This agreement shall provide for ongoing maintenance and verification of maintenance by the Owner and any successors in interest, among other provisions. This agreement shall be based on the City's latest adopted template and shall be prepared per City requirements. A fully executed copy of this Agreement shall be required prior to final certificate of occupancy.

e. Operation and Maintenance Plan (OMP) **(Phase II)**: If determined that the Project is subject to the PCRs and structural SCMs are required, the Applicant shall prepare and submit an OMP that establishes, identifies, directs, and records the operation and maintenance of all Project SCMs. The OMP shall be prepared by the project civil engineer in accordance with City requirements and the City's latest adopted Stormwater Technical Guide (STG) and templates.

f. Certification of SCMs **(Phase II)**: If determined that the Project is subject to the PCRs and SCMs are required, the Applicant shall provide written certification by a California licensed professional civil engineer that all Project SCMs were constructed in accordance with the Project's approved improvement plans and SWCP. The certification shall meet City requirements and shall be signed and stamped by a California licensed civil

engineer. The certification shall be provided to the City prior to the issuance of any certificate of occupancy for the Project.

g. Best Management Practices (BMPs) **(Phase II)**: During all phases of construction and/or land disturbance activities, the Project shall implement site-specific BMPs to protect water quality and prevent storm water pollution, as required by SCMC 13.05 Stormwater Management. The Application shall submit an Erosion and Sediment Control Plan (ESCP) or Water Pollution Prevention Plan (WPPP), as applicable, for review and approval by the City Engineer, prior to the issuance of any grading and/or building permit(s).

F. Agency Requirements (Phase II)

31. Water: Prior to issuance of building permits, the Applicant must obtain a Water Permit from the Monterey Peninsula Water Management District (MPWMD). The Applicant must follow all water efficiency standards as set forth by the Water Permit. If additional water credits are required for the Change of Use, further water allocation will require separate City Council approval. The approval of the Conditional Use Permit (CUP23-007) does not convey water to the property.

32. Sewer: Prior to issuance of building permits, the Applicant must obtain a sewer permit for Change of Use from the Seaside County Sanitation District.

33. Agency/Department Compliance: All requirements of the City's Planning, Building, Fire, Public Works, and Engineering Departments, and the requirements of any Agencies with Jurisdiction (AWJ) over the project, including but not limited to: California American Water, Monterey Peninsula Water Management District, Seaside County Sanitation District (SCSD), Monterey One Water, and the Monterey County Health Department shall be implemented to the satisfaction of each agency/department. All requirements of AWJ over the project shall be met to the satisfaction of the City prior to issuance of any building permits and/or certificates of occupancy for the project.

34. Water and Sewer: All water and sewer improvements shall be designed and constructed in accordance with the standards and specifications of California American Water (Cal-Am) and the SCSD, and to the satisfaction of the City Engineer. The Applicant shall provide approvals from both Cal-Am and the SCSD for all water and sewer improvements, and/or connections.

G. General Requirements:

35. Examination of Plans **(Phase II)**: All site and improvement plans, documents, reports, and supporting materials for the Project shall be reviewed and approved by the City prior to the issuance of any building or encroachment permits. Any and all requirements specified by the City during the plan review process shall be implemented to the satisfaction of the City.

36. Building Permit **(Phase II)**: The Applicant must obtain a building permit, and all City final approvals must be granted before any food service may commence.

37. **Phase II**: Applicant must comply with all City rules and regulations, including but not limited to the City's Building Department's rules and regulations.

38. **Phase II**: Applicant must comply with all applicable rules and regulations including but not limited to Monterey County Department of Consumer Health rules and regulations.

39. Interpretation **(Phase I and II)**: Any questions of intent or interpretation regarding any condition of Use Permit CUP23-007 shall be resolved by the City Manager or Designee.

40. Business License **(Phase II)**: The Applicant shall acquire, maintain, and annually renew a Sand City business license for the duration of the Applicant's Use at the Subject Property. Failure to maintain a current Sand City business license may be sufficient grounds for termination of CUP23-007.

