# AGENDA
Scotts Valley Planning Commission
REMOTE ACCESS ONLY
May 12, 2022
Time: 6:00 PM

<table>
<thead>
<tr>
<th>CITY OF SCOTTS VALLEY</th>
<th>MEETING LOCATION</th>
<th>POSTING:</th>
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<tr>
<td>1 Civic Center Drive</td>
<td>City Council Chambers</td>
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<td>Scotts Valley, CA 95066</td>
<td>1 Civic Center Drive</td>
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<td>831-440-5635</td>
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PUBLIC ADVISORY REGARDING COVID-19

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”), an urgency measure effective upon adoption, amending the Brown Act to allow legislative bodies to continue teleconferencing during a proclaimed State of Emergency, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees. In accordance with AB 361, the Scotts Valley City Council adopted Resolution No. 2007.1 on November 17, 2021, authorizing the continued use of teleconferenced meetings pursuant to AB 361. City Council and City Staff Members will be participating remotely via videoconference.

Public Participation

The meeting will be available on Zoom. For those wishing to participate via Zoom, you can join from a PC, Mac, iPad, iPhone or Android device by entering or clicking on the following URL: [https://us02web.zoom.us/j/88671741298](https://us02web.zoom.us/j/88671741298)

You will be given an opportunity to provide public comment at the appropriate times throughout the meeting via Zoom.

How to comment via Zoom:

1. At the appropriate times during the meeting for public comment on items not on the agenda and on specific agenda items, the Planning Commission Chair will announce that public comment will be accepted. Our usual time limits of three minutes per individual, or five minutes for an individual who is representing a group of three or more, will apply. Please note that per our standard practice, this is not a question and answer time, but simply a time for you to provide comments to the Planning Commission.

2. There is an option on Zoom to raise your hand. Please click on this option when the Chair announces that public comments will be taken. If you are participating via dial-up only, use *9 to raise your hand at the requested time. Zoom places people in line automatically. When it is your turn, you will be un-muted and you will be able to make your comments based on the above time frames. Once your
time is up, you will once again be muted and the next person in line will be given their opportunity to speak.

<table>
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<tr>
<th>Appointed Officials</th>
<th>City Staff Members</th>
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<tr>
<td>Lori Gentile, Chair</td>
<td>Taylor Bateman, Community Development Director</td>
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<tr>
<td>Chuck Maffia, Vice Chair</td>
<td>Olivia Beers, Assistant Planner</td>
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<tr>
<td>David Hodgin, Commissioner</td>
<td>Jonathan Kwan, Contract Planner</td>
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<td>Steven Horlock, Commissioner</td>
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<td>Shawn Mosley, Commissioner</td>
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Notice regarding Planning Commission Meetings:
The Planning Commission meets regularly on the 2nd Thursday of each month (unless otherwise noticed) at 6pm in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066. Currently meetings are being held remotely.

Agenda and Agenda Packet Materials:
The Planning Commission agenda and the complete agenda packet are available for review by 5pm the Friday before the Thursday meeting on the Internet at the City’s website: www.scottsvalley.org/AgendaCenter. City Hall is closed to the public therefore, the agenda is only available for viewing online.

CALL TO ORDER
(The Planning Commission Chair calls the meeting to order.)

ROLL CALL
(Planning Department staff conduct roll call of the Planning Commission.)

PUBLIC COMMENT TIME
This is the opportunity for individuals to make and/or submit written or oral comments to the Commission on any items within the purview of the Commission, which are NOT part of the Agenda. No action on the item may be taken, but the Commission may request the matter be placed on a future agenda.

ALTERATIONS TO CONSENT AGENDA
(The Commission can remove or add items to the Consent Agenda.)

CONSENT AGENDA
(The Consent Agenda is comprised of items which appear to be non-controversial. Persons wishing to speak on any items may do so raising their hand to be recognized by the Chair. These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.)

ALTERATIONS TO PUBLIC HEARING AGENDA
(Commission can remove or add items to the Regular Agenda.)
PUBLIC HEARING AGENDA
(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

1. Location: 5060 Scotts Valley Drive / APN 022-091-53
   Planning Permit Application: Use Permit U22-002
   Applicant & Property Owner: Nesh Dhillon / Santa Cruz Community Farmers' Markets & Scotts Valley Boys and Girls Club
   Project Description: Consideration of a Use Permit application for the Scotts Valley Farmers' Market to operate in the parking lot of the Boys and Girls Club at 5060 Scotts Valley Drive.
   Staff Planner: Jonathan Kwan, Contract Planner, jonathank@csgengr.com

ALTERATIONS TO REGULAR AGENDA
(Commission can remove or add items to the Regular Agenda.)

REGULAR AGENDA
(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS (The Planning Commission or Community Development Director may request to schedule items on future agendas.)

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY
DIRECTOR UPDATES
(The Community Development Director may provide any department or city updates that are available.)

