



A G E N D A
CITY OF SEASIDE
PLANNING COMMISSION

VIRTUAL ONLY
REGULAR MEETING
Wednesday, October 27, 2021
7:00 PM

This meeting is compliant with Governor Newsom's Executive Order N-29-20 which allows local legislative bodies to hold public meetings electronically only, without a physical location for public participation, accessible only telephonically or otherwise electronically (video conferencing) to all members of the public seeking to observe and address the local legislative body, in order to avoid public gatherings, and until further notice.

REMOTE PUBLIC COMMENTS To make a public comment, the following options are available:

- Before the Meeting via Email: Written comments can be emailed to CityClerk@ci.seaside.ca.us Include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment). Written comments must be received by 5:00 p.m. on the day of the meeting. All submitted comments will be provided to the Commission for consideration, compiled as part of the record, and may be read into the record.
- During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9. The Secretary to the Board will call speaker names and unmute speaker microphones. You will have up to 2 minutes to provide your comments, with time set by the discretion of the Chair.

VIRTUAL MEETING ACCESS

This meeting can be watched via the City of Seaside YouTube channel:

https://www.youtube.com/channel/UC1Cu7854Ohtjpr_XV1tDvRg

Or by joining the Zoom webinar link: <https://us02web.zoom.us/j/81555467580>

Or call in phone number: 669 900 9128

Webinar ID: 815 5546 7580

1. CALL TO ORDER

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

John Owens	Chair
Michael Spalletta	Vice Chair
Keith Dodson	Commissioner
Arlington La Mica	Commissioner
Dave Evans	Commissioner

4. REVIEW OF AGENDA

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

5. PUBLIC COMMENT

Members of the public wishing to address the Planning Commission on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three (3) minutes. For the public record, please state your name.

6. APPROVAL OF MINUTES

A. APPROVAL OF MINUTES FROM OCTOBER 13, 2021

7. BUSINESS ITEMS

A. ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-09. LORRAINE MCGRUFF AND ALLEN JAMES, PROPERTY OWNERS, AND AUGUST DESIGN & BUILD, APPLICANT, ARE REQUESTING ARCHITECTURAL REVIEW APPROVAL FOR A 525 SQUARE FOOT SECOND STORY ADDITION AND A 120 SQUARE FOOT BALCONY LOCATED AT 1663 MESCAL STREET IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN 012-663-002). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(E)(1) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

B. VARIANCE APPLICATION NO. V-21-02: STAR MALLORY, APPLICANT AND PROPERTY OWNER, IS REQUESTING A VARIANCE TO ALLOW FOR AN AS-BUILT STAIRWAY THAT IS ATTACHED TO A DECK PROJECT INTO ENCROACH INTO THE REAR YARD SETBACK LOCATED AT 1889 HIGHLAND STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 5, SECTION 153059(A) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

RECOMMENDATION: In accordance with Seaside Municipal Code (SMC), the following code sections are applicable: SMC 17.62.080: The Planning Commission may waive or modify certain standards of the Zoning Ordinance for special circumstances except allowed land uses, residential density, specific prohibitions or procedural requirements. Variance findings are listed under Section 17.62.080.F.1.

Staff recommends approval of V-21 for the proposed two-foot seven inch reduction in the required 10 rear setback for an exterior stairway attached to a deck in accordance with the draft Resolution (Attachment 1), subject to Attachment 1 – Exhibit A, Project Plans.

C. USE PERMIT APPLICATION NO. UP-21-01/BOARD OF ARCHITRECTORAL REVIEW APPLICATION NO. BAR-21-06: HUGO PEREZ, APPLICANT, AND ROBERT BOOTH, PROPERTY OWNER, ARE REQUESTING THE APPROVAL OF A PARKING EXCEPTION AND RESIDENTIAL DESIGN REVIEW FOR A TWO-STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1644 LUXTON STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION:

Design Review

In accordance with Section 17.62.030.B.2 of the Seaside Municipal Code (SMC), Board of Architectural Review (BAR) approval is required for the construction of a second story addition to an existing single family residence.

Use Permit

In accordance with Section 17.34.100 of the SMC, Use Permit approval is required for the reduction in off-street parking.

D. DISCUSSION ON RETURNING TO IN-PERSON MEETINGS

RECOMMENDATION: Discuss and share preferences for returning to in-person meetings, hybrid (in-person and remote/virtual), or continuing with remote/virtual.

8. REPORTS FROM COMMISSIONERS

9. REPORTS FROM STAFF

10. ADJOURNMENT

Next Regularly Scheduled Meeting:
November 10, 2021 | 7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. Agendas are posted at:
<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

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



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
ZOOM WEBINAR

Wednesday, October 13, 2021
7:00 PM

1. **CALL TO ORDER**

Commissioner Evans called meeting to order at 7:14PM

Commented [RM1]:

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

Commissioner Dodson	Present, joined at or around 7:20
Commissioner Evans	Present
Chairperson Owens	Absent
Commissioner Silva	Absent
Commissioner La Mica	Present
Commissioner Huynh	Present
Vice Chair Spaletta	Present

3. **PUBLIC COMMENT**

Commissioner Evans opened public comment. With no comments received, public comment was closed.

4. **APPROVAL OF MINUTES**

Approval of minutes of September 8th and 22nd, 2021

Motion: Commissioner LaMica, **Second:** Commissioner Huynh. **Unanimous approval.**

5. **BUSINESS ITEMS**

A. BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-07: LEISSA NELSON, PROPERTY OWNER, AND JOEY SAMPALO, APPLICANT, ARE REQUESTING DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A 207 SQUARE FOOT ELEVATED DECK ON AN EXISTING SINGLE FAMILY DWELLING LOCATED AT 1249 LUZERN STREET IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 3,

SECTION 15303(E) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). ITEM WAS CONTINUED FROM SEPTEMBER 22, 2021 PLANNING COMMISSION MEETING.

Rick Medina, Senior Planner, presented staff report and explained the redesign, as requested by the Commission at the previous meeting.

APPLICANT COMMENT:

Joey Sampalo: Asked for clarification on deck width. Planner Medina clarified.

PUBLIC COMMENT:

NONE

Motion: Commissioner LaMica, **Second:** Commissioner Dodson, **VOTE:** **Unanimous approval.**

B. BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-07: SATISH AND RESHMA SHARMA, APPLICANT AND PROPERTY OWNER, ARE REQUESTING DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A TWO- STORY ADDITION ONTO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 485 TRINITY AVENUE IN THE RS-12 (SINGLE FAMILY) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT, CLASS 1, SECTION 15301.E.1 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Rick Medina, Senior Planner, provided an overview of the proposed project.
Commissioner Dodson: Any comments from neighbors? None.

APPLICANT COMMENT:

Reshma Sharma: Asked for clarification on permitting procedure.

PUBLIC COMMENT:

NONE

Commissioner Evans asked a question about the proposed bright blue color and asked if it could be modified. Staff Medina informed the commission that the city doesn't have color requirements and we could reopen it to the applicant for comment.

Motion: Commissioner Huynh, **Second:** Commissioner LaMica, **VOTE:** **Unanimous approval.**

6. REPORTS FROM COMMISSIONERS

Commissioner LaMica asked for an update on the former Church's Chicken. Staff Rocha explained the city is not in receipt of an interior TI and repairs to the exterior

are only being conducted.

Commissioner Evans asked about the pipes being stages on Gen. Jim Moore and staff Rocha would be in touch with an update.

Commissioner Dodson asked about returning to meeting in person. Dominique Davis, City Clerk, explained extensions by the state to allow for virtual meetings, yet commissions do have the option to return 100% in person or hybrid, as city council is operating.

7. REPORTS FROM STAFF

None

8. ADJOURNMENT

7:51 PM.

Respectfully submitted,

Dominique L. Davis, City Clerk

John Owens, Chair



CITY OF SEASIDE STAFF REPORT

Item No.: 7.A.

TO: Planning Commission

BY: Beth Rocha, Senior Planner

DATE: October 27, 2021

SUBJECT: **ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-09.**
LORRAINE MCGRIFF AND ALLEN JAMES, PROPERTY OWNERS, AND
AUGUST DESIGN & BUILD, APPLICANT, ARE REQUESTING
ARCHITECTURAL REVIEW APPROVAL FOR A 525 SQUARE FOOT
SECOND STORY ADDITION AND A 120 SQUARE FOOT BALCONY
LOCATED AT 1663 MESCAL STREET IN THE RS-8 (SINGLE FAMILY
RESIDENTIAL) ZONING DISTRICT (APN 012-663-002). THE PROJECT
IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(E)(1) FROM
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

In accordance with SMC section 17.62.030.B.2., architectural review is required *for all new construction, additions to existing structures that result in a height of greater than 18 feet, and all new second-story elements including decks, roofs, projections, etc.*

Staff recommends approval of BAR-21-09 subject to Attachment 1: Draft Resolution and Exhibit A to Attachment 1: Project Plans.

BACKGROUND

The subject site consists of an 8,500 square-foot parcel, developed with a 2,005 square-foot, one-story single-family dwelling with an attached 485 square foot, two-car garage. The adjoining parcels consist primarily, with a few non-adjacent two-story homes, of one-story single-family dwellings to the east, west, north, and south. The site is relatively flat, with a subtle downward slope north where Marietta Street meets Mescal Street.

PROJECT DESCRIPTION

The project consists of a 525 square foot second story addition for a master bedroom

suite with a 120 square foot balcony towards the rear of the home, over the existing building footprint, setback approximately 23'-7" from the front wall of the existing single-story home. The proposed roof will match the existing with a 3:12 pitch to a maximum height of 21'-6", with the unmodified roof ridge at a range of 13'-9" to 14'-2" in height. The roof will be finished to match the existing Class 'A' composition shingles, the exterior walls will be finished in matching stucco and grey/blue paint, and 4" wood clad wainscoting to 4' height will also match that of the existing single family home. The proposal complies with the development regulations of the single-family zone, including site coverage, floor area ratio, and height.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(e)(1): Class 1 consists of additions to existing structures involving negligible or no expansion of use.

Evidence: *The existing single-family residence is 2,500. The proposed 525 square foot second story addition and 120 square foot balcony would not result in an increase of more than 50% of the existing floor area.*

STAFF ANALYSIS

The proposed 525 square foot second story addition to the existing 2,005 square foot, single story residence represents a 26% increase in floor area, which is well below the maximum permitted floor area of 3,825 square feet.

Additionally, the proposed height is not being maximized at 24'-0" as permitted by the code, but rather proposed at 21'-6" in height to accommodate an 8'-0" floor to ceiling height in the master bedroom. The existing roof ridge ranges from 13'-9" to 14'-2", which reduces the visual impact of the second story addition.

Design considerations regarding privacy of surrounding properties were taken into consideration regarding the second-story master bedroom addition. For example, the greatest number of windows (qty.4) are placed along the north elevation, where there is the greatest distance (37') between the proposed addition and the adjacent property to the north. Comparatively, the windows along the south elevation, which is the portion of the addition closest to any neighboring property, are limited (qty.3) to a functional, small bathroom window and two windows on either side of the future location of the bed. The proposed 120 square foot (16'-0"w x 7'-6"d) second story balcony would be accessed from the master bedroom through a slider door and is intended as a place of rest and relaxation for the owners to enjoy the views afforded to the homes in this area of Seaside.

Section 17.62.030.E.1&4 of the SMC outlines the following review considerations be evaluated by the Board of Architectural Review:

E.1. Architectural considerations. Architectural considerations, including the character, quality, and scale of the design, architectural relationship with the site and other structures, building materials, colors, fencing, trash enclosure and walkway improvements, exterior lighting and signs, and the screening of exterior appurtenances.

E.4. Conditions of approval. In making its decisions, the Board of Architectural Review may impose the conditions, as it deems reasonable and necessary to protect the best interests of the surrounding area, as well as to further the public health, safety, and general welfare of the community.

- A. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of the Zoning Ordinance and the Municipal Code.

Evidence: *In accordance with the SMC 17.12.050, Table 2-3, Residential Zone Development Standards, the proposed project adheres to all setbacks and development regulations. Maintains less than 65% lot coverage, less than 0.45 FAR, height less than 24', side setbacks of 5', rear setback of 15'-0", front setback of 15'-0".*

Evidence: *The proposed addition has been designed to be consistent in quality, scale, and architectural relationship with the site and there are appropriate setbacks from all property lines to the existing and proposed structures.*

Single-Family Residential Design Guidelines

The proposed design provides breaks in the facade plane and creates visual depth. The following Single-Family Residential Design Guidelines support the proposed addition:

"Architectural elements should be designed to eliminate the appearance of box-like buildings," (II.A.iii.) and, "Avoid box-like appearance through variation in the roofline and building elevations" (III.C.iv.)

Evidence: *The neighborhood has a variety of architectural styles and colors. The project plans for the residential reconstruction have been designed to respect the existing residential patterns and scale in the neighborhood. The proposed addition will result in an improvement to the overall aesthetics of the neighborhood.*

Evidence: *The physical size and massing of the project is proportional to the lot size and is compatible with the scale and mass of the neighboring residences. The proposed addition is set back towards the rear of the existing home and within the existing footprint. The proposed roof pitch, materials, and architectural finishes that match the existing residence also help to break up the massing of the*

structure and avoids the look of a box-like structure.