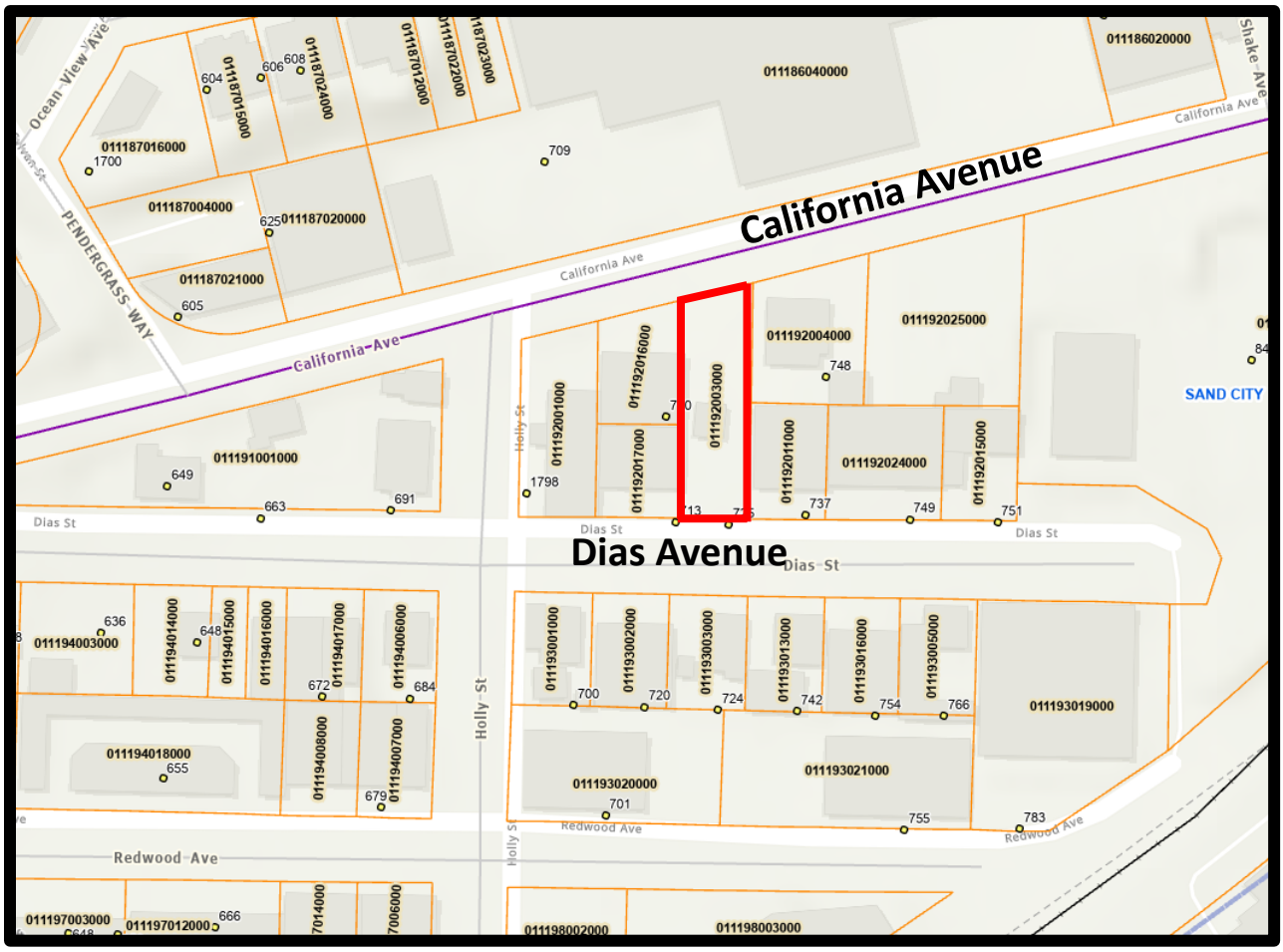
_____ _____

Applicant Signature Date

_____ _____

Property Owner Signature Date

EXHIBIT 2
LOCATION MAP

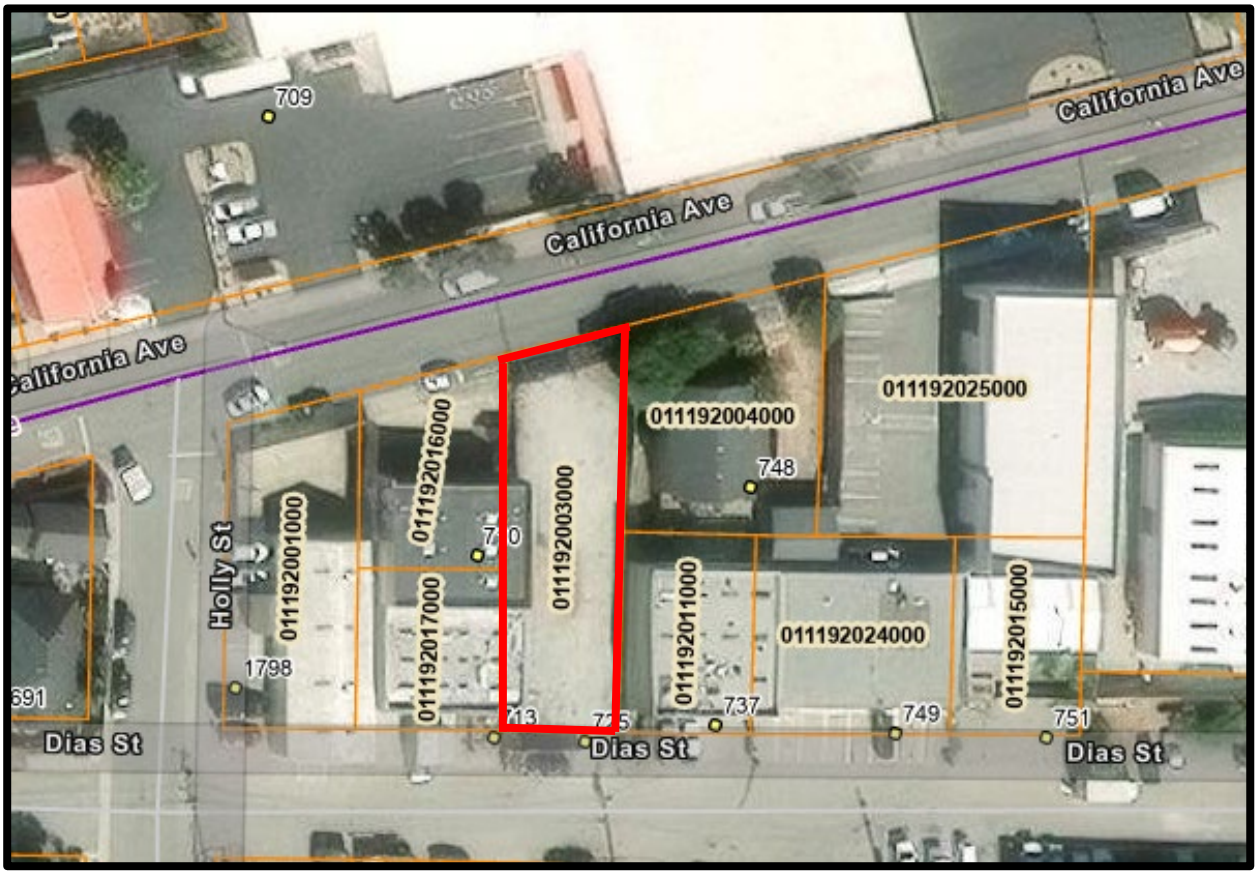


Project Site

N

EXHIBIT 2
CUP23-007 LOCATION MAP

EXHIBIT 3
AERIAL MAP



Project Site

Parcel Lines

N

EXHIBIT 3
CUP23-007 AERIAL MAP

EXHIBIT 4
SITE PHOTOS

California Avenue

Dias Avenue

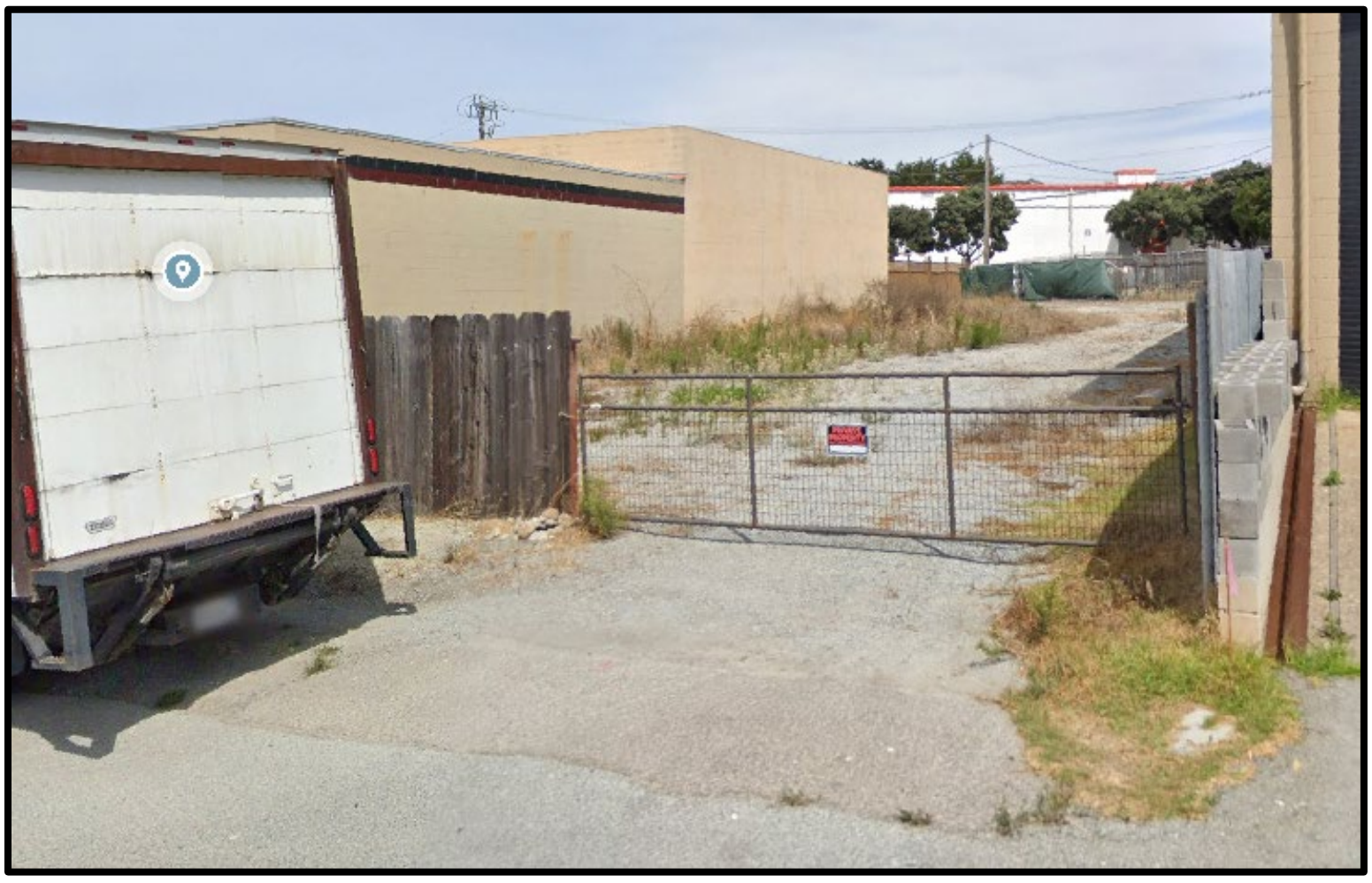
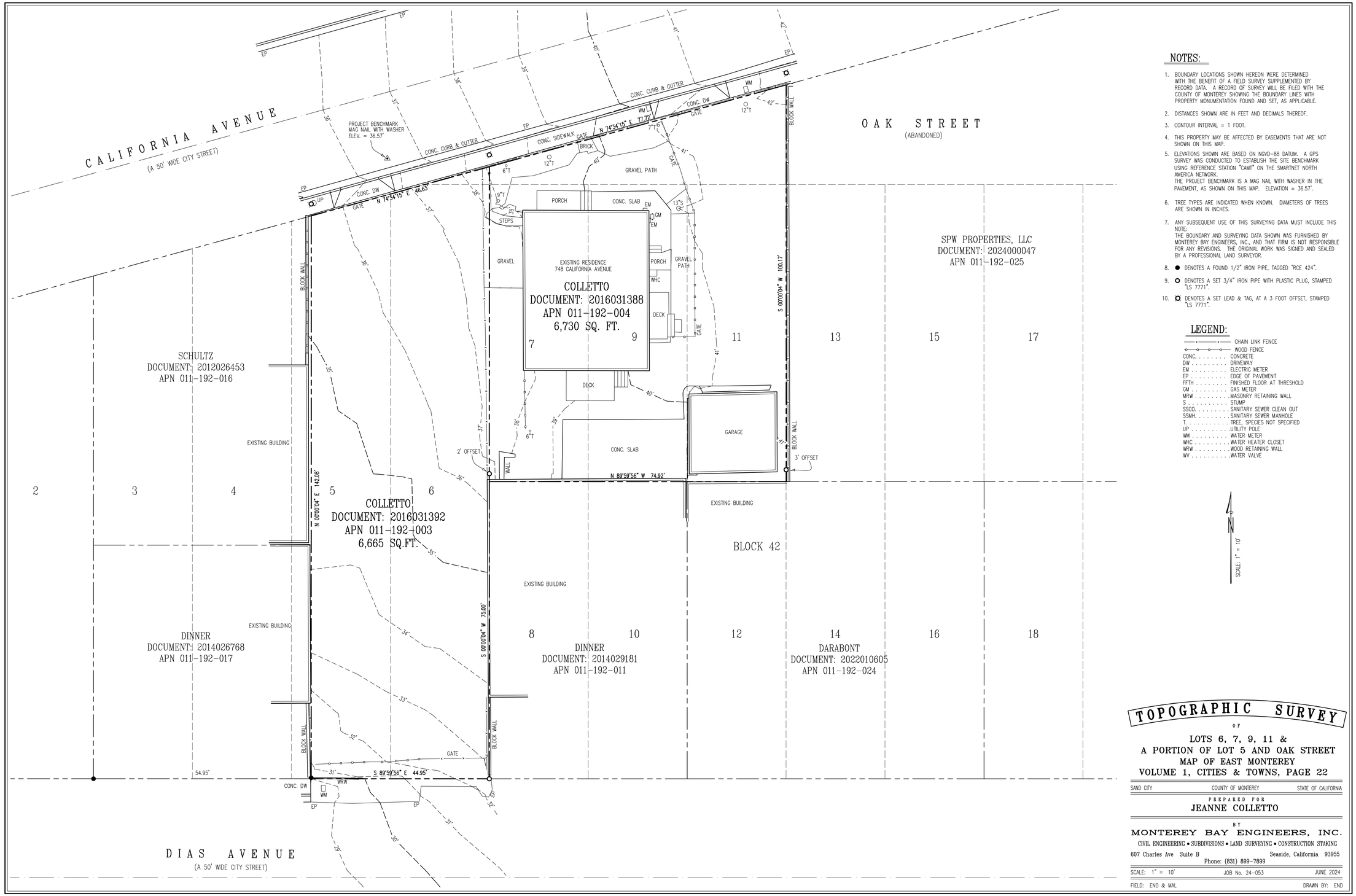