ADJOURNMENT
(Adjournment shall be no later than 11pm unless extended by a four-fifths vote of all Planning Commission members or a unanimous vote of the members present per City Municipal Code Section 2.21.010.)

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a Planning Commission meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the Community Development Department at 831-440-5630 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a Planning Commission meeting be available in an alternative format consistent with a specific disability, please call the Community Development Department. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.
STAFF REPORT

Applicant: Nesh Dhillon / Santa Cruz Community Farmers’ Markets

Property Owner: Scotts Valley Boys & Girls Club

Application: Use Permit U22-002

Location: 5060 Scotts Valley Drive
          APN 022-091-53

General Plan/Zoning: C-S (Service Commercial)

Environmental Status: CEQA Categorical Exemption, Class 4
                      Section 15304E, Minor Alterations to Land

Request: Consideration of a Use Permit application for the Scotts Valley Farmers’ Market to operate in the parking lot of the Boys and Girls Club at 5060 Scotts Valley Drive.

Staff Planner: Jonathan Kwan, Consultant Planner

STAFF RECOMMENDATION

It is recommended that the Planning Commission review the proposed application and approve Use Permit application U22-002 by adoption of the attached resolution with the conditions in Exhibit A.

BACKGROUND

The Scotts Valley Farmers’ Market is seeking a new location because they have been displaced from their last two venues. Beginning in 2009 the Farmers’ Market operated in the Scotts Valley Community Center parking lot but had to relocate in 2020 due to the CZU Lightening Complex fires. The market moved to the Scotts Valley Square Shopping Center parking lot for the 2021 season, but the space became unavailable for the 2022 season due to the Target construction.
PROJECT DESCRIPTION

The Farmers’ Market is proposing to operate in the Boys and Girls Club Parking lot from 8am-2pm every Saturday beginning in May until the Saturday before Thanksgiving. Set up and breakdown is proposed an hour before and after the event from 8-9am and 1-2pm, respectively. The market will have approximately 30 vendors. There will be three managers available with two on site every weekend. The event will provide all refuse services and restrooms. The restrooms will include one single unit and one ADA unit. Units are delivered the morning of the event and picked up the same day of the event.

DISCUSSION

Staff has reviewed the project for compliance with the City’s regulations and requirements. An analysis of the issues for the Planning Commission’s consideration are provided in the following sections.

Parking and Circulation

The proposed use Farmers’ Market use is not specified in the Municipal Code. Per Municipal Code section 27.44.030, required parking spaces for uses that are not specified by the code are determined by the Planning Commission.

The proposed farmers’ market is located in the parking lot of the Boys and Girls club. The site would be accessed from the north side of the property off El Pueblo Road and onsite traffic would be directed by arrows marked on the parking lot.

Proposed vendor stalls are sited within the southern half of the site so that 40 off street parking spaces will be available for the proposed use. Additionally, there will be approximately 20 public spaces on El Pueblo Road, the adjacent street. The Boys and Girls Club only operates Monday through Friday, so the parking demand from the proposed Farmers’ Market on Saturday would not impact existing uses. Additionally, the applicant anticipates that some patrons may choose to walk to the Farmers’ Market instead of drive, given the proximity of the residential neighborhoods across Scotts Valley Drive. Therefore, staff does not anticipate that the approval of a Farmers’ Market on Saturday would result in a parking impact.

Noise

Surrounding uses include an auto shop and carwash. The nearest residential uses are located approximately 280 feet away, across from Scotts Valley Drive. The Farmers’ Market is proposing to play acoustic music only with no amplified music. Therefore, staff does not anticipate a significant noise impact to surrounding uses.
Five-Year Term

Since the Farmers Market is a seasonal event on the Scotts Valley Boys & Girls Club property, staff recommends a condition of approval to limit this use permit to a five-year term. The applicant may request an extension of this use permit for up to five years prior to the expiration of this permit, subject to the approval of the Community Development Director. Additional extensions may be granted by the Planning Commission.

ATTACHMENTS

Resolution (Action Item)
1. SVFM Site Plan ........................................................................................................7
2. Project Description ................................................................................................... 8
RESOLUTION NO. ___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY APPROVING USE PERMIT U22-002 FOR THE FARMERS’ MARKET TO OPERATE IN THE BOYS AND GIRLS CLUB PARKING LOT AT 5060 SCOTTS VALLEY DRIVE // APN 022-091-53

WHEREAS, the application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, the project is categorically exempt from CEQA [Class 4, 15304]; and,

WHEREAS, the project was reviewed by the Planning Commission in a duly noticed public hearing on Thursday, May 12, 2022.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgment of the City.

SECTION 2: The categorical exemption [Class15304] is hereby approved.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the staff report dated Thursday, May 12, 2022:

Use Permit

1. The proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located. The purpose of the Commercial Service (C-S) Zoning District is to create and maintain areas accommodating city-wide and regional service that may be inappropriate in neighborhood or pedestrian-oriented shopping areas. As conditioned, the proposed farmer’s market is in accordance with the objectives of the zoning ordinance and is not anticipated to impact the surrounding neighborhood.