The project would be consistent with the following General Plan Goals and Policies:

- **Land Use Element**

1. Goal LU-3: Revitalize existing residential areas
 - Policy LU-3.2: Improve physical appearance of residential neighborhoods
2. Goal LU-4 – Ensure that new development compliments existing land uses and enhances the character of the community and its neighbors.
 - Policy LU-4.1 – Require that all new development uses quality design and material; and is compatible with surrounding uses, the site, and available infrastructure.

- **Urban Design Element**

1. Goal UD-2 Create and preserve distinct neighborhoods and business districts.
 - Policy UD-2.1: Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.
2. Goal UD-3: Provide and maintain a streetscape system that protects visual quality and continuity within the community.

Evidence: *The project proposal is compatible with the overall design and scale of surrounding residential land uses. The proposed addition will not detract from the character of the neighborhood as it is surrounded by existing single-family residences.*

ATTACHMENTS

Attachment 1: Resolution

Exhibit A to Attachment 1: Project Plans

Attachment 2: Site Photos

Attachment 3: Topographic Map

Attachment 4: Public Comment

RESOLUTION NO. 21-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING ARCHITECTURAL REVIEW APPLICATION BAR-21-09 TO ALLOW FOR A 525 SQUARE FOOT SECOND STORY ADDITION AND A 120 SQUARE FOOT BALCONY LOCATED AT 1663 MESCAL STREET IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

WHEREAS, Lorraine McGriff and Allen James, property owners, and August Design & Build, applicant, requested architectural review approval for a 525 square foot second story addition and a 120 square foot balcony located at 1663 Mescal Street in the RS-8 (single family residential) zoning district (APM 012-663-002). The project is categorically exempt class 1, section 15301(e)(1) from the California Environmental Quality Act; and

WHEREAS, a duly notice public hearing has been held on October 27, 2021; and

WHEREAS, the Planning Commission reviewed the staff report, received and considered oral comments at the public hearing concerning the proposed use and acted to grant approval of Design Review Application No. BAR-21-09 in accordance with Section 17.62.030 of the Seaside Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Design Review Application No. BAR- 21-09:

WHEREAS, the project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(e)(1): Class 1 consists of additions to existing structures involving negligible or no expansion of use.

Evidence: *The existing single-family residence is 2,500. The proposed 525 square foot second story addition and 120 square foot balcony would not result in an increase of more than 50% of the existing floor area.*

WHEREAS, the project complies with the following Single-Family Residential Design Guidelines:

"Architectural elements should be designed to eliminate the appearance of box-like buildings," (II.A.iii.) and, "Avoid box-like appearance through variation in the roofline and building elevations" (III.C.iv.)

Evidence: *The neighborhood has a variety of architectural styles and colors. The project plans for the residential reconstruction have been designed to respect the*

existing residential patterns and scale in the neighborhood. The proposed addition will result in an improvement to the overall aesthetics of the neighborhood.

Evidence: *The physical size and massing of the project is proportional to the lot size and is compatible with the scale and mass of the neighboring residences. The proposed addition is set back towards the rear of the existing home and within the existing footprint. The proposed roof pitch, materials, and architectural finishes that match the existing residence also help to break up the massing of the structure and avoids the look of a box-like structure.*

WHEREAS, the project is consistent with the following General Plan Goals and Policies:

Land Use Element

Goal LU-3: Revitalize existing residential areas

- Policy LU-3.2: Improve physical appearance of residential neighborhoods

Goal LU-4 – Ensure that new development compliments existing land uses and enhances the character of the community and its neighbors.

- Policy LU-4.1 – Require that all new development uses quality design and material; and is compatible with surrounding uses, the site, and available infrastructure.

Urban Design Element

Goal UD-2 Create and preserve distinct neighborhoods and business districts.

- Policy UD-2.1: Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.

Goal UD-3: Provide and maintain a streetscape system that protects visual quality and continuity within the community.

Evidence: *The project proposal is compatible with the overall design and scale of surrounding residential land uses. The proposed addition will not detract from the character of the neighborhood as it is surrounded by existing single-family residences.*

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Design Application No. 21-09 subject to the following terms and conditions:

Project Specific:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans approved for discretionary permits for this project, Stamped Approved on October 27, 2021 shown on Exhibit A.

Standard:

2. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
3. Any proposed future development or change in use shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
4. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures.
5. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
6. Water conservation fixtures shall be provided in the proposed project.
7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. Design Review approval will become null and void if a building permit is not obtained within one (1) year from the date of approval to begin construction on the project.

9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the special meeting of the Planning Commission of the City of Seaside, State of California, on the 27th day of October, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

DESIGN REVIEW APPLICATION NO. BAR-21-09
PC RESOLUTION No. 21-XX

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

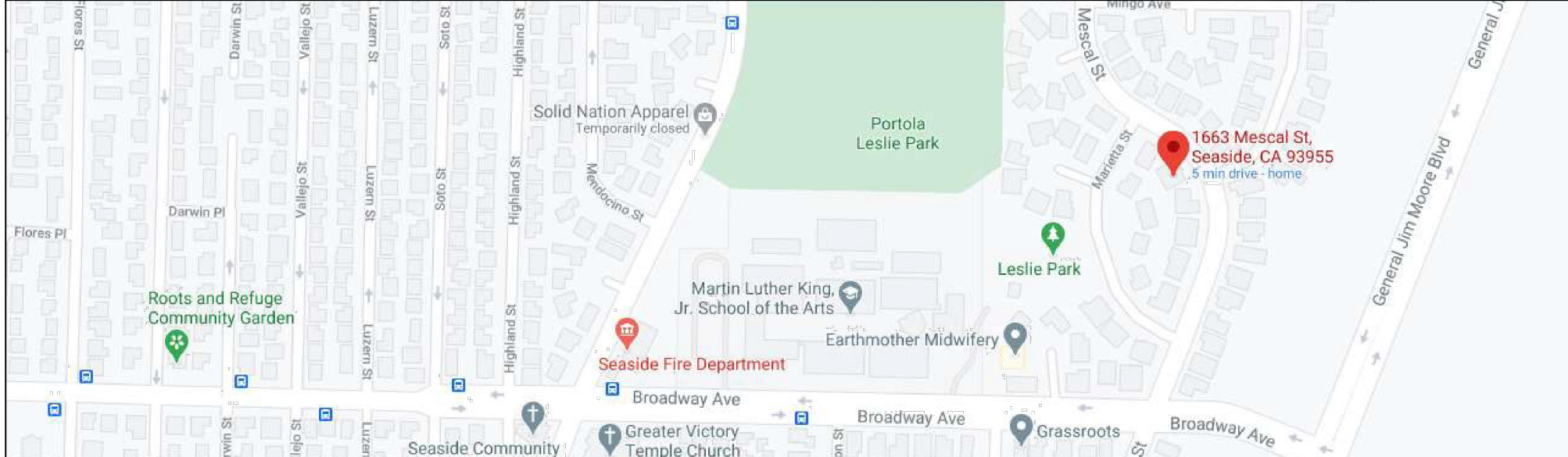
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Water Allocation Committee.