Exhibit 5 Site Plan



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 THE BOUNDARY LINES WITH PROPERTY MONUMENTATION FOUND AND SET, AS APPLICABLE.
2. DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. CONTOUR INTERVAL = 1 FOOT.
4. THIS PROPERTY MAY BE AFFECTED BY EASEMENTS THAT ARE NOT SHOWN ON THIS MAP.
5. ELEVATIONS SHOWN ARE BASED ON NGVD-88 DATUM. A GPS SURVEY WAS CONDUCTED TO ESTABLISH THE SITE BENCHMARK USING REFERENCE STATION "CAMT" ON THE SMARTNET NORTH AMERICA NETWORK.
   THE PROJECT BENCHMARK IS A MAG NAIL WITH WASHER IN THE PAVEMENT, AS SHOWN ON THIS MAP. ELEVATION = 36.57'.
6. TREE TYPES ARE INDICATED WHEN KNOWN. DIAMETERS OF TREES ARE SHOWN IN INCHES.
7. ANY SUBSEQUENT USE OF THIS SURVEYING DATA MUST INCLUDE THIS NOTE:
   THE BOUNDARY AND SURVEYING DATA SHOWN WAS FURNISHED BY MONTEREY BAY ENGINEERS, INC., AND THAT FIRM IS NOT RESPONSIBLE FOR ANY REVISIONS. THE ORIGINAL WORK WAS SIGNED AND SEALED BY A PROFESSIONAL LAND SURVEYOR.
8. ● DENOTES A FOUND 1/2" IRON PIPE, TAGGED "RCE 424".
9. ○ DENOTES A SET 3/4" IRON PIPE WITH PLASTIC PLUG, STAMPED "LS 7771".
10. ⌑ DENOTES A SET LEAD & TAG, AT A 3 FOOT OFFSET, STAMPED "LS 7771".

LEGEND:

- CHAIN LINK FENCE
- WOOD FENCE

CONC. . . . . CONCRETE
DW . . . . . DRIVEWAY
EM . . . . . ELECTRIC METER
EP . . . . . EDGE OF PAVEMENT
FFTH . . . . . FINISHED FLOOR AT THRESHOLD
GM . . . . . GAS METER
MRW . . . . . MASONRY RETAINING WALL
S . . . . . STUMP
SSCO. . . . . SANITARY SEWER CLEAN OUT
SSMH. . . . . SANITARY SEWER MANHOLE
T. . . . . TREE, SPECIES NOT SPECIFIED
UP . . . . . UTILITY POLE
WM . . . . . WATER METER
WHC . . . . . WATER HEATER CLOSET
WRW . . . . . WOOD RETAINING WALL
WV . . . . . WATER VALVE

N

SCALE: 1" = 10'

TOPOGRAPHIC SURVEY

OF

LOTS 6, 7, 9, 11 &
A PORTION OF LOT 5 AND OAK STREET
MAP OF EAST MONTEREY
VOLUME 1, CITIES & TOWNS, PAGE 22

SAND CITY | COUNTY OF MONTEREY | STATE OF CALIFORNIA

PREPARED FOR
JEANNE COLLETTO

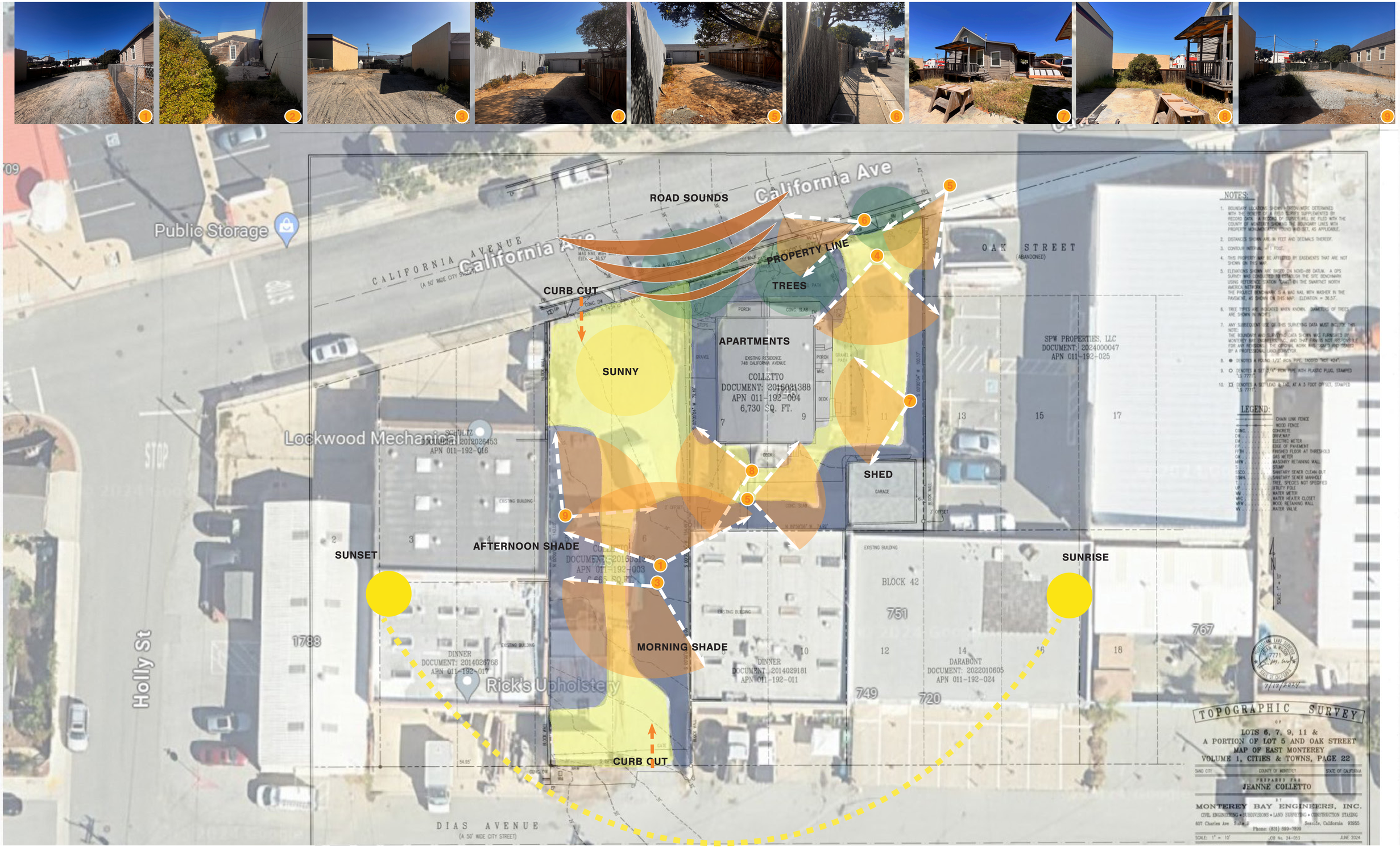
BY
MONTEREY BAY ENGINEERS, INC.
CIVIL ENGINEERING • SUBDIVISIONS • LAND SURVEYING • CONSTRUCTION STAKING
607 Charles Ave Suite B Seaside, California 93955
Phone: (831) 899-7899