2. The establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed uses or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The farmers’ market, as conditioned in Exhibit A, meets the
requirements of this finding in that the uses will be contained within the Boys and Girls Club parking lot and is not expected to generate any odor, dust, or other external impacts.

SECTION 4: After careful consideration of the application and related materials, plans, maps, facts, exhibits, staff reports, minutes, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley does hereby approve Use Permit U22-002 and for the Farmers’ market to operate in the Boys and Girls Club parking lot at 5060 Scotts Valley Drive// APN 022-091-53, subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

SECTION 5: Use Permit U22-002 shall lapse and shall become void five years from the date of this resolution unless prior to the expiration date an extension of up to 5 years is granted by the Community Development Director.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on the 12th day of May 2022, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________________
Laurie Gentile, Chair

_______________________________________
Taylor Bateman, Community Development Director
EXHIBIT A
CONDITIONS OF APPROVAL

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.

2. Property owner shall sign below (at the end of these conditions) agreeing to the Conditions of Approval noted above prior to issuance of the building permit.

PLANNING DEPARTMENT

3. This approval allows the Scotts Valley Farmers’ Market to be in the Boys and Girls Club parking lot at 5060 Scotts Valley Drive. The approval is for Saturdays in May through the Saturday before Thanksgiving from 9am to 1pm. Setup for the market may begin at 8am and dismantling of the market shall be completed by 2pm.

4. This approval is only valid for five years with a possible five-year extension, subject to the approval of the Community Development Director. Additional extensions may be granted by the Planning Commission.

5. All areas of the site shall be kept free of debris during the market, and afterwards the market area shall be completely cleared and cleaned the same day.

6. If the event will displace any Accessible Parking spaces, a manager shall ensure that Accessible Parking is provided for attendees of the event. This may require the manager to have onsite parking assistance to direct disabled individuals to temporary accessible parking.

__________________________________
Signature of Property Owner
Use Permit Application/ Project Description

Applicant: SCCFM/Scotts Valley Farmers Market
Address: 5060 Scotts Valley Dr. /parking lot of Boys and Girls Club.

**Who:**
Santa Cruz Community Farmers’ Markets (SCCFM) was established in 1990 and operates five certified farmers’ markets in Santa Cruz County. Our markets represents over 100 family farms, specialty food purveyors and artisans. Certified farmers markets are regulated by USDA (federal), CDFA(state) and local environmental health departments.

The state certified farmers market program was developed almost fifty years ago to support small family farms and ensure the produce sold in markets comes direct from California growers.

Our markets showcase the best in regional organic produce, pasture-raised meats, eggs and dairy, local seafood and artisan goods. The markets are dynamic spaces that include cook-to-order cuisine, locally made food products, space for micro breweries and wine makers along with weekly live music and educational events for families that focus on the origins of farmed foods and showcase local chefs.

**Why:**
SCCFM is applying for a use permit to operate in the parking lot of the Scotts Valley Boys and Girls Club located at 5060 Scotts Valley Dr. The market originally operated in the parking lot of the Scotts Valley Community Center since 2009 but was displaced in late 2020 due to the CZU fires and moved to the parking lot of the Scotts Valley Center. We continued to operate at that location for 2021. The parking lot became unavailable for the 2022 season due to site construction and staging for the new Target replacing Kmart.

**Where:**
SCCFM is applying for a use permit to operate in the parking lot of the Scotts Valley Boys and Girls Club located at 5060 Scotts
Valley Dr. The market originally operated in the parking lot of the Scotts Valley Community Center but was displaced in late 2020 due to the CZU fires and moved to the parking lot of the Scotts Valley Center. We continued to operate at that location for 2021. The parking lot became unavailable for the 2022 season due to site construction and staging for the new Target replacing Kmart.

The market layout (see map) will occupy a portion of the parking lot, leaving the remaining space for event parking.

**Authorizing Agent: Boys & Girls Clubs of Santa Cruz County**

**Additional Detail**

1. All of the proposed uses/activities will occur outside in the parking lot of the SV Boys and Girls Club.
2. Hours of operation are 9am to 1pm. Set up will be 8-9am and break down is 1-2pm. Market will operate every Saturday from May until the Saturday before Thanksgiving (Nov).
3. The market will have three managers available with two on site every weekend.
4. Parking for the market totals 45 spaces onsite (exclusive for the event) and approximately 20 public spaces on the adjacent street El Pueblo.
5. The event does not have amplification for music (acoustic only).
6. The event provides all refuse services (GreenWaste) and restrooms (C&A Sanitation). The restrooms will include one single unit and one ADA. Units are delivered the morning of the event and picked up the same day at the end of the event.
7. The event will not use any water from the facility. The event will have no water discharge.
8. The market uses a temporary banner to promote market hours during operation. No hard signage.
9. The event will house approximately 30 vendors.
10. One onboard generator will be used (food truck). No exterior generators.