Applicant's Signature

Date

Property Owner's Signature

Date

McGRIFF & JAMES RESIDENCE I 663 MESCAL ST., SEASIDE, CA 93955		VICINITY MAP: 		VICINITY MAP , GENERAL NOTES , SHEET INDEX, PROJECT DATA, SCOPE OF WORK, PROJECT DIRECTORY, TYPE OF CONSTRUCTION, APPLICABLE CODES, AREA FOR APPROVAL	
GENERAL NOTES:		SHEET INDEX:		PROJECT DATA:	
SITE SPECIFICATIONS: 2019 CALIFORNIA RESIDENTIAL CODE (CRC), CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA FIRE CODE (CFC), CALIFORNIA GREEN BUILDING CODE (CGBG) AND CALIFORNIA ENERGY CODE. THE OWNER SHALL BE RESPONSIBLE TO PAY FOR ALL NECESSARY PERMITS, INSPECTIONS, CERTIFICATES AND FEES, INCLUDING UTILITIES. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO START OF WORK AND COMPLY WITH ALL INSPECTION REQUIREMENTS THROUGH FINAL SIGN-OFF. ALL MANUFACTURERS' INSTALLATION GUIDES TO BE PROVIDED TO INSPECTOR AT TIME OF FIELD INSPECTION. IF, DURING CONSTRUCTION THE CONTRACTOR FINDS STRUCTURAL CONDITIONS DIFFERENT THEN THOSE ON THE DRAWING, THE CONTRACTOR SHALL NOTIFY THE DESIGNER BEFORE PROCEEDING ANY FURTHER. ANY UNUSUAL SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER PRIOR TO FURTHER WORK. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, BUILDING CODES, RULES, REGULATIONS AND OTHER LAWFUL ORDERS OF ANY PUBLIC AUTHORITY BEARING ON THE PERFORMANCE OF THE WORK. THE CONTRACTOR SHALL PROMPTLY NOTIFY THE DESIGNER IN WRITING IF THE DRAWINGS AND/OR SPECIFICATIONS ARE AT VARIANCE WITH ANY SUCH REQUIREMENTS. THE CONTRACTOR SHALL OPERATE TO BEST MANAGEMENT PRACTICES. THE CONTRACTOR(S) PERFORMING THE WORK DESCRIBED BY THESE PLANS AND SPECIFICATIONS SHALL BE PROPERLY AND CURRENTLY LICENSED DURING THE EXECUTION OF THE PROJECT AND SHALL NOT PERFORM WORK OUTSIDE THE LEGAL SCOPE OF ANY LICENSE. THE GENERAL CONTRACTOR SHALL HAVE CURRENT CALIFORNIA CLASS B LICENSE, WORKMANS COMPENSATION CERTIFICATE AND NECESSARY MUNICIPAL BUSINESS LICENSE. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES SELECTED TO EXECUTE THE WORK. THE CONTRACTOR SHALL COORDINATE ALL PORTIONS OF WORK WITHIN THE SCOPE OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING & PROPERLY SUPERVISING ADEQUATE INDUSTRY STANDARD SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THIS WORK. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE BRACING AND SHORING. THE CONTRACTOR SHALL NOT STORE CONSTRUCTION MATERIAL IN A MANNER THAT SUCH THE DESIGN LIVE LOAD OF THE STRUCTURE ARE EXCEEDED (1 g psf ON THE ROOF, 40psf ON THE FLOOR). ALL MATERIALS STORED ON THE SITE SHALL BE PROPERLY STACKED AND PROTECTED TO PREVENT DAMAGE AND DETERIORATION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND SHALL ADHERE TO ALL FEDERAL, STATE, LOCAL AND O.S.H.A. STANDARDS. LIABILITY INSURANCE SHALL BE MAINTAINED BY THE CONTRACTOR TO PROTECT AGAINST ALL CLAIMS UNDER WORKMANS COMPENSATION ACTS, DAMAGES DUE TO BODILY INJURY INCLUDING DEATH, AND FOR ANY PROPERTY DAMAGES ARISING OUT OF OR RESULTING FROM THE CONTRACTORS OPERATIONS UNDER THE CONTRACT. THIS INSURANCE SHALL BE FOR LIABILITY LIMITS SATISFACTORY TO THE OWNER. THE OWNER HAS THE RIGHT TO REQUIRED CONTRACTUAL LIABILITY INSURANCE APPLICABLE TO THE CONTRACTORS OBLIGATIONS. CERTIFICATES OF SUCH INSURANCE SHALL BE FILED WITH THE OWNER PRIOR TO THE COMMENCEMENT OF WORK. NEW LUMBER SHALL NOT EXCEED 19% MOISTURE CONTENT, NOR SHALL ANY WATER DAMAGED MATERIALS BE INSTALLED. MOISTURE BARRIER SHALL BE INSTALLED UNDER SURFACES WHERE NEEDED. ALL LUMBER SHALL BE DOUGLAS FIR-LARCH UNLESS OTHERWISE NOTED, GRADED IN ACCORDANCE WITH WESTERN WOOD PRODUCTS ASSOCIATION OR WEST COAST LUMBER INSPECTION BUREAU. MAXIMUM MOISTURE CONTENT SHALL BE 19% MARKED S-DRY ALL LUMBER EXPOSED TO WEATHER SHALL BE PRESSURE TREATED DOUGLAS FIR, TREATED ALL CUT SURFACES. LUMBER GRADES ARE AS FOLLOWS UNLESS OTHERWISE NOTED: 2 X 4 STUDS AND BLOCKING 2 X 6 STUDS JOISTS / RAFTERS 4 X AND LARGER POSTS CONSTRUCTION GRADE OR BETTER No. 2 OR BETTER No. 2 OR BETTER No. 1 No. 1 PLYWOOD SHALL BE EXTERIOR OR EXPOSURE 1 CONFORMING TO U.S. PRODUCT STANDARDS PS- 1&3 WITH EXTERIOR GLUE, GRADE STAMPED AMERICAN PLYWOOD ASSOCIATION. PROVIDE 1/8" GAP AT PANEL JOINTS. NAIL HEADS SHALL NOT PENETRATE PLYWOOD SKIN. WALL PLYWOOD: TO BE 3/4" MIN. CDX WITH A SPAN RATING OF 2400 OR BETTER. EDGE NAIL 10d @ 6" O.C., FIELD NAIL WITH 10d @ 12" O.C. BLOCK AND EDGE NAIL AT ALL PLYWOOD EDGES. PLYWOOD FACE GRAIN TO BE VERTICAL. ROOF PLYWOOD: TO BE 1/2" MIN NON T&G OR 5/8" MIN T&G CDX WITH A SPAN RATING OF 2400 OR BTR. EDGE NAIL WITH 8d @ 6" O.C. FIELD NAIL WITH 8d @ 12" O.C. INCREASED NAILING IS REQUIRED FOR ROOF PLYWOOD OVER SHEARWALLS. USE SIMPSON PLYWOOD SHEATHING CLIP (PSCl), AT ALL UNSUPPORTED PLYWOOD EDGES IN NON T&G SHEATHING IS USED, ONE PER SPAN. PLYWOOD FACE GRAIN TO BE PERPENDICULAR TO SUPPORTS. FLOOR PLYWOOD: TO BE 3/4" T &G CDX OR BETTER WITH A SPAN RATING OF 48/20 OR BETTER. EDGE NAIL WITH 10d @ 6" O.C.FIELD NAIL WITH 10d @ 10" O.C.INCREASED NAILING IS REQUIRED OVER SHEARWALLS INTO JOISTS OR BLOCKING GLUE AND NAIL PLYWOOD. PLYWOOD FACE GRAIN TO BE PERPENDICULAR TO SUPPORTS. STAGGER PLYWOOD PANELS. 10d NAILS TO BE SCREW SHANK OR RING SHANK. NAILS SHALL BE COMMON WIRE NAILS AND CONNECTORS EXPOSED TO WEATHER SHALL BE GALVANIZED. ALL NAILING TO CONFORM TO C.R.C. TABLE R602.3(1). BOLT HOLES SHALL BE 1/16" MAX LAGER THAN THE BOLT DIAMETER. BOLTS SHALL BE TIGHTENED WHEN PLACED AND RE-TIGHTENED PRIOR TO CONCEALING. ALL NAILING SHALL BE DONE WITHOUT SPLITTING WOOD. CONTRACTOR TO PRE-DRILL AS REQUIRED TO PREVENT SPLITTING WOOD. ALL MEMBERS SPLIT BY NAILING SHALL BE REPLACED. ALL HOLES FOR BOLTS SHALL BE ACCURATELY DRILLED IN CORRECT SIZES AND LOCATIONS TO PREVENT FORGING OR LOOSENESS IN CONNECTIONS. NAILING TO BE IN COMPLIANCE WITH CBC TABLE 23-II-B-1 ALL FRAMING CONNECTIONS SHALL BE BY "SIMPSON STRONG-TIE Co. ALL CONNECTIONS SHALL BE INSTALLED IN CONFORMANCE WITH THE MANUFACTURES SPECS. CONTRACTOR SHALL PRE-DRILL HOLES FOR LAG BOLTS, LEAD HOLE SHALL BE 50% TO 67% OF BOLT DIAMETER FOR THREADED PORTION OF BOLT AND ACTUAL BOLT DIAMETER FOR UNTHREADED SHANK. ALL SPLIT MEMBERS SHALL BE REPLACED. ALL ANCHOR BOLTS AND HOLD-DOWN BOLTS SHALL HAVE 3" X 3" X 1/4" HDG WASHERS AGAINST WOOD SURFACE. THE CONTRACTOR WHO AGREES TO PERFORM THIS WORK ALSO AGREES TO INDEMNIFY AND HOLD HARMLESS THE OWNER AND THE DESIGNER FROM AND AGAINST ALL CLAIMS/DAMAGES/LOSSES AND EXPENSES, INCLUDING ATTORNEYS FEES AND LITIGATION COSTS, ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE WORK. CONTRACTOR SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS PRIOR TO ANY WORK AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND EXISTING CONDITIONS AFFECTING THE WORK OR NATURE OF SPECIFIED MATERIALS AND/OR SCOPE OF DESIGN. DO NOT SCALE DRAWINGS. DRAWINGS ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL KEEP THE PREMISES AND SITE FREE FROM ACCUMULATION OF WASTE MATERIALS DURING CONSTRUCTION BY PERIODIC CLEAN UP AND OFF-SITE DEBRIS REMOVAL. FINAL CLEAN UP AND DEBRIS DISPOSITION SHALL BE TO THE SATISFACTION OF THE OWNER. BEST MANAGEMENT PRACTICES SHALL BE FOLLOWED FOR PREVENTION OF WATER RUNOFF FROM SITE BY MEANS OF STRAW WADDLES, BERMS AND RETENTION PITS AS NEEDED (NO CONCRETE CLEAN UP SHALL OCCUR ON SITE) AND FOR STORAGE AND HANDLING OF MATERIALS. THE CONTRACTOR SHALL SUPPLY A WASTE MANAGEMENT PLAN IN ACCORDANCE WITH THE CALIFORNIA GREEN BUILDING STANDARDS, SECTION 4.408.1 THAT IDENTIFIES THAT 50% OF DEMOLITION WASTE IS RECYCLED OR RE-USED AND SHALL USE A CERTIFIED WASTE MANAGEMENT TO PROVIDE VERIFIABLE DOCUMENTATION OF PERCENTAGE OF LANDFILL DIVERSION. SEE GUIDE TO CALIFORNIA GREEN BUILDING STANDARDS CODE (RESIDENTIAL) www.hcd.ca.gov/CALGreen.html ALL SEALANTS, PAINTS, CARPETS, WOOD FLOORS AND RESILIENT FLOORING SHALL BE APPROVED LOW-LEVEL V.O.C. WITH DOCUMENTATION PROVIDED TO VERIFY COMPLIANCE WITH LIMITS SHOWN IN TABLES 4.504.1, 4.504.2, 4.504.3 AND 4.504.5. a.)PAINT, STAINS, AND OTHER COATINGS SHALL BE COMPLIANT WITH VOC LIMITS. b.)AEROSOL PAINTS AND COATINGS SHALL BE COMPLIANT WITH PRODUCT WEIGHTED MIR LIMITS FOR ROC AND OTHER TOXIC COMPOUNDS. DOCUMENTATION SHALL BE PROVIDED TO VERIFY COMPLIANT VOC LIMIT FINISH MATERIALS HAVE BEEN USED. c.) CARPET AND CARPET SYSTEMS SHALL BE COMPLIANT WITH VOC LIMITS. d.) 50% OF THE FLOOR AREA RECEIVING RESILIENT FLOORINGS SHALL COMPLY WITH THE VOC EMISSION LIMITS DEFINED IN THE COLLABORATIVE FOR HIGH PERFORMANCE SCHOOL (CHPS) LOW-EMITTING MATERIALS LIST OR BE CERTIFIED UNDER THE RESILIENT FLOOR COVERING INSTITUTE (RFCI) FLOORS CORE PROGRAM. e.) PARTICLE BOARD, MEDIUM DENSITY FIBERBOARD (MDF) AND HARDWOOD PLYWOOD USED IN INTERIOR FINISH SYSTEMS SHALL COMPLY WITH LOW FORMALDEHYDE EMISSION STANDARDS. ANNUAL SPACES AT PIPE AND CONDUIT PENETRATIONS AT EXTERIOR WALLS SHALL BE SEALED WITH MORTAR TO PREVENT RODENT ENTRY. APPLIANCES, FIXTURES AND ANY CONTROL FEATURES SHALL HAVE DOCUMENTATION TO PROVIDE FUTURE OWNERS. SMOKE AND CARBON MONOXIDE DETECTORS: SMOKE DETECTORS ARE LOCATED ON THE CEILING OF EACH SLEEPING/HABITABLE ROOM. A COMBINATION SMOKE & CARBON MONOXIDE DETECTOR IS CENTRALLY LOCATED IN THE HOUSE, OUTSIDE THE BEDROOMS. CONTRACTOR TO CONFIRM IF SEWER BACK WATER VALVE AND SEWER RELIEF VENT SHALL BE INSTALLED NO VERBAL CHANGE ORDERS SHALL BECOME LEGAL AND/OR BINDING. BATHROOM: STANDARD REQUIREMENTS ELECTRICAL – ALL NEW ELECTRICAL TO MEET CURRENT NATIONAL ELECTRICAL CODE. MINIMUM OF ONE (1) 20-amp CIRCUIT SERVING ONLY THE BATHROOM UTLETS/LIGHTING IS REQUIRED. ONE RECEPTACLE LOCATED AT SINK AREA SHALL BE GFCI PROTECTED NEW LIGHTING STANDARDS REQUIRE HIGH EFFICIENCY LIGHTING OR A MANUAL ON/AUTOMATIC OFF MOTION SENSOR LIGHT SWITCH TO BE INSTALLED ANY LIGHTING DIRECTLY OVER THE SHOWER/TUB. AREA IS REQUIRED TO BE FOR WET LOCATIONS. PLUMBING - SHOWER STALLS ARE REQUIRED TO HAVE A MINIMUM CLEAR THRESHOLD OPENING OF 22" AND THE FLOOR AREA MUST BE A MINIMUM OF 1,024 SQUARE INCHES AND ENCOMPASS A 30" CIRCLE. GLASS SHOWER ENCLOSURES MUST BE TEMPERED. TOILET AREA IS REQUIRED TO HAVE A MINIMUM WIDTH OF 30" CLEAR SPACE AND 24" CLEAR IN FRONT. SHOWERHEAD MUST HAVE A PRESSURE/TEMPERATURE BALANCE VALVE. KITCHEN: STANDARD REQUIREMENTS ELECTRICAL – ALL NEW ELECTRICAL TO MEET CURRENT NATIONAL CODES, ALL NEW ELECTRICAL CIRCUITS ARE COMBINATION AFCI PROTECTED. MINIMUM OF (2) 20 amp CIRCUITS SERVING COUNTERS AFCI/GFCI PROTECTED RECEPTACLES ONLY, ARE REQUIRED SPACE NO MORE THAN 4' O.C. THE REFRIGERATOR IS PERMITTED TO BE ON THIS CIRCUIT. NO OTHER LIGHTS OR FIXTURES ARE PERMITTED ON THESE TWO CIRCUITS. FIXED APPLIANCES AND MICROWAVES SHALL BE PROVIDED POWER FROM ADDITIONAL DEDICATED CIRCUITS. ALL KITCHEN PLUGS TO BE AFCI/GFCI PROTECTED. AT KITCHEN DUEL AFCI/GFCI RECEPTACLE WITHIN 2' OF EACH SINK. ONE OUTLET PROVIDED PER AN ISLAND OR PENINSULA, REGARDLESS OF LENGTH OR SIZE, UNLESS SEPARATED INTO MORE THAN ONE COUNTERTOP AREA. ON ISLANDS AND PENINSULA SPACES, RECEPTACLES MAY BE MOUNTED NOT MORE THAN 12" BELOW THE COUNTERTOP AREA WHERE CONSTRUCTION PRECLUDES MOUNTING ABOVE THE COUNTERTOP. ALL LIGHTING TO BE HIGH-EFFICIENCY PLUMBING- RELOCATING, ADDING TO, OR OTHERWISE MODIFYING A GAS LINE REQUIRES BOTH A GAS LINE DIAGRAM AND PRESSURE TEST ALL NEW PLUMBING LINES SHALL BE TESTED PRIOR TO COVERING. APPLIANCES- ALL NEW APPLIANCES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURE GUIDELINES. IT IS IMPORTANT THESE GUIDELINES BE REVIEWED PRIOR TO CLOSING UP THE WALLS.		AO.1		VICINITY MAP, GENERAL NOTES, SHEET INDEX, PROJECT DATA, SCOPE OF WORK, PROJECT DIRECTORY, TYPE OF CONSTRUCTION, APPLICABLE CODES, AREA FOR APPROVALS	
AO.2		A1.0		EXISTING FLOOR PLAN	
A1.1		A2.0		PROPOSED FLOOR PLAN, DOOR & WINDOW SCHEDULE	
A4.0		NORTH & WEST ELEVATIONS & DETAILS		ROOF PLAN	
SCOPE OF WORK:		PROJECT DIRECTORY:		OWNER:	
RAISE FLOOR IN LIVING & DINING ROOM, REPLACE DOORS & WINDOWS AT KITCHEN, LIVING & DINING ROOM, REMODEL KITCHEN, ADD DECK. ADD RE-CIRCULATION LINES FOR 10 SECOND HOT WATER.		525 SF ADDITION UPPER FLOOR MASTER SUITE & 120 SF BACLONY		LORRAINE McGRIFF & ALLEN JAMES I 663 MESCAL ST. SEASIDE, CA 93955 CELL: 650-576-3559 EMAIL: RAINEYM1@COMCAST.NET & AJAMESBAND@GMAIL.COM	
TYPE OF CONSTRUCTION:		CONTRACTOR:		JOHN LeBLANC LeBLANC CONSTRUCTION LIC. 587601 OFFICE: 831-601-8851 EMAIL: JOHNLEBLANCCONSTRUCTION@GMAIL.COM	
WOOD FRAMING, STUCCO SIDING, FLAT 8'-0" & 8'-7" CEILING HEIGHTS, INTERIOR WALLS 1/2" GWB. HIPPED ROOF PITCH VARIES FROM 3-3.5: 1 2 SLOPE		DRAFTING SERVICES:		CASSANDRA AUGUST AUGUST DESIGN & BUILD OFFICE: 831 236-3182 EMAIL:augustdesignandbuild@gmail.com	
APPLICABLE CODES:		AREA FOR APPROVALS:		THIS PROJECT SHALL COMPLY WITH ALL CURRENT CODES LISTED AS FOLLOWS: 2019 CALIFORNIA RESIDENTIAL CODE 2019 CALIFORNIA MECHANICAL CODE 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA ELECTRICAL CODE 2019 TITLE 24 ENERGY CALCULATIONS	

APN: 012-663-002

LORRAINE McGRIFF & ALLEN JAMES

I 663 MESCAL ST.