SCALE: 1" = 10' | JOB No. 24-053 | JUNE 2024
FIELD: END & MAL | DRAWN BY: END

THE YARD SCHEMATIC LANDSCAPE DESIGN PACKAGE

OWNER: JEANNE COLLETTO, (831)917-6010 APN 011-192-003 PMU PARCEL

WILD LAND WORKSHOP
LANDSCAPE ARCHITECTURE
MONTEREY,CA (831)238-8459

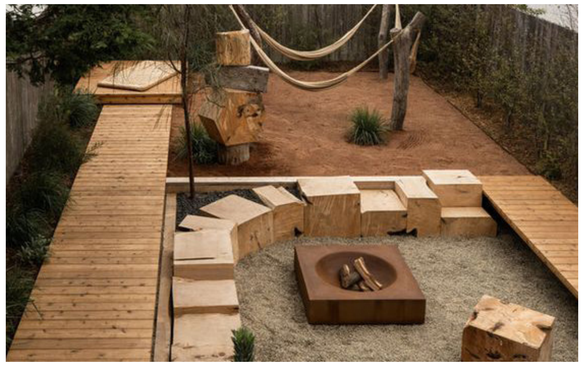


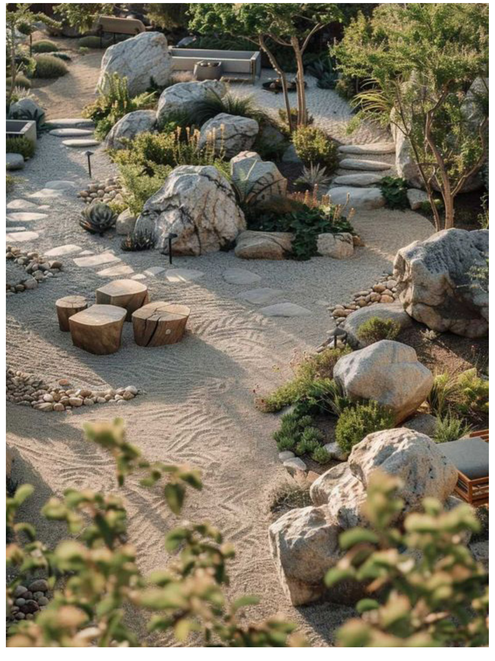
L0.00 SITE ANALYSIS

LOT 6,7,9,11 EAST MONTEREY

0 10 20 40

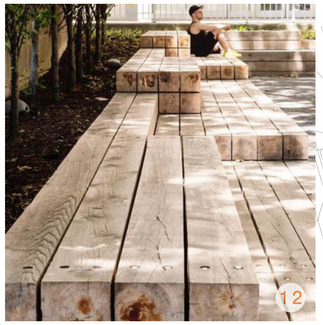
NOVEMBER 2024

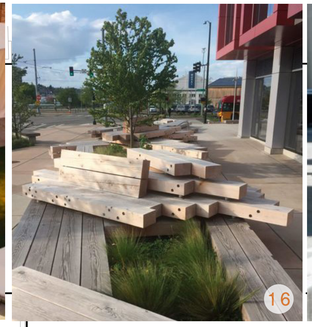


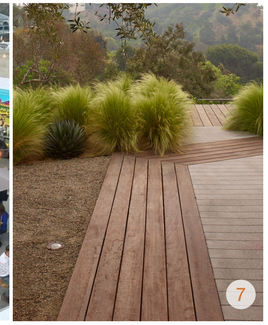


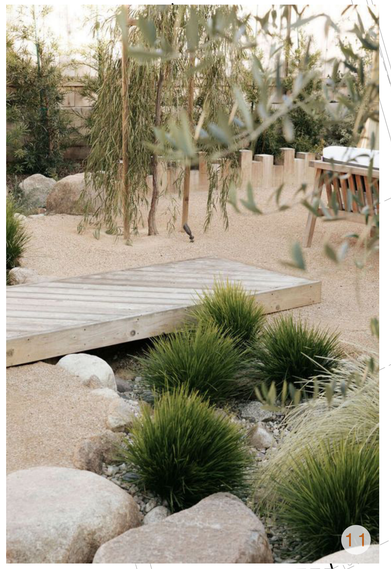
DESIGN PRECEDENTS

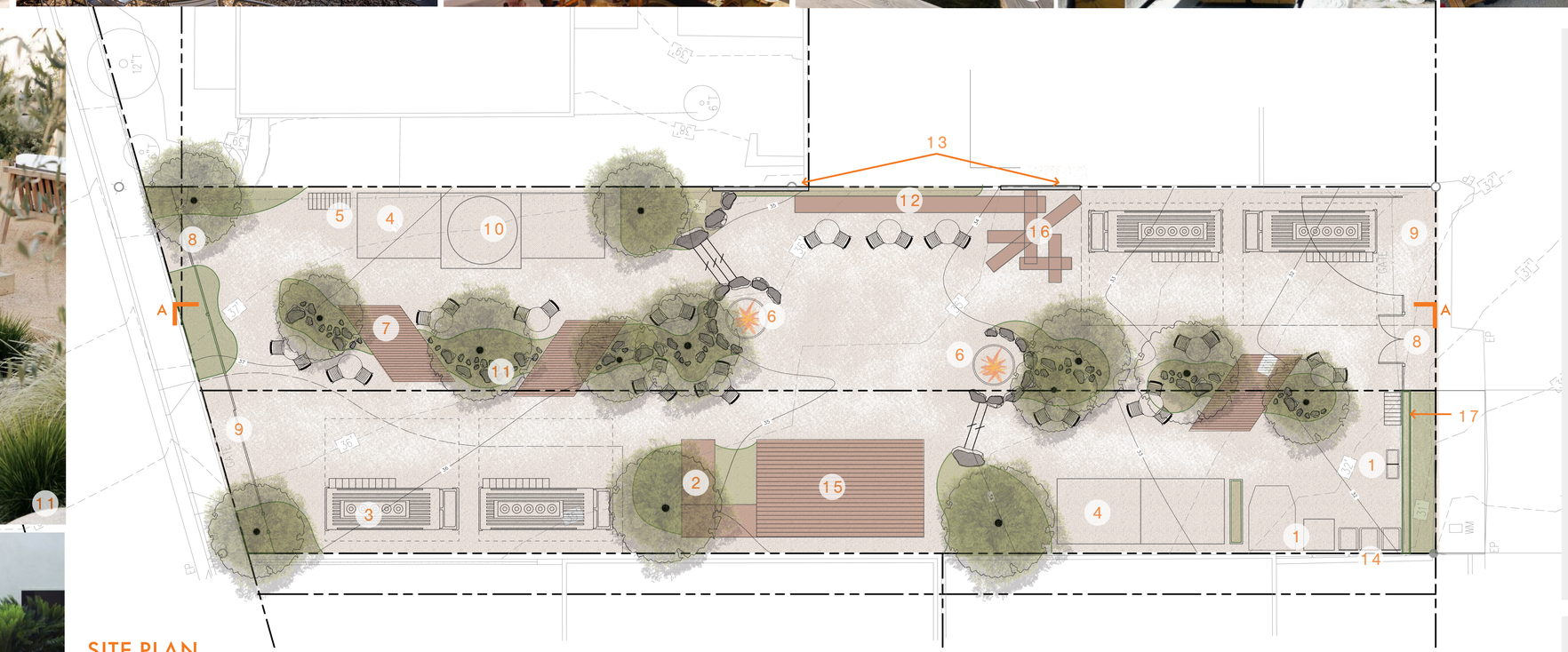
LOT 6, 7, 9, 11 EAST MONTEREY











SITE PLAN

SITE SECTION A

LEGEND

1. REGULAR AND ADA PORT-A-POTTY AND WASH STATION*
2. ADA RAMP TO STAGE
3. FOOD TRUCKS
4. POP-UP SHOPS / FLEX SPACE
5. BIKE RACK
6. FIREPIT SEATING
7. BOARDWALK OVER SWALE
8. PEDESTRIAN ENTRANCE
9. VEHICLE ENTRANCE
10. WATER STORAGE
11. PLANTED BIOSWALE
12. BISTRO LOUNGE SEATING
13. REPLACE (E) RETAINING WALL, 2' MAX
14. TRASH / RECYCLE / COMPOST
15. STAGE / DECK
16. PLAY ELEMENT / SEATING, FINAL DESIGN TBD
17. SHADE WALL