SEASIDE, CA 93955

DRAWN BY:

CASSANDRA AUGUST

DATE: 2-11-2021



REVISIONS

3-9-2021

3-24-202

4-23-202

8-26-202

SCALE:

N5

AO.

DOOR & WINDOW NOTES

REQUIRED SAFETY GLAZING: [TEMPERED] CONFORMING TO THE HUMAN IMPACT LOADS OF PER CRC SECTIONS R308.3 & R308.4

- 1.) FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BI-FLOD DOOR ASSEMBLIES.
2.) GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24" ARC OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS LESS THAN 60" ABOVE THE FLOOR OR WALKING SURFACE.
3.) GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
a.) BOTTOM EDGE LESS THAN 18" ABOVE THE FLOOR.
b.) TOP EDGE GREATER THAN 36" ABOVE THE FLOOR.
c.) ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE GLAZING.
d.) GLAZING IN ENCLOSURE FOR OR WALLS FACING BATHTUBS AND SHOWERS WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60" MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE.

EMERGENCY EGRESS REQUIREMENTS FOR SLEEPING ROOMS: [CRC R310.1]

- 1.) MINIMUM NET CLEAR OPENING DIMENSIONS OF 24" IN HEIGHT.
2.) MINIMUM NET CLEAR OPENING DIMENSION OF 20" IN WIDTH.
3.) MINIMUM NET CLEAR OPENING DIMENSION OF 5.7 SQUARE FEET IN AREA.
4.) OPENINGS SHALL HAVE THE BOTTOM OF THE CLEAR OPENING NOT GREATER THAN 44" MEASURED FROM THE FLOOR.

CONSTRUCTION WASTE

CONSTRUCTION WASTE MANAGEMENT: "RECYCLE AND/OR SALVAGE FOR REUSE A MINIMUM OF 65% OF THE NON-HAZARDOUS CONSTRUCTION AND DEMOLITION WASTE IN ACCORDANCE WITH THE CALIFORNIA GREEN BUILDING STANDARDS, SECTION 4.408.1."
"IN ACCORDANCE WITH THE CALIFORNIA GREEN BUILDING STANDARDS, SECTION 4.504.2, THE FOLLOWING POLLUTANT CONTROL MEASURES SHALL BE IMPLEMENTED. a.)PAINT, STAINS, AND OTHER COATINGS SHALL BE COMPLIANT WITH VOC LIMITS. b.)AEROSOL PAINTS AND COATINGS SHALL BE COMPLIANT WITH PRODUCT WEIGHTED MIR LIMITS FOR ROC AND OTHER TOXIC COMPOUNDS. DOCUMENTATION SHALL BE PROVIDED TO VERIFY COMPLIANT VOC LIMIT FINISH MATERIALS HAVE BEEN USED. c.) CARPET AND CARPET SYSTEMS SHALL BE COMPLIANT WITH VOC LIMITS. d.) 50% OF THE FLOOR AREA RECEIVING RESILIENT FLOORINGS SHALL COMPLY WITH THE VOC EMISSION LIMITS DEFINED IN THE COLLABORATIVE FOR HIGH PERFORMANCE SCHOOL (CHPS) LOW-EMITTING MATERIALS LIST OR BE CERTIFIED UNDER THE RESILIENT FLOOR COVERING INSTITUTE (RFCI) FLOORS CORE PROGRAM. e.) PARTICLE BOARD, MEDIUM DENSITY FIBERBOARD (MDF) AND HARDWOOD PLYWOOD USED IN INTERIOR FINISH SYSTEMS SHALL COMPLY WITH LOW FORMALDEHYDE EMISSION STANDARDS.

ELECTRICAL NOTES

- ALL ELECTRICAL ELEMENTS OF THIS PROJECT TO COMPLY WITH LATEST EDITION OF THE N.E.C.
ALL SMOKE DETECTORS IN BEDROOMS OWNER TO DECIDE IF THEY WANT THEM TO BE PERMANENTLY WIRED BATTERY BACK-UP AND LOW BATTERY WARNING.
ALL 125 VOLT, SINGLE PHASE, 15 & 20 AMP RECEPTACLES INSTALLED OUTDOORS SHALL HAVE GROUND-FAULT CIRCUIT INTERRUPTER PROTECTION DEVICES PER NEC 210-8(A)3.
OUTLET BOXES ON OPPOSITE SIDES OF A RATED WALL (WALL SEPARATING GARAGE FROM DWELLING) SHALL BE SEPARATED BY A HORIZONTAL DISTANCE OF 24" PER UBC SECTION 709.7
MAIN SERVICE PANEL ELECTRICAL LOAD CALCULATIONS SHALL CONFORM TO NEC 220.
PROVIDE COPPER UFER GROUNDING AT SERVICE ENTRANCE TO COMPLY WITH NEC 250-50.
FIXTURES IN CLOSET SHALL MAINTAIN 18" CLEARANCE FROM COMBUSTIBLES NEC 410-8
PROVIDE GFI PROTECTION PER NEC 210-8(a).
SPACING OF ELECTRICAL OUTLETS:
GENERAL-OUTLETS SHALL BE INSTALLED SO THAT NO POINT ALONG THE FLOOR LINE IN ANY WALL SPACE IS MORE THAN 6 FEET FROM AN OUTLET IN THAT SPACE. INCLUDING ANY WALL SPACE 2 FEET OR MORE IN WIDTH AND THE WALL SPACE OCCUPIED BY FIXED PANELS IN THE EXTERIOR WALLS. BUT EXCLUDING SLIDING PANELS IN EXTERIOR WALLS NEC 210-52(a).
KITCHEN COUNTER TOPS:
GENERAL: OUTLETS SHALL BE INSTALLED AT EACH COUNTER SPACE WIDER THAN 12 INCHES. RECEPTACLES SHALL BE INSTALLED SO THAT NO POINT ALONG THE WALL LINE IS MORE THAN 24" FROM A RECEPTACLE OUTLET IN THAT SPACE. ISLAND AND PENINSULA COUNTER TOPS 12 INCHES OR WIDER SHALL HAVE AT LEAST ONE RECEPTACLES FOR EACH FOUR FEET OF COUNTER TOP. COUNTER TOP SPACE SEPARATED BY RANGE TOPS, REFRIGERATORS OR SINKS SHALL BE CONSIDERED AS SEPARATE COUNTER TOP SPACES, NEC 210-52(c).
ALL 120-VOLT, 15 & 20-AMPERE RECEPTACLES SHALL BE LISTED TAMPER RESISTANT RECEPTACLES. [CEC 406.12]
125- & 250-VOLT RECEPTACLES INSTALLED OUTDOORS IN A WET LOCATION SHALL HAVE AN ENCLOSURES THAT IS WEATHERPROOF WHETHER OF NOT THE ATTACHMENT PLUG IS INSERTED. [CEC 406.9 (B) (1)]. CRC R314.3.1 CRC R315

SITE COVERAGE:

LOT SIZE 8,500SF

SITE COVERAGE: (EXISTING)

HOUSE & GARAGE: 2,500SF
DRIVEWAY: 530SF
WALKWAY & STAIRS 592SF
TOTAL: 43% 3,622SF

SITE COVERAGE: (PROPOSED)

NO CHANGE TO SITE COVERAGE

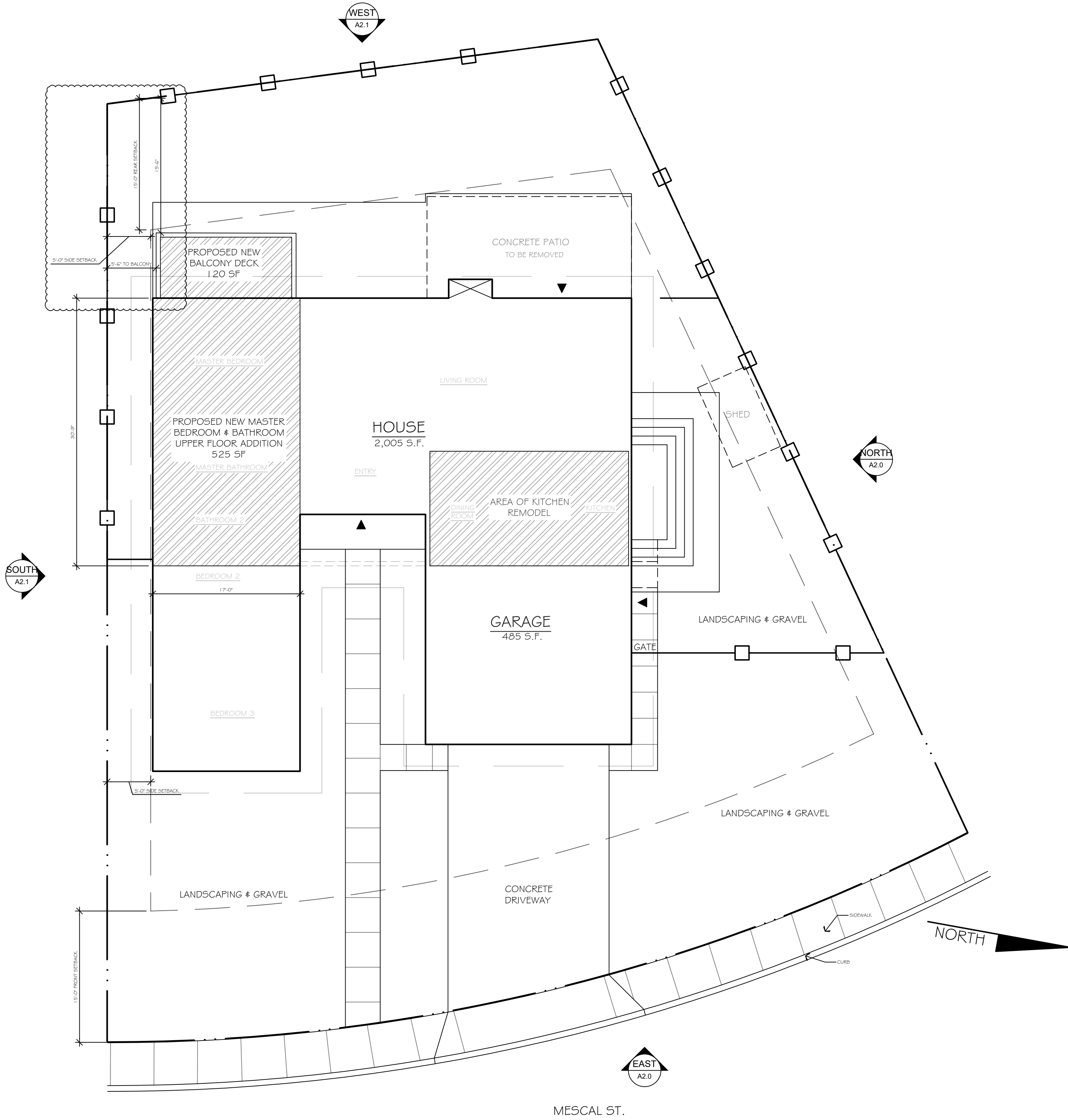
FLOOR AREA:

FLOOR AREA: (EXISTING)

MAIN LEVEL: 2,005SF
GARAGE: 485SF
TOTAL: 2,490SF

FLOOR AREA: (PROPOSED)

MAIN LEVEL: 2,005SF
UPPER FLOOR: 525SF
GARAGE: 485SF
TOTAL: 3,015SF



SITE PLAN

SCALE: 1/8" = 1'-0"

AREA FOR APPROVALS:

SITE PLAN, SITE COVERAGE, FLOOR AREA
RATIO, DOOR & WINDOW NOTES,
CONSTRUCTION WASTE NOTES

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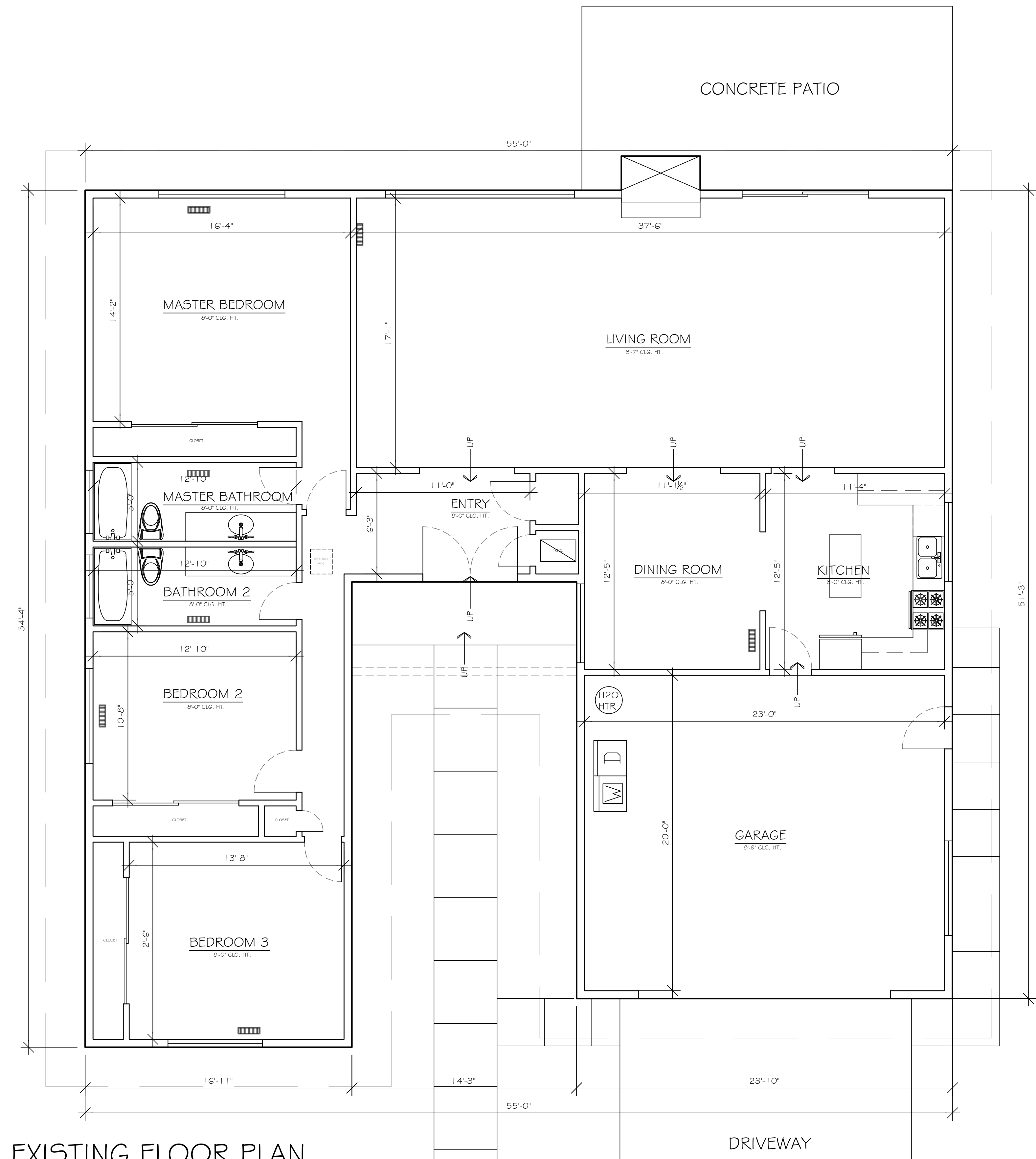
DRAWN BY:
CASSANDRA AUGUST
DATE: 7-22-2021

CA

REVISIONS
8-26-2021
10-21-2021

SCALE:
1/8" = 1'-0"

A0.2



EXISTING FLOOR PLAN

SCALE: 1/4" = 1'-0"

AREA FOR APPROVALS:

EXISTING FLOOR PLAN

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SEASIDE, CA 93955

DRAWN BY:
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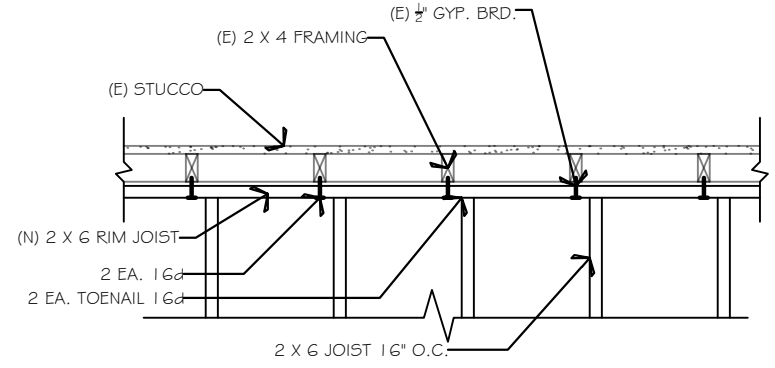
SCALE:

1/4" = 1'-0"

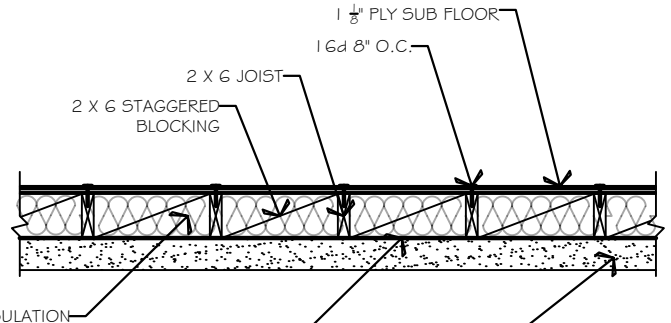
A1.0

DOOR & WINDOW SCHEDULE
(AS SHOWN ON PLANS)

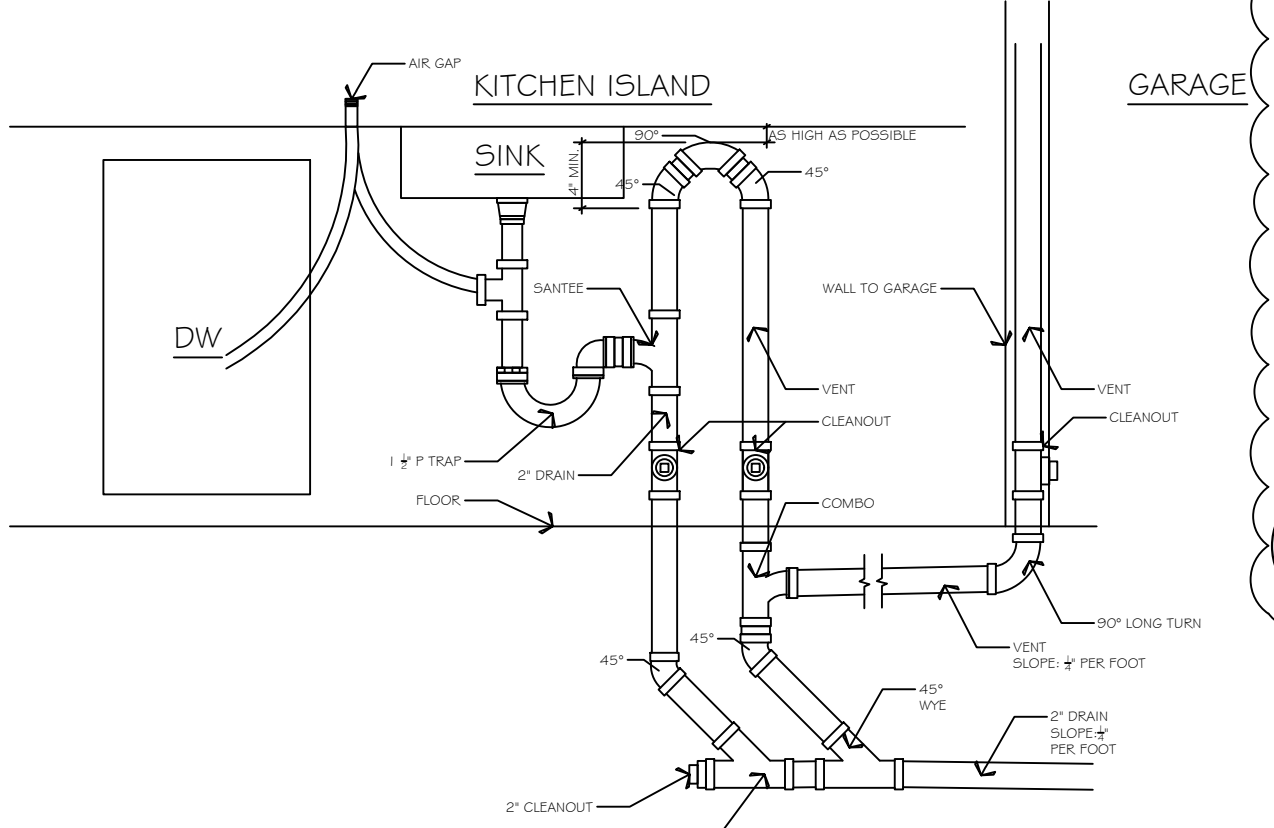
# DOOR	# WINDOW				
ID	SIZE	QTY.	STYLE	LOCATION	MATERIALS
1	5068	1	FRENCH DOOR, SOLID GLS PNL.	KITCHEN	TBD
2	8068	3	SLIDER	DNING, LVING, & SITTING	VINYL
3	2868	1	HOLLOW CORE DOOR, PAINT GRADE, SWING R	SITTING ROOM	WOOD
4	5032	1	SLIDER	KITCHEN	VINYL
5	2668	1	HOLLOW CORE DOOR, PAINT GRADE, SWING R	BATHROOM #3	WOOD
6	2868	1	HOLLOW CORE DOOR, PAINT GRADE, SWING L	WALK-IN CLOSET	WOOD
7	2668	1	HOLLOW CORE DOOR, PAINT GRADE, SWING L	WATER CLOSET	WOOD



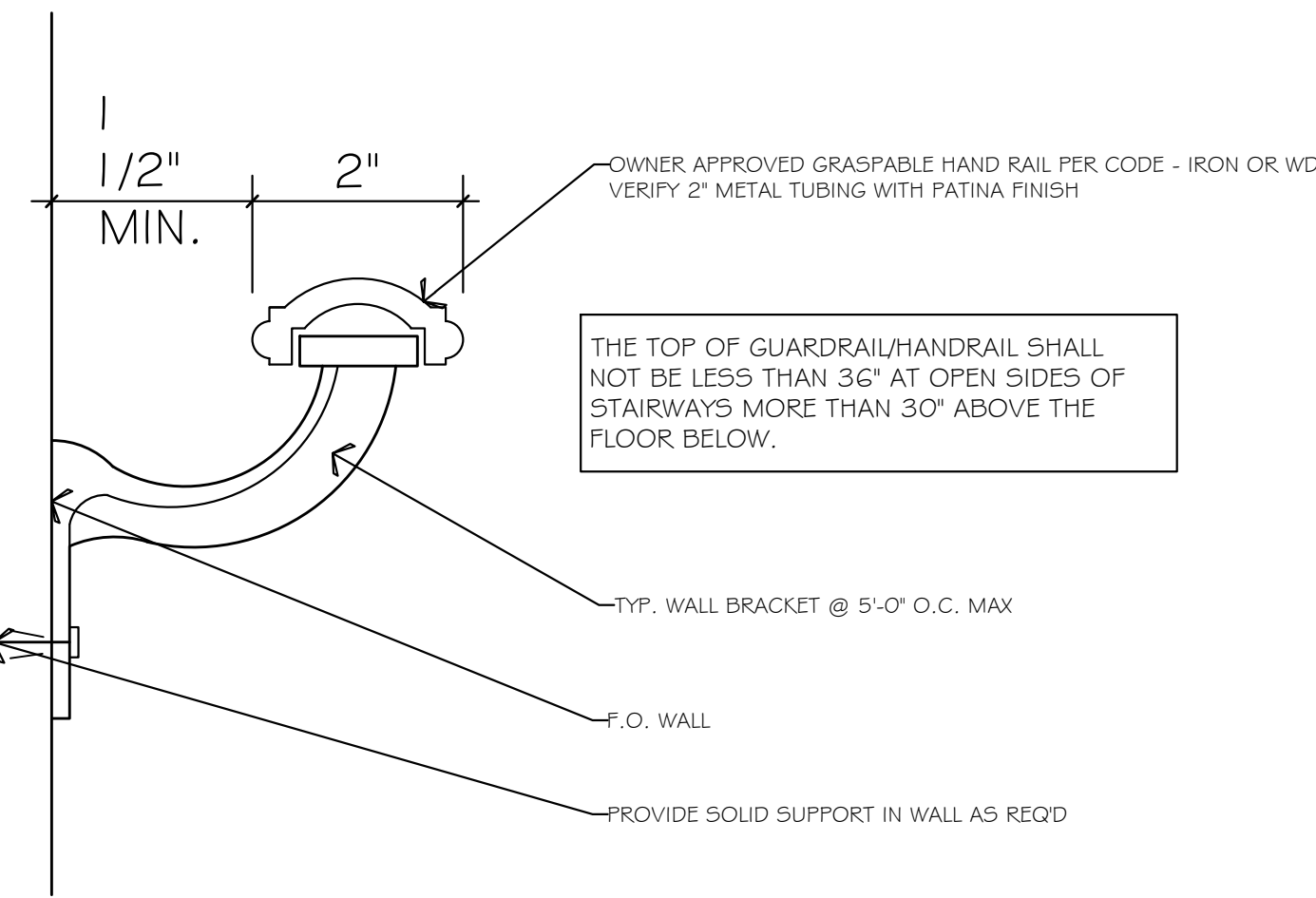
1 2 JOIST - FLOATING FLOOR
SCALE: 1/2" = 1'-0"



3 4 BLOCKING - SUB FLOOR
SCALE: 1/2" = 1'-0"