*SUBJECT TO CHANGE AWAITING SAND CITY'S DECISION TO SPONSER PUBLIC RESTROOMS WITH COOPERATION OF PROPERTY OWNER

PRELIMINARY PLANT LIST

BOTANICAL NAME	COMMON NAME
SHRUBS / PERENNIALS	
ACHILLEA MILLEFOLIUM	COMMON YARROW
ARCTOSTAPHYLOS 'PACIFIC MIST'	MONTEREY MANZANITA
ARCTOSTAPHYLOS MANZANITA 'DR. HURD'	DR. HURD MANZANITA
ARMERIA MARITIMA	THRIFT SEAPINK
ARTEMISIA PYCNOCEPHALA 'DAVID'S CHOICE'	DUNE SAGEWORT
CAREX PANSA	SAND DUNE SEDGE
CHONDROPETALUM TECTORUM 'EL CAMPO'	SMALL CAPE RUSH
DESCHAMPSIA CESPITOSA	TUFTED HAIRGRASS
ERIOGONUM LATIFOLIUM	COAST BUCKWHEAT
ERIOPHYLLUM STAECHADIFOLIUM	SEASIDE WOOLLY SUNFLOWER
ESCHSCHOLZIA CALIFORNICA VAR. MARITIMA	CALIFORNIA POPPY 'MARITIMA'
FRAGARIA CHILOENSIS	BEACH STRAWBERRY
JUNCUS PATENS	COMMON RUSH
SALVIA MELLIFERA	BLACK SAGE
SISYRINCHIUM BELLUM	BLUE EYED GRASS
TREES	
ARBUTUS MARINA	PACIFIC MADRONE
CEANOTHUS 'RAY HARTMAN'	RAY HARTMAN CEANOTHUS
HETEROMELES ARBUTIFOLIA	TOYON
SALIX LAEVIGATA	RED WILLOW
VINES	
BOUGAINVILLEA 'BABARA KARST'	BARBARA KARST' BOUGAINVILLEA
VITUS CALIFORNICA 'ROGERS' RED'	CALIFORNIA GRAPE 'ROGERS RED'

L1.00 CONCEPTUAL SITE PLAN

LOT 6,7,9,11 EAST MONTEREY

0 8 16 36

NOVEMBER 2024

LEGEND

1. REGULAR AND ADA PORT-A-POTTY AND WASH STATION*
2. ADA RAMP TO STAGE
3. FOOD TRUCKS
4. POP-UP SHOPS / FLEX SPACE
5. BIKE RACK
6. FIREPIT SEATING
7. BOARDWALK OVER SWALE
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17. SHADE WALL

*SUBJECT TO CHANGE AWAITING SAND CITY'S DECISION TO SPONSER PUBLIC RESTROOMS WITH COOPERATION OF PROPERTY OWNER

SITE COVERAGE:

- LOT TOTAL: 6665 SQ FT
- ADA ENGINEERED MULCH: 5823 SQ FT
- PLANTED AREA: 662 SQ FT
- STABILIZED DG: 180 SQ FT

ADA PATH OF TRAVEL

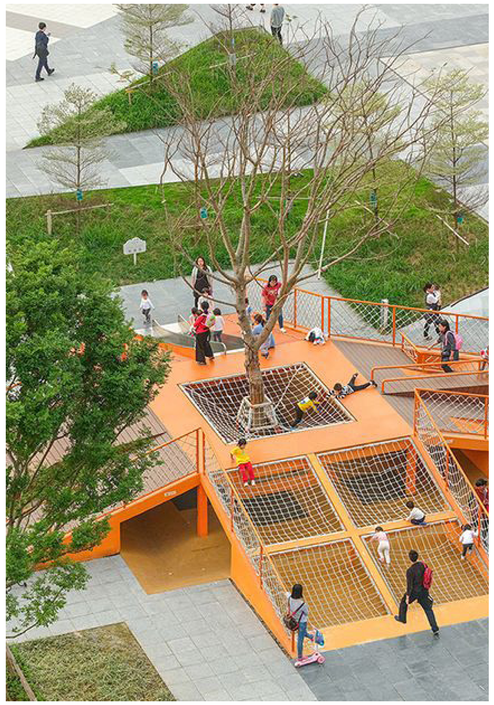
NOTE: MAX SLOPE THROUGHOUT SITE IS NOT TO EXCEED 5% EXCEPT IN BIOSWALE / PLANTING AREAS

L1.01 SITE PLAN BASE ELEMENTS AND DIMENSIONS

LOT 6, 7, 9, 11 EAST MONTEREY

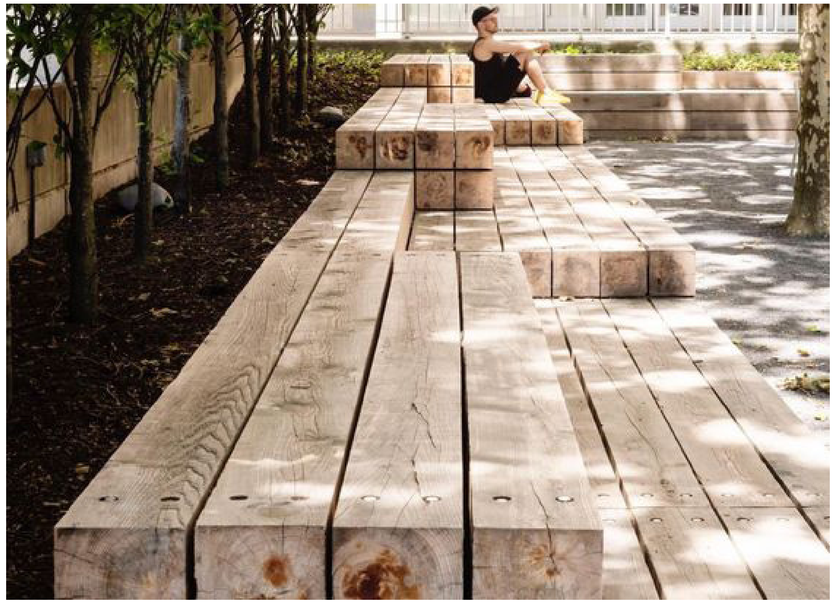
0 8 16 36

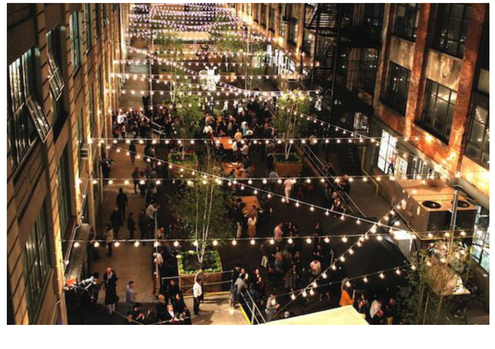
NOVEMBER 2024



PLAY SPACES PRECEDENTS

LOT 6,7,9,11 EAST MONTEREY





MATERIALS

LOT 6, 7, 9, 11 EAST MONTEREY

Jeanne Colletto
The Yard
725 Dias Avenue
Sand City, CA 93955

September 12, 2023

Letter of Intent

To Whom It May Concern:

Inspired by Sand City's council-approved 2019 Vibrancy Plan, together with my grandfather's original transformation of the property (almost a century ago) into a place of gathering, celebrating, and storytelling - the use of 725 Dias Avenue, Sand City, California, will be reimagined into an open-air food truck hub & community event space.

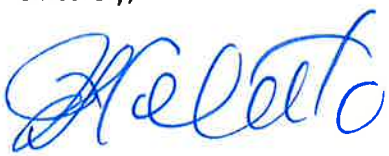
Two phases are intended. The first of which will divide the length of the street-to-street parcel by a 6' fence. Approximately 60% of the property (fronting California Avenue) will be used to operate The Yard; 3-4 permitted trucks/trailers with additional, flexible pop-up vendor and stage space. The second phase will expand to full use of the property no later than two years from date of opening in Spring 2024.

The Yard plans to be open for lunch, Monday through Saturday from 11:00 AM – 2:00 PM and Friday/Saturday evenings from 5:00 PM – 9:00 PM (weather permitting). Possible expansion of business hours and special/private events (i.e. movie night, art exhibitions, farm to table dinners, etc.) available Monday through Thursday evenings from 5:00 PM – 8:00 PM and Sunday 11:00 AM – 8:00 PM. The Yard has no additional employees and owner vehicle(s) will park off-street, on private property. On site music will comply with City regulations.

The other 40% of the property, fronting Dias Avenue, will be occupied by a licensed hauler, who intends to use the space for 5 trucks and a standard shipping container. The hauler has 5 employees who will park on site, as trucks leave for the day. Business hours will be Monday through Saturday from 7:30 AM – 4:30 PM. Trucks will be dumped on day of haul, unless dump site is closed, in which case the truck bed will remain covered overnight and dumped the morning of the next business day.

Neither the food truck hub, nor the hauler, will receive shipments or deliveries and neither business will store any type of hazardous material.

Sincerely,



Jeanne Colletto, Owner
The Yard
sandcityfoodtruckhub@gmail.com

Jeanne Colletto
The Yard
725 Dias Avenue
Sand City, CA 93955

City of Sand City
Planning Department
Via Email

September 4, 2024

Re: Letter of Intent - Amendment

Hello:

Inspired by Sand City's council-approved 2019 Vibrancy Plan, together with my grandfather's original transformation of the property (almost a century ago) into a storied gathering place, 725 Dias Avenue is planned to be reimagined into a community-centric food truck pocket park.