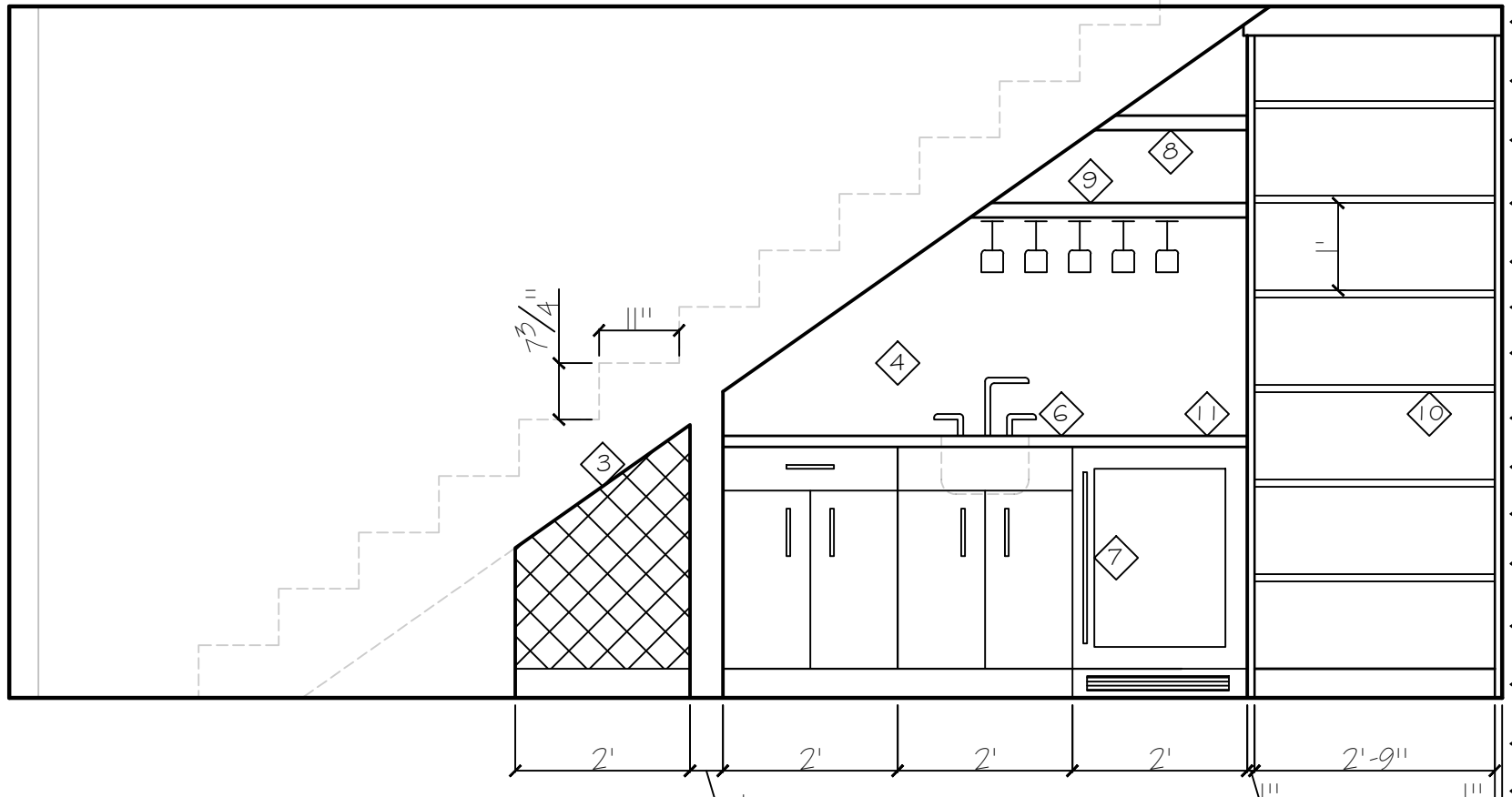
5 WASTE/VENT - ISLAND
SCALE: N5



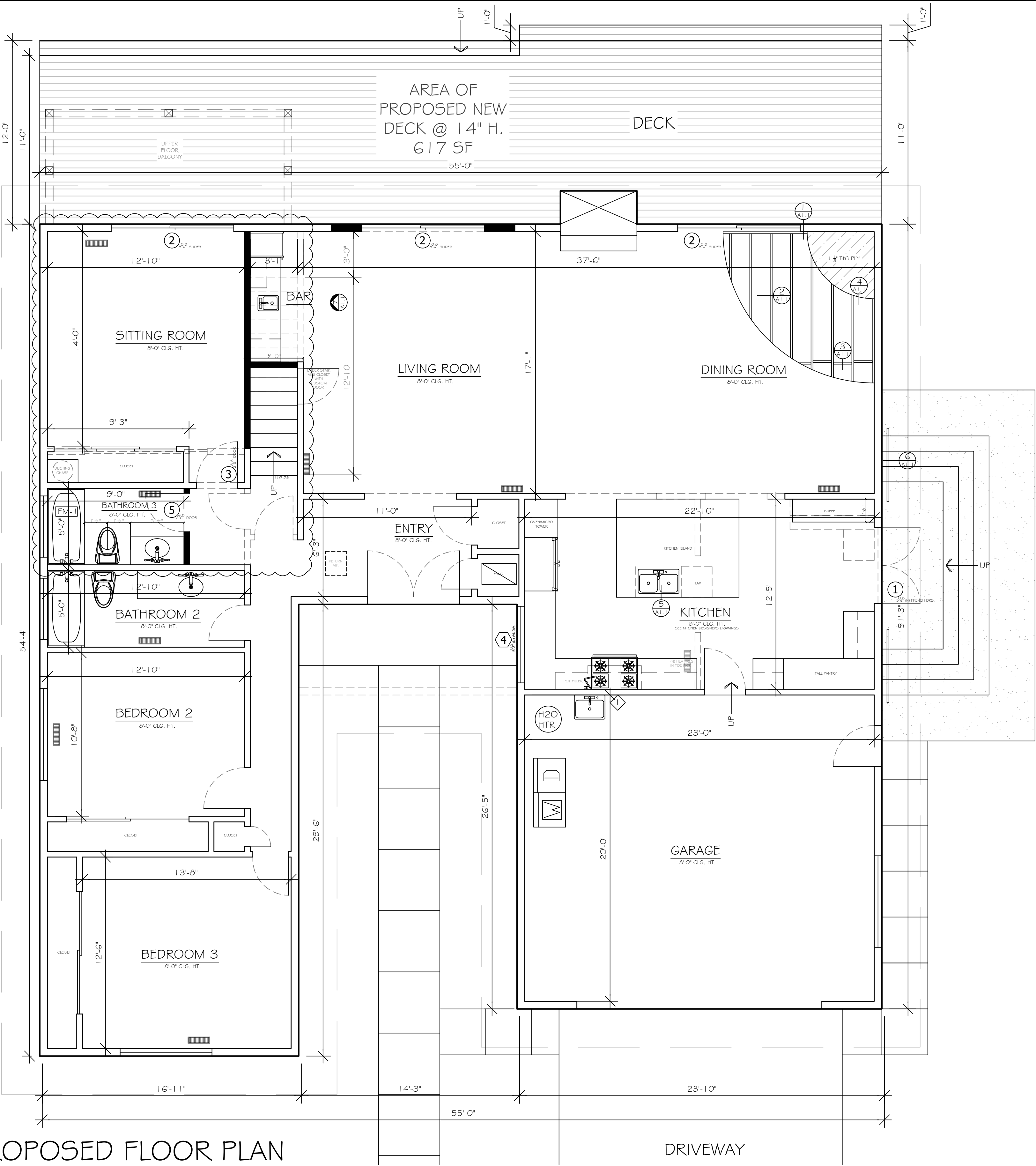
6 TYP. HANDRAIL
SCALE: 1/2" = 1'-0"

PROJECT NOTES:

- KITCHEN HOOD/VENTING - ROOF JACK WITH 6"-8" ROUND OR 3 1/2" X 10" DUCT WORK. GALVANIZED STEEL CONSTRUCTION WITH EPOXY FINISH. BUILT IN PEST SCREEN. ALUM. DRAFT DAMPER. INTEGRATED ROOF FLANGE.
- WINE RACK
- LIQUOR BOTTLE AREA
- 2'-0" W. BEVERAGE FRIDGE
- 2' THICK FLOATING SHELVES TYP.
- HANGING WINE GLASS STORAGE IN FLOATING SHELF
- FULL HEIGHT BOOKCASE
- 2'-0" SINK BASE WITH FAUCET
- OWNER SUPPLIED COUNTERTOP



7 BAR ELEVATION
SCALE: 1/2" = 1'-0"



PROPOSED FLOOR PLAN

WALL LEGEND:
(N) 2 X 4 WALLS
(E) 2 X 4 WALLS
DEMO 2 X 4 WALLS
1. EXTERIOR WALLS - 2 X 4 STUDS @ 16 O.C., STUCCO SIDING ON THE EXTERIOR WITH 1/2" GWB ON THE INTERIOR
2. INTERIOR WALLS - 2 X 4 STUDS @ 16 O.C. WITH 1/2" GWB

AREA FOR APPROVALS:

SCALE: 1/4" = 1'-0"

PROPOSED FLOOR PLAN

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3-24-2021
4-23-2021
8-26-2021

SCALE:
1/4" = 1'-0"

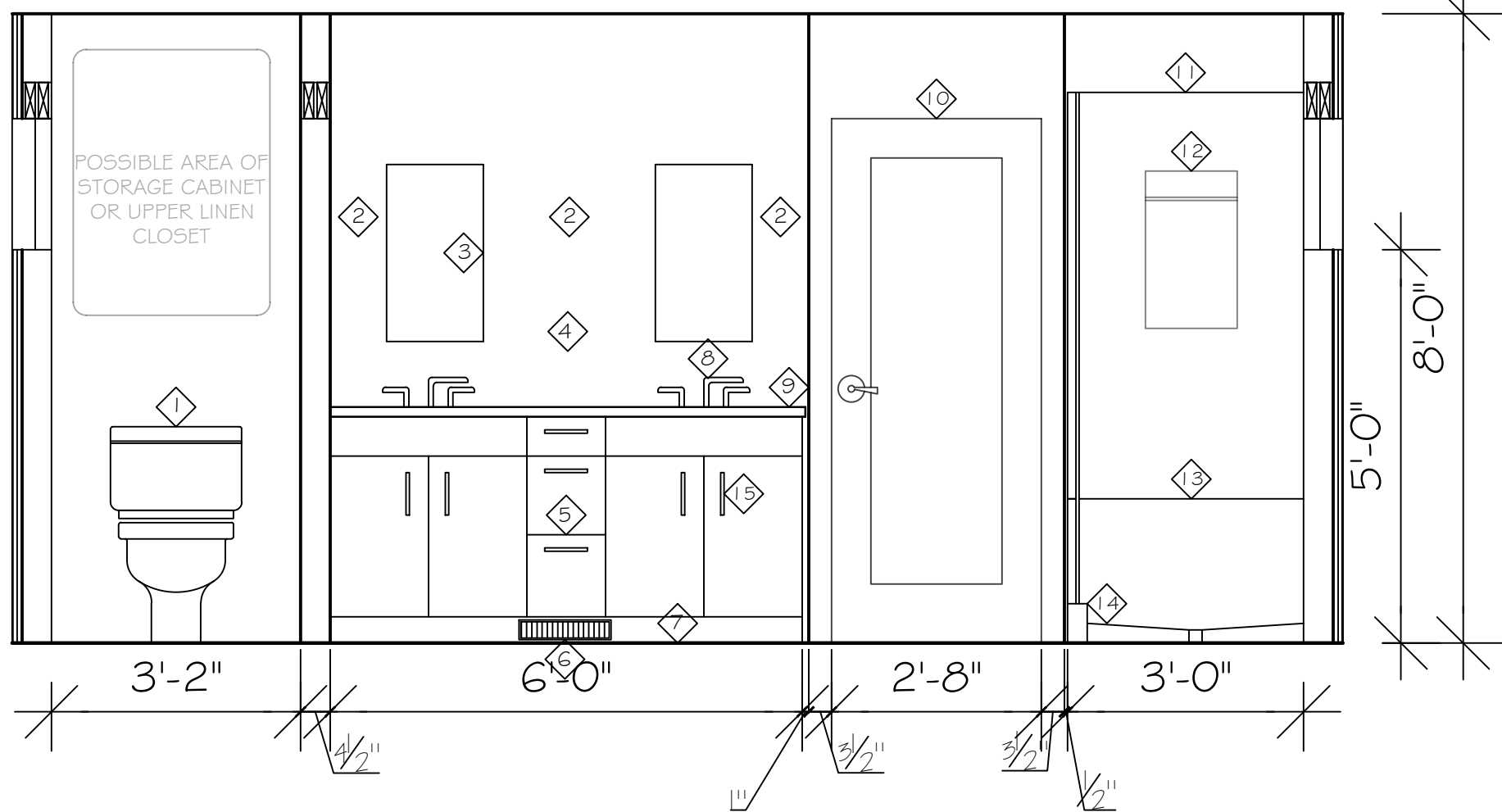
A1.1

8	6068	1	FRENCH DOOR, SIDE SOLID GLS PNL.	MASTER BEDROOM	TBD
9	2630	2	AWNING	MASTER BEDROOM	VINYL
10	2016	1	SLIDER	WATER CLOSET	
11	5426	1	SLIDER	MASTER BATHROOM	
12	2016	1	SLIDER	MSTR. SHOWER	
13	4040	1	SLIDER	MSTR. DRESSING AREA	
14	4024	1	FIXED	MASTER BEDROOM	WOOD
15	4040	1	FIXED	MSTR. BDRM. STAIRWELL	
16	2868	1	DOOR WITH SOLID FROSTED TEMPR'D GLASS PANEL	MASTER BATHROOM	

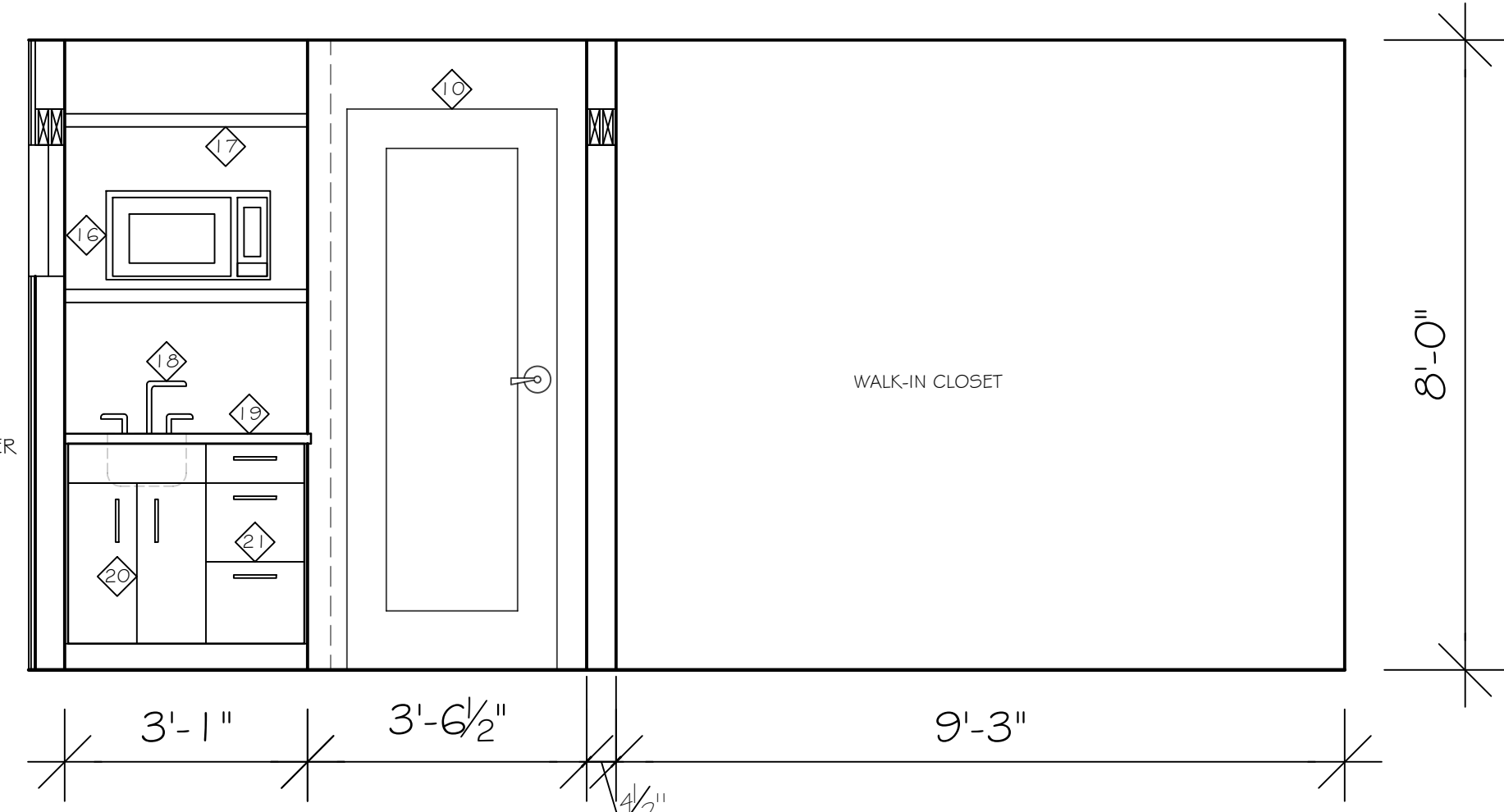
ELEVATION NOTES

- 1 WATER CLOSET- NEW TOILET, OWNER SUPPLIED
- 2 AREA OF WALL SCONCES
- 3 MEDICINE CABINETS
- 4 WALL FINISH & PAINT COLOR TBD
- 5 VANITY CABINET PER KITCHEN DESIGNER
- 6 HEAT REGISTER IN TOE KICK
- 7 FINISH FLOORING TBD
- 8 SINK & FAUCET TBD
- 9 COUNTERTOP TBD
- 10 8' 6" DOOR

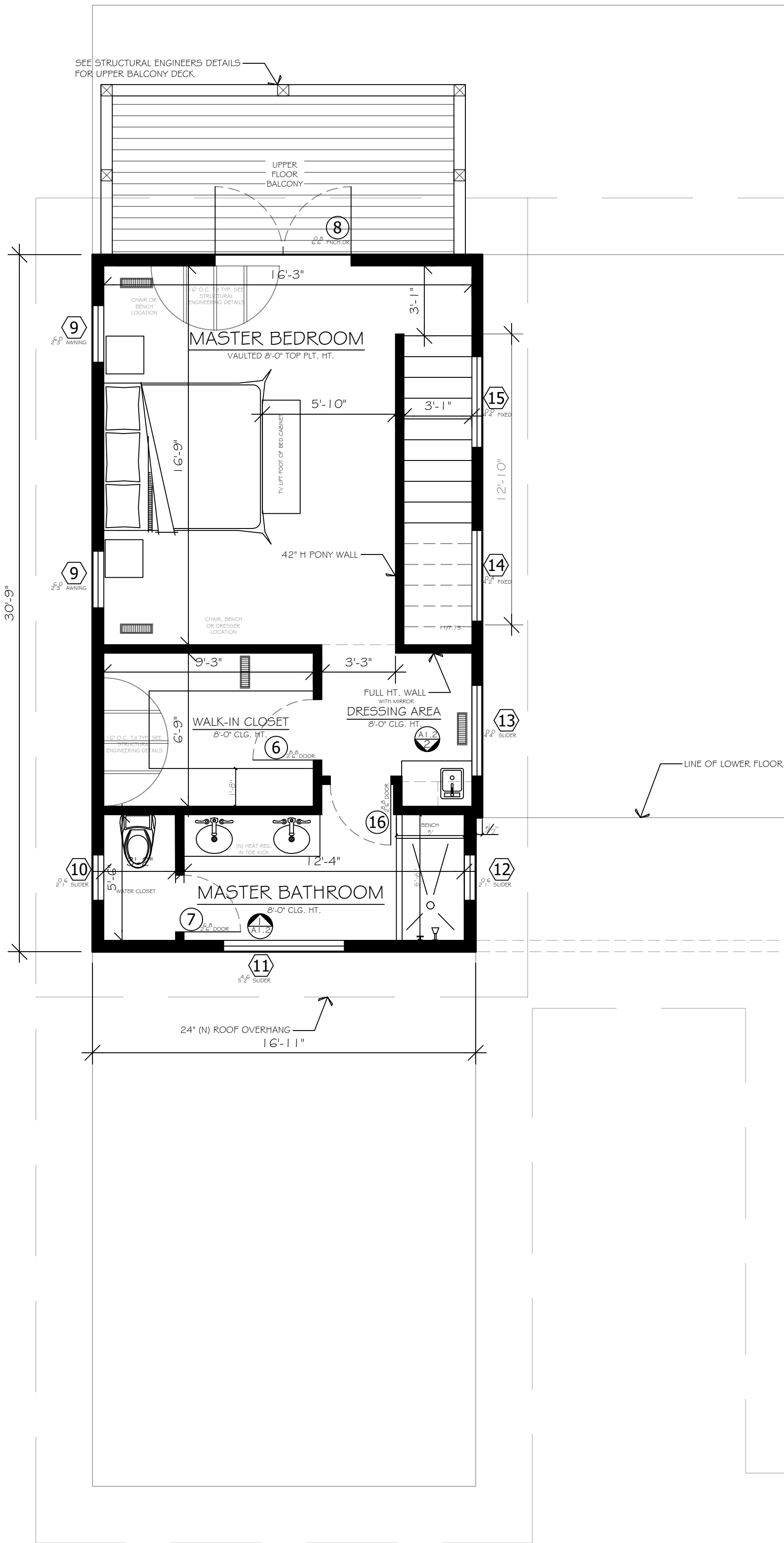
- 1 7'-0" H. TILED SHOWER STALL, FINISH TILE TBD
- 2 SHOWER NICHE
- 3 SHOWER BENCH
- 4 SHOWER CURB AND PAN
- 5 CABINET HARDWARE TBD
- 6 OWNER SUPPLIED MICRO WAVE
- 7 SHELVES TO MATCH CABINETS, (LOWER SHELF 20" - 18" D. CHECK WITH MICRO, UPPER SHELF 12" - 15" D.)
- 8 SINK & FAUCET TBD
- 9 COUNTERTOP TBD
- 10 LOWER CABINETS, PER KITCHEN DESIGNER
- 11 CABINET HARDWARE TBD



1 MASTER BATHROOM ELEVATION
SCALE: 1/2" = 1'-0"



2 MASTER BEDROOM ELEVATION
SCALE: 1/2" = 1'-0"



PROPOSED UPPER FLOOR PLAN

WALL LEGEND:

(N) 2 X 4 WALLS

(E) 2 X 4 WALLS

3 DEMO 2 X 4 WALLS

1. EXTERIOR WALLS - 2 X 4 STUDS @ 16 O.C., STUCCO SIDING ON THE EXTERIOR WITH 1/2" GWB ON THE INTERIOR

2. INTERIOR WALLS - 2 X 4 STUDS @ 16 O.C. WITH 1/2" GWB

AREA FOR APPROVALS:

SCALE: 1/4" = 1'-0"

PLUMBING:

- A.) THE EFFECTIVE FLUSH VOLUME OF ALL WATER CLOSETS SHALL NOT EXCEED 1.28 G/FLUSH.
- B.) SHOWERHEADS SHALL HAVE A MAXIMUM FLOW RATE OF 1.8 G/MINUTE MEASURED AT 80 PSI.
- C.) THE MAXIMUM FLOW RATE OF KITCHEN FAUCETS SHALL NOT EXCEED 1.8 G/MINUTE AT 60 PSI.
- D.) THE MAXIMUM FLOW RATE OF RESIDENTIAL LAVATORY FAUCETS NOT TO EXCEED 1.2 G/MINUTE AT 60 PSI. THE MINIMUM FLOW RATE OF RESIDENTIAL LAVATORY FAUCETS SHALL NOT BE LESS THAN 0.8 G/MINUTE AT 20 PSI.

PLUMBING FIXTURE FLOW RATES:

- PLEASE NOTE THE FLOW RATES OF WATER FIXTURES THAT ARE NOT UNDERGOING ALTERATION (LOWER FLOOR - BATHROOM # 2). IF THEY ARE NON-COMPLIANT FIXTURES, THEY WILL HAVE TO BE REPLACED WITH MODERN WATER CONSERVING FIXTURES. NON COMPLIANT PLUMBING FIXTURE MEANS ANY OF THE FOLLOWING:
- (1) ANY TOILET MANUFACTURED TO USE MORE THAN 1.28 G/FLUSH
- (2) ANY URINAL MANUFACTURED TO USE MORE THAN 1 G/FLUSH
- (3) ANY SHOWERHEAD MANUFACTURED TO HAVE A FLOW CAPACITY OF MORE THAN 1.8 G/MINUT.
- a.) IF MORE THAN ONE SHOWER HEAD, FLOW CANNOT EXCEED 1.8 G/MINUTE WHILE BOTH RUNNING
- (4) ANY INTERIOR FAUCET THAT EMITS MORE THAN 1.2 G/MINUTE AT 60 psi.
- (5) ANY KITCHEN FAUCET THAT EMITS MORE THAN 1.8 G/MINUTE AT 60 psi.

FINISH MATERIALS:

- FM-1 NONABSORBENT SURFACE IN SHOWER & TUB
- COMPARTMENTS ON WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6'-0" A.F.F. (OWNER SUPPLIED)

WALL COVERINGS & UNDERLAYMENT:

- MATERIALS USED AS BACKERS FOR WALL TILE IN TUB AND SHOWER AREAS AND WALL PANELS IN SHOWER AREAS SHALL BE:
1. GLASS MAT GYPSUM PANEL
2. FIBER-REINFORCED GYPSUM PANELS
3. NON-ASBESTOS FIBER-CEMNET BACKER BOARD
4. NON-ASBESTOS FIBER-CEMENT REINFORCED CEMENTITIOUS BACKER UNITS INSTALLED IN ACCORDANCE WITH MANUFACTURES' RECOMMENDATIONS.