The project will take place in two phases, unfolding consecutively. The first of which will have Jasso's Hauling (Lic: 1014653) using the parcel for the operation of his business; including 4 trucks, a standard shipping container for tool storage, and 6 employees who will park within the fenced yard. No building materials will be stored. Access to the property will be restricted to the existing California Avenue gate. Business hours will be Monday through Saturday from 7:30 AM – 4:30 PM. Trucks will be dumped on day of haul, unless the disposal site is closed, in which case the truck bed will remain covered overnight and dumped the morning of the next business day. No shipments or deliveries will be received and no hazardous material will be transported onto the property. Jasso's Hauling will operate under a one-year lease, converting to month-month thereafter, until The Yard receives necessary approvals and funding to proceed with groundbreaking, presently estimated at 2-3 years.

Terms and conditions for development and operation of The Yard will be forthcoming upon discussion and approval of Sand City Staff and Council.

Sincerely,

Jeanne Colletto, Owner

Monterey County Health Department
1270 Natividad Road, Room B301
Salinas, CA 93906
(831) 755-4511
Fax (831) 755-8954

Jurisdiction Name _____
Use Permit # _____
Or
Building Permit # _____
Contact Name _____
Phone # _____

HAZARDOUS MATERIAL QUESTIONNAIRE

Business Name The Yard Type of Business Food Truck Hub
Site Location 725 Dias Ave City Sand City APN: 011-192-003-000
Mailing Address PO Box 1933 · Monterey CA 93942
Business Contact Jeanne Colletto 831.917.6010
Name *Phone Number*
Property Owner Lois Colletto 831.649.3736
Name *Phone Number*

1. Will your business/proposed project be using any hazardous materials such as oil, fuels, solvents, compressed gases, acids, corrosives, pesticides, fertilizers, paints or other chemicals?
☐ Yes ☒ No

2. Will your business/proposed project be using hazardous materials in quantities of 55 gallons and above for liquids, 500 lbs. and above for solids and/or 200 cubic feet and above for compressed gases?
☐ Yes ☒ No

3. Will your business/proposed project be using any quantities of acutely hazardous materials such as ammonia, chlorine, sulfuric acid, formaldehyde, hydrogen peroxide, methyl bromide or other restricted pesticides?
☐ Yes ☒ No

4. Will your business/proposed project be using underground storage tanks to store hazardous materials?
☐ Yes ☒ No

5. Will your business/proposed project be generating any quantities of hazardous waste such as waste oil, waste solvents, etc?
☐ Yes ☒ No

6. Will your business/proposed project be emitting any hazardous air emissions?
☐ Yes ☒ No

CERTIFICATION:
I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge and belief.

ANY QUESTIONS REGARDING THIS FORM CAN BE DIRECTED TO:
Monterey County Health Department
Division of Environmental Health
1270 Natividad Road, Room B301
Salinas, CA 93906
(831) 755-4511

Executed AT:
Monterey, CA
City, State

Print Name of Owner/Operator: Jeanne Colletto
Signature of Owner/Operator: J Colletto

For Local Jurisdiction Use Only:

1. Is there a known or proposed school, hospital, day care, or long term care facility within 1,000 feet of this site location?
☐ Yes ☐ No

2. Is there a known or proposed school, hospital, day care, or long term care facility ¼ mile of this site location?
☐ Yes ☐ No

Health Department Clearance
Signature: _____ Date: _____
Print Name and Title: _____

Air Pollution District Clearance
Signature: _____ Date: _____
Print Name and Title: _____

AGENDA ITEM
9A.

Approve a Resolution Approving and Adopting a Tickets and Passes Distribution Policy

City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Vibeke Norgaard, City Manager and Adam Lindgren, City Attorney

SUBJECT: Tickets and Passes Distribution Policy

DATE: January 21, 2025

RECOMMENDATION:
Consider a resolution approving and adopting a Tickets and Passes Distribution Policy in accordance with Fair Political Practices Commission regulations on the reporting of gifts by public officials.

BACKGROUND:
Sand City is firmly committed to supporting vital local organizations and activities. In many cases, this support takes the form of City sponsorships, grants, or in-kind professional services. In exchange for these sponsorships and contributions from the City and in some cases, simply as a result of an organization's generosity, the City frequently receives tickets and passes for admissions to a facility or an event. A public purpose of the City is served in many situations where the City receives and distributes tickets and passes for admission to a facility or an event. Historically, the City, like other sponsors, has distributed these tickets and passes to and among its employees and officials. However, recent changes to the Political Reform Act's rules and the Fair Political Practices Commission ("FPPC") guidance interpreting these rules, now impose additional reporting requirements for receipt of these tickets and passes. In particular, the receipt of such tickets or passes may now be considered gifts to public officials, if they are not reported as income or if they are not distributed in accordance with a written policy adopted by the legislative body that complies with the FPPC regulations. This is the case even if the tickets or passes are the result of City sponsorship.

The City Attorney recommends adoption of the attached policy. The recommendation is not a result of any complaint by a member of the public or the FPPC, but is recommended in order to comply with state law and as a matter of good, professional practice and ethics.

DISCUSSION:
The policy provides for the City's distribution of tickets and passes received from outside entities that are not earmarked for a specific official's use. The policy also covers tickets or passes received in the following situations: pursuant to a contract, because the City owns or controls the facility or venue(s) at which the event occurs, the City sponsors the event, or because the City purchased the tickets or passes. In each of these cases the tickets will not result in a reportable gift to an individual official if the ticket or pass is distributed in accordance with the following procedures.

Tickets and passes received from an outside source must be forwarded to the City Manager or her designee. The City Clerk, or her designee, is charged with determining the fair value of the tickets, the individual who may use them, and must report their distribution in a FPPC Form 802. If the City receives tickets or passes pursuant to a contract, because the City owns or controls the facility or venues at which the event occurs, the City sponsors the event, or because the City purchased the tickets or passes, a public official may request that the City Manager, or her designee, either (1) approve his or her receipt of the tickets or passes or (2) approve the public official's request to distribute the ticket or pass to an individual or organization outside the City, and the distribution of said tickets or passes shall be reported by the City Clerk on the FPPC Form 802. Because of the complexity of these regulations, the City Manager may designate a single person for the distribution of tickets and passes for all events and activities. The City anticipates that the City Manager will designate the City Clerk to administer the Tickets and Passes Distribution Policy.

Once a ticket or pass is distributed, the ticket or pass cannot be transferred to any other person, "except to members of the official's immediate family or no more than one (1) guest solely for their attendance at the event." 2 CCR 18944.1(b)(3). This implicitly recognizes the reality that participation of public officials in these events is a value to the community not only for the participation of the public official or employee, but also for the participation of his or her immediate family or one (1) guest outside the official's immediate family.

All distributed tickets and passes must be documented in a FPPC Form 802 completed by the City Manager or his designee. The completed Form 802 must then be filed with the City Clerk *and posted on the agency's website within 45 days of distribution. A link to the website location of the forms must be e-mailed to FPPC at form802@fppc.ca.gov. The FPPC will post on its website the link to each agency's policy and completed forms.* Since the City Manager must only file a Form 802 per event, it alleviates the need for each individual employee or official to report receipt of the ticket or pass on their Form 700.

As an alternative to adopting a policy in accordance with Section 18944.1, the individual City Council members and employees may accept tickets and passes up to an aggregate amount of $630 per source in a calendar year and report the receipt of such tickets and passes on their Form 700 and as required under state and federal income tax laws.

Examples of the Policy's Application to Specific Scenarios.

1. What if a member of an outside entity wants to give a ticket to a specific City official, such as a Councilmember?

If a ticket from an outside source is specifically earmarked for a City official such as a Councilmember, then the ticket cannot be distributed under the Policy. The Councilmember would either need to (1) accept the ticket and report it as a gift on his or her Form 700; or (2) decline the ticket, and then it will not be considered a "gift" under the FPPC gift regulations.

2. If a City official receives two (2) passes to an event under the Policy, and she gives her daughter a ticket to the event, and the City official becomes ill, may the daughter still attend the event without her mother who is the City official? Does it make a difference if the City official gave the ticket to her best friend?

The daughter is permitted to attend the event without her mother, as long as the tickets were distributed under the terms of the Policy, because the City official is permitted to give a ticket

to members of her family. The City official is also able to give a ticket to no more than one (1) guest solely for their attendance at the event, so as long as the tickets were distributed under the terms of the Policy, the guest is permitted to attend the event alone.

3. If a City Councilmember gets access to an event, hosted by an outside entity, just by showing an ID or business card, will the admission be considered a gift under the FPPC guidelines or can the admission be exempt under the Policy?

Under the Policy, tickets or passes from outside sources may not be earmarked for a specific official's use, and the ticket or pass would have to be forwarded to the City Manager or his or her designee for him/her to decide who will receive the ticket or pass. The Councilmember's admission to the event in this scenario would be akin to the City receiving a ticket that was specifically "earmarked" for the Councilmember's use because only he/she was only allowed admission to the event by virtue of his or her status as a councilmember. Further, the ticket or pass did not go through the City Manager, which is required by the Policy for the admission to be considered exempt from the FPPC regulations considering it a gift. Therefore, the admission would be a gift to the Councilmember under the FPPC regulations, and it would be subject to the FPPC's gift limitations and reporting requirements.

If the Councilmember gets access to an event which is sponsored by the City or held at a City venue under a contract with the sponsoring organization by showing his or her ID, the admission still must be pre-approved by the City Manager for a ticket or pass to be distributed under the terms of the Policy. So the admission would be a gift under the FPPC regulations, and it would be subject to the FPPC's gift limitations and reporting requirements. In the alternative, if the admission was to a City-sponsored event, the Councilmember may be eligible to report the admission as income rather than as a gift.

4. What about volunteer workers who receive tickets or passes from the City?

The FPPC's gift regulations only apply to Government Code section 87200 filers and other officials, employees, or consultants designated by the City's Conflicts of Interest Code as being required to file a FPPC Form 700. Volunteers are not 87200 "code filers" nor are they designated by the City's Conflicts of Interest Code as required to file a FPPC Form 700, so the City may give them tickets and passes without following the procedures of this Policy.

5. Are tickets given to public officials for events held at City-owned facilities exempt from gift status under this policy?

Under the Policy, tickets or passes received by the City because the City owns or controls the facility or venue at which the event occurs, or the City sponsors the event, may be given to a specific City official upon his or her request to use these tickets or passes, or at the request of the City official to distribute the tickets or passes to an individual or organization outside the City, provided the City official completes Parts 3 and 4 of the FPPC Form 802 and submits the request to the City Manager. As long as the tickets or passes are distributed according to the Policy, the City official who receives them is not required to report the ticket or pass as a gift on his or her FPPC Form 700.

FISCAL IMPACT:
There will be no direct fiscal impact from adopting this Policy. Implementation of this Policy will result in additional staff time spent on accepting tickets, determining their value, distribution of the tickets, and reporting.

ATTACHMENTS:

1. Resolution No. 2025-
2. Ticket and Passes Policy

5842630.1

CITY OF SAND CITY
RESOLUTION SC 25-___, 2025

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY APPROVING AND ADOPTING A TICKETS AND PASSES DISTRIBUTION POLICY

WHEREAS, Title 2 of the California Code of Regulations, Section 18944.1 ("Section 18944.1") was adopted by the Fair Political Practices Commission ("FPPC") to regulate the distribution of tickets and/or passes to public officials providing admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose ("Tickets"); and

WHEREAS, from time to time, the City receives complimentary Tickets from third party sources, both public and private, or the City receives Tickets pursuant to a contract or sponsorship, or because the City owns or controls the facility or venue where the event is taking place, or the City purchased tickets to an event; and

WHEREAS, the City desires to distribute Tickets in a manner that furthers the City's governmental and public purposes, including the promotion of local businesses, community resources, programs, and facilities; and

WHEREAS, consistent with Section 18944.1, the City desires to adopt a written policy related to the distribution of Tickets and establishing procedures for the disclosure of Tickets distributed to, or at the behest of, City officials in accordance with the applicable FPPC regulations and the Political Reform Act.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. Adoption of Tickets and Passes Distribution Policy

The City Council hereby adopts the City of Sand City Tickets and Passes Distribution Policy ("Ticket Policy"), incorporated herein by this reference and attached hereto as "Exhibit A."

Section 2. Delegation of Authority

The City Council hereby delegates authority to the City Manager to make changes to the Ticket Policy in the future so that the Ticket Policy will be consistent with any future amendments to Section 18944.1.

Section 3. Effective Date

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Sand City this ___ day of January, 2025 by the following vote:

AYES:

NOES:
ABSENT:
ABSTAIN:

APPROVED:

_____
Mary Ann Carbone, Mayor

ATTEST:
DATED: _____

_____
Kerry Lindstrom, City Clerk

5841648.1

	CITY OF SAND CITY **CITY COUNCIL POLICY**	Effective Date: Policy Number: City Department:

SUBJECT: **Tickets and Passes Distribution Policy**

I. Purpose

This policy governs the distribution, use and reporting of tickets or passes to a facility, event, show or performance for an entertainment, amusement, recreational or similar purposes (the "Event") donated or given to the City. This policy is established in accordance with Section 18944.1 of the Fair Political Practices Commission ("FPPC") Regulations. Section 18944.1 sets forth the circumstances under which the City's distribution of tickets or passes to a City official for which no consideration of equal or greater value is provided by the public official and does not result in a gift to the individual official or employee. Tickets or passes distributed and accounted for in compliance with this policy and Section 18944.1 will not be considered gifts to the City officials who make use of such tickets and passes.

This policy is subject to all applicable FPPC Regulations and the Political Reform Act. Nothing in this policy is intended to alter, amend or otherwise affect the obligations of City officials and employees under the Political Reform Act and implementing regulations or under the City's Supplemental Conflict of Interest Code set forth in Sand City Municipal Code Chapter 2.20 of the City Council of the City of Sand City.

POLICY:

II. Application of Policy

This Policy applies to tickets or passes that are A) gratuitously provided to the City by an outside source; or B) acquired by the City by purchase; or C) received by the City as consideration pursuant to the terms of a contract or because the City owns or controls the facility or venue at which the Event occurs or sponsors the Event.

III. Definitions

Unless otherwise expressly provided in this Policy, terms in this Policy shall have the same meaning as that ascribed to such terms in the Political Reform Act (Government Code Sections 81000 et seq., as may be amended from time to time) and the FPPC Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 18110 et seq., as may be amended from time to time).

"City" shall mean the City of Sand City.

"City official" shall mean every elected member, officer, employee or consultant of the City of Sand City, as defined in Government Code Section 82048 and FPPC Regulation Section 18700. Such term shall include, without limitation, any City board or commission member or

other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).

"City venue" shall mean any facility owned, controlled or operated by the City of Sand City.

"Family" shall mean spouse, registered domestic partner, children and dependent children as defined in FPPC Regulation Section 18943.

"Ticket" shall mean "ticket or pass" and includes anything that provides an admission privilege to an event or function and for which similar tickets or passes are offered for sale to the public. If other benefits, such as food, beverages or other items, are provided to the City official at the event and such benefits are not included as part of the admission to the event, those benefits are not covered by this Policy.

IV. Procedures for Distribution

A. Tickets or passes received by the City from an outside source without designation as to the specific City official who may use the tickets shall be forwarded to the City Manager or designee. The City Clerk or designee shall determine the face value of the tickets, the individuals who may use them and report their distribution as provided in Section VII.

B. Tickets or passes received by the City from an outside source(s) that are earmarked for use by a specific City official are considered gifts to the City official and are subject to the FPPC disclosure and reporting requirements applicable to gifts, unless one of the exemptions listed below applies.

C. For tickets or passes received by the City pursuant to the terms of a contract or because the City owns or controls the facility or venue at which the Event occurs or the City sponsors the Event, a City official may request use of these tickets or passes, or for distribution to an individual or organization outside the City, by completing Parts 3 and 4 of the FPPC Form 802 and submitting the request to the City Manager.

D. For tickets or passes purchased or acquired by the City for use by an elected City official, or for distribution to an individual or organization outside the City at the request of an elected City official, the City official shall be responsible for reporting the distribution of the tickets or passes on the Form 802.

E. The City Manager shall have the authority, in his or her sole discretion, to establish procedures for the distribution of tickets and passes in accordance with this Policy. All requests for tickets which fall within the scope of this Policy shall be made in accordance with the procedures established by the City Manager.

F. There shall not be a disproportionate use of tickets or passes by a member of the governing body, chief administrative officer of the agency, political appointee, or department head.

V. Exemption to the Policy

A. Ceremonial Role or Function. Tickets or passes provided to a City official to carry out

his or her job duties or where the City official will perform a ceremonial role or function on behalf of the City at the Event are not considered gifts to the City official and are exempt from the disclosure and reporting requirements of this policy.

B. Income. Tickets or passes received by a City official who treats the tickets or passes as income consistent with federal and state income tax laws and the City report distribution of the tickets or passes as income to the City official on the FPPC Form 802 are otherwise exempt from this policy.

C. Reimbursement. Tickets or passes which the City official purchases or reimburses the City for the face value of the tickets or passes are exempt from this policy.

VI. Public Purpose

The distribution of any ticket by the City to, or at the behest of, a City official must accomplish a "public purpose" of the City. The public purposes to be accomplished by the distribution of tickets or passes by the City include, but are not limited to:

A. To obtain oversight of facilities or events that have received City funding or support;

B. To review facilities or events that may require City funding or support in the near future or to gather information about the operation of a facility similar to one presently or potentially operated by the City;

C. To promote local and regional businesses, community programs, economic development and tourism within the City;

D. To attend a community event in which the City is a participant;

E. To attend an event, activity or program sponsored by the City;

F. To promote intergovernmental relations, including but not limited to, attendance at an event with, or by, elected or appointed public officials from other jurisdictions, their staff and their guests;

G. To promote public and private facilities available for City resident use;

H. To support and/or show appreciation for community and nonprofit programs or services that benefit City residents;

I. To encourage or recognize significant academic, athletic or public achievements by City students, residents or businesses;

J. To reward City employees and community members for his or her exemplary service to the public;

K. To promote City growth and development, including economic development and job creation opportunities;

L. To promote open and accessible government by appearances or participation of City

officials at business and community events;

M. To promote employment retention, including enhancement of employee morale;

N. To promote City recognition, visibility and/or profile on a local, state, national or worldwide scale;

O. To comply with all written contracts where the City, as a form of consideration, has required that a certain number of tickets or suites be made available for City use.

VII. Prohibited Transfer of Ticket

A City official may not transfer any ticket distributed to him or her, pursuant to this Policy, to any other person, except to members of the City official's immediate family or no more than one (1) guest solely for their attendance at the event.

VIII. Ticket Reporting and Disclosure Requirements

Tickets distributed by the City to a City official, or to an individual or organization outside the city at the behest of a City official pursuant to this policy, shall be documented in a completed FPPC Form 802. The completed Form 802 must be maintained as a public record, and *posted on the agency's website within 45 days of distribution. A link to the website location of the forms must be e-mailed to FPPC at form802@fppc.ca.gov. The FPPC will post on its website the link to each agency's policy and completed forms.*

Such postings shall include the following information and any other information that may be required by the FPPC:

A. The name of the person receiving the ticket or pass;
B. A description of the event;
C. The date of the event;
D. The fair value of the ticket;
E. The number of tickets provided to each person or organization;
F. If the ticket was distributed at the behest of a City official, the name of the City official who made such behest; and
G. If the ticket was transferred to a person meeting the requirements this Policy, the relationship of the transferee;
H. A description of the public purpose(s) under which the distribution was made, or, alternatively, that the City official is treating the ticket as income.

The City may post the name of the department or other unit of the City and the number of tickets or passes provided to the department or other unit in lieu of posting the name of the individual employee as otherwise required in paragraph A above.

If the ticket or pass is distributed to an organization outside the City, the City shall post the name, address, description of the organization, and the number of tickets or passes provided to the organization in lieu of posting the names of each individual from the organization as otherwise required in paragraph A above.

IX. Alternatives to Policy

As an alternative to complying with Section IV through VIII of this Policy, a City official may either (A) ask that the City report the distribution of the ticket or pass as income to the City official and then treat the ticket or pass as income, consistent with applicable state and federal income tax laws, or (B) report the receipt of the ticket or pass on their Form 700, if the value of the ticket or pass is over $50 and the aggregate value of tickets and passes from single source in a calendar year is $630 or less for 2025, and as adjusted yearly.

X. Policy Limited to Just Tickets or Passes.

If other benefits, such as food, beverages or other items, are provided to the City official at the Event and they are not included as part of the admission to the Event, those benefits will need to be accounted for as gifts to the City official who receives them.

Agency Report of:

Ceremonial Role Events and Ticket/Pass Distributions

A Public Document

1. Agency Name

Date Stamp

California Form 802

For Official Use Only

Division, Department, or Region *(if applicable)*

Designated Agency Contact *(Name,Title)*

Area Code/Phone Number | **E-mail**

☐ **Amendment** *(Must Provide Explanation in Part 3.)*

Date of Original Filing: _____ *(month, day, year)*

2. Function or Event Information

Does the agency have a ticket policy? Yes ☐ No ☐ Face Value of Each Ticket/Pass $ _____

Event Description: _____ *Provide Title/ Explanation* Date(s) _____ _____

Ticket(s)/Pass(es) provided by agency? Yes ☐ No ☐ If no: _____ *Name of Source*

Was ticket distribution made at the behest of agency official? Yes ☐ No ☐ If yes: _____ *Official's Name (Last, First)*

3. Recipients

• Use Section A to identify the agency's department or unit. • Use Section B to identify an individual. • Use Section C to identify an outside organization.

A. Name of Agency, Department or Unit	Number of Ticket(s)/ Passes	Describe the public purpose made pursuant to the agency's policy

B. Name of Individual *(Last, First)*	Number of Ticket(s)/ Passes	Identify one of the following:
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*

C. Name of Outside Organization (include address and description)	Number of Ticket(s)/ Passes	Describe the public purpose made pursuant to the agency's policy

4. Verification

I have read and understand FPPC Regulations 18944.1 and 18942. I have verified that the distribution set forth above, is in accordance with the requirements.

Signature of Agency Head or Designee	Print Name	Title	*(month, day, year)*

Comment: _____

Print **Clear**

Agency Report of:

Ceremonial Role Events and Ticket/Pass Distributions

California Form 802

A Public Document

This form is for use by all state and local government agencies. The form identifies persons that receive admission tickets and passes and describes the public purpose for the distribution. This form was prepared by the Fair Political Practices Commission (FPPC) and is available at www.fppc.ca.gov.

General Information

FPPC Regulation 18944.1 sets out the circumstances under which an agency's distribution of tickets to entertainment events, sporting events, and like occasions would not result in a gift to individuals that attend the function. In general, the agency must adopt a policy which identifies the public purpose served in distributing the admissions. The Form 802 serves to detail each event and the public purpose of each ticket distribution. FPPC Regulation 18942 lists exceptions to reportable gifts, including ceremonial events, when listed on this form.

When the regulation procedures are followed, persons, organizations, or agencies who receive admissions are listed on a Form 802. Agency officials do not report the admissions on the official's Statement of Economic Interests, Form 700, and the value of the admission is not subject to the gift limit.

The Form 802 also informs the public as to whether the admissions were made at the behest of an agency official and whether the behested tickets were provided to an organization or to specific individuals.

Exception

FPPC This form is not required for admission provided to a school or university district official, coach, athletic director, or employee to attend an amateur event performed by students of that school or university.

Reporting and Public Posting

Ticket Distribution Policies: An agency must post its ticket policy on its website within 30 days of adoption or amendment and e-mail a link of the website location to FPPC at form802@fppc.ca.gov.

Form 802: The use of the ticket or pass under the policy must be reported on Form 802 and posted on the agency's website within 45 days of distribution. A link to the website location of the forms must be e-mailed to FPPC at form802@fppc.ca.gov.

The FPPC will post on its website the link to each agency's policy and completed forms. It is not necessary to send an e-mail each time a new Form 802 is posted. It is only necessary to submit the link if the posting location changes.

This form must be maintained as a public document.

Privacy Information Notice

Information requested by the FPPC is used to administer and enforce the Political Reform Act. Failure to provide information may be a violation subject to administrative, criminal, or civil penalties. All reports are public records available for inspection and reproduction. Direct questions to FPPC's General Counsel.

Instructions

Part 1. Agency 5842642.1

List the agency's name. Provide a designated agency contact person, their phone number, and e-mail address. Mark the amendment box if changing any information on a previously filed form and include the date of the original filing.

Part 2. Function or Event 5842642.1

Confirm that your agency has a policy for ticket distribution. Unless the ceremonial role or income box in Part 3, Section B, is marked, this form is only applicable if your agency has a policy.

Complete all of the other required fields that identify the ticket value, description of event, date(s) and whether the ticket was provided by the agency or an outside source. If an agency official behests the tickets, the official's name is also required. Use the comment field or an attachment to explain in full.

Part 3. Ticket5842642.1

This part identifies who uses the tickets. The identification requirements vary depending upon who received the tickets and are categorized into three sections. Each section must list the number of tickets received. Use the comment field or an attachment to explain in full.

Section A. Report tickets distributed to agency staff, other than an elected official or governing board member, pursuant to the agency's policy. It is not necessary to list each employee's name, but identify the unit/department for which the employee works. The agency must describe the public purpose associated with the ticket distribution. A reference to the policy is permissible.

Section B. Report: 1) any agency official who performs a ceremonial role; 2) any agency official who reports the value as income; or 3) tickets used by elected officials and governing board members (including those distributed pursuant to the agency's policy).

Section C. Report tickets provided to an organization. The organization's name, an address (website url is permissible), and a brief description of the public purpose are required.

Agency Report of:

Ceremonial Role Events and Ticket/Pass Distributions Continuation Sheet

California Form 802

A Public Document

Agency Name

3. Recipients

•Use Section A to identify the agency's department or unit. •Use Section B to identify an individual. •Use Section C to identify an outside organization.

A. Name of Agency, Department or Unit	Number of Ticket(s)/ Passes	Describe the public purpose made pursuant to the agency's policy

B. Name of Individual *(Last, First)*	Number of Ticket(s)/ Passes	Identify one of the following:
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*

C. Name of Outside Organization (include address and description)	Number of Ticket(s)/ Passes	Describe the public purpose made pursuant to the agency's policy

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