PROPOSED UPPER FLOOR PLAN

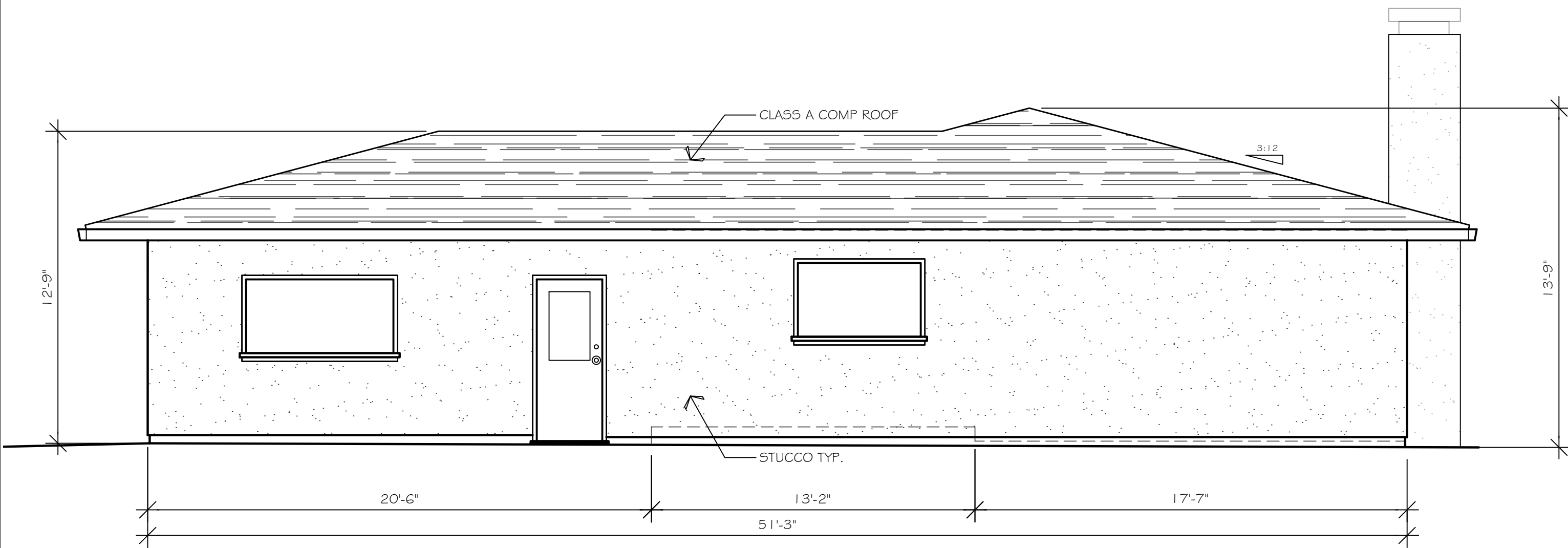
APN: 012-663-002
LORRAINE McGRUFF & ALLEN JAMES
1663 MESCAL ST.
SEASIDE, CA 93955

DRAWN BY:
CASSANDRA AUGUST
DATE: 8-19-2021

REVISIONS
8-26-2021

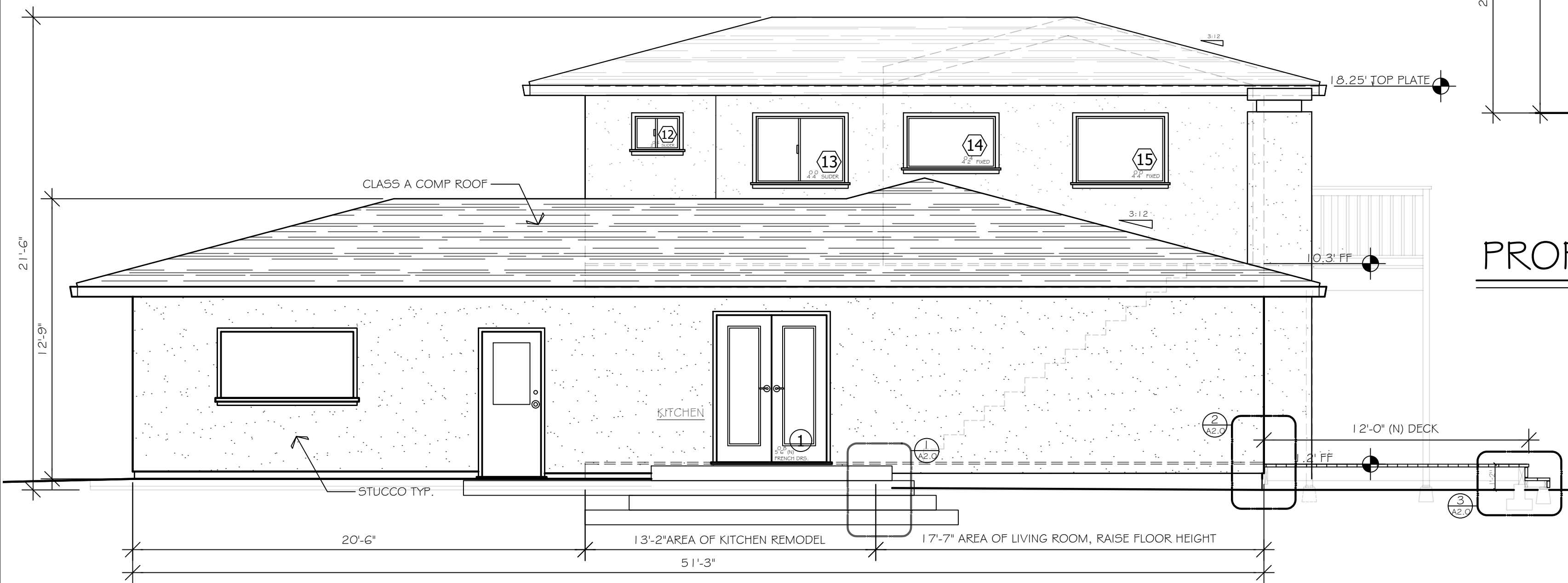
SCALE:
1/4" = 1'-0"

A1.2



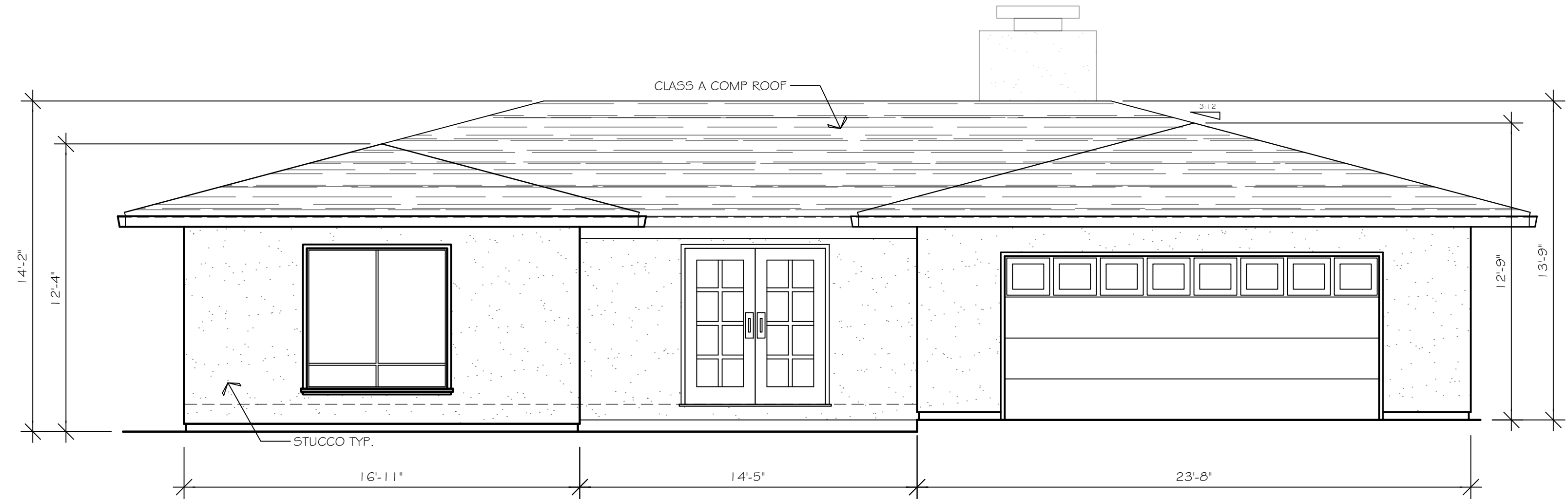
EXISTING NORTH ELEVATION

SCALE: 1/4" = 1'-0"



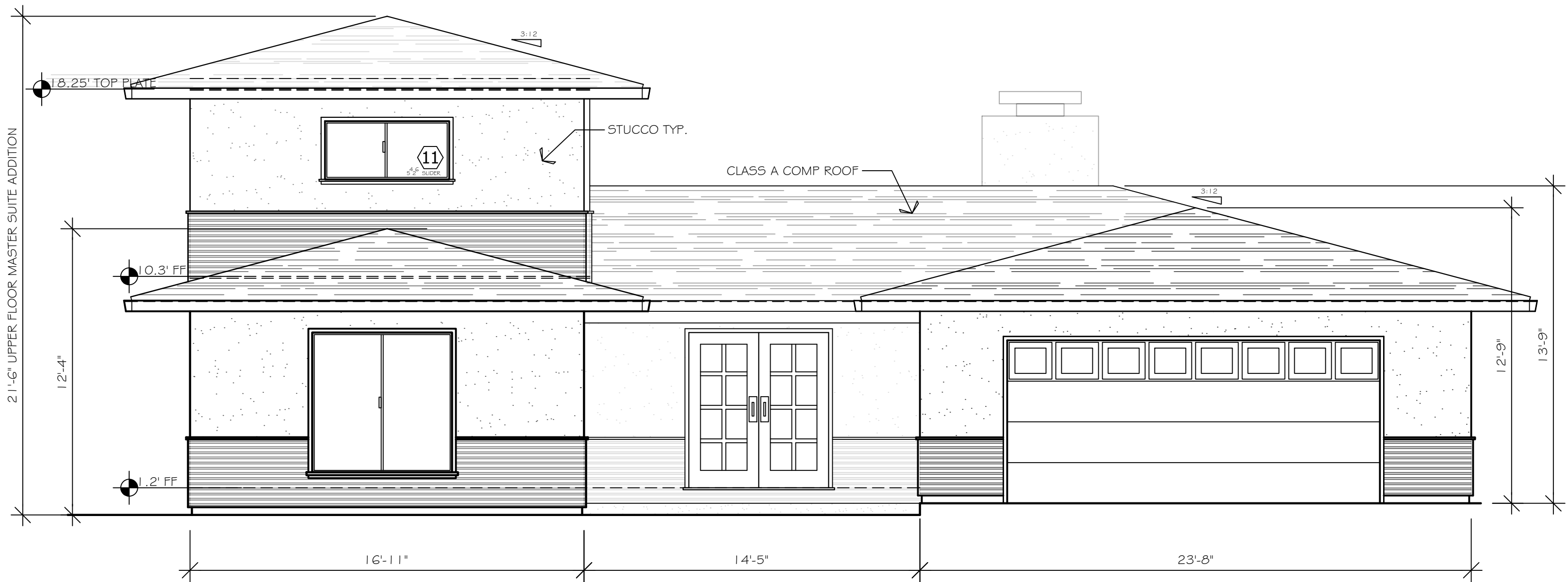
PROPOSED NORTH ELEVATION

SCALE: 1/4" = 1'-0"



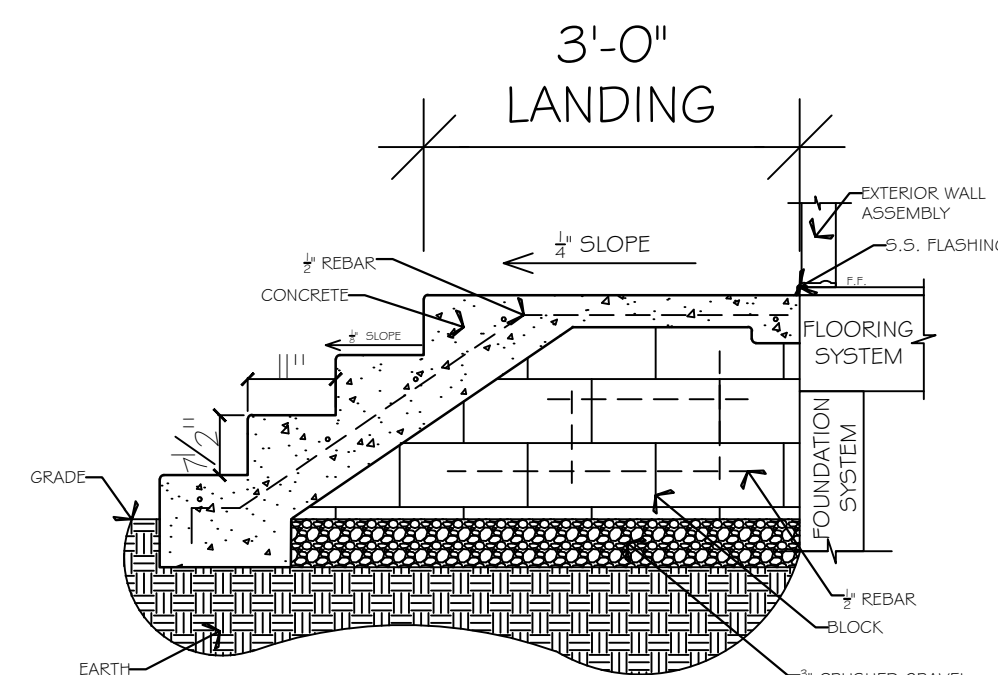
EXISTING EAST ELEVATION (FRONT)

SCALE: 1/4" = 1'-0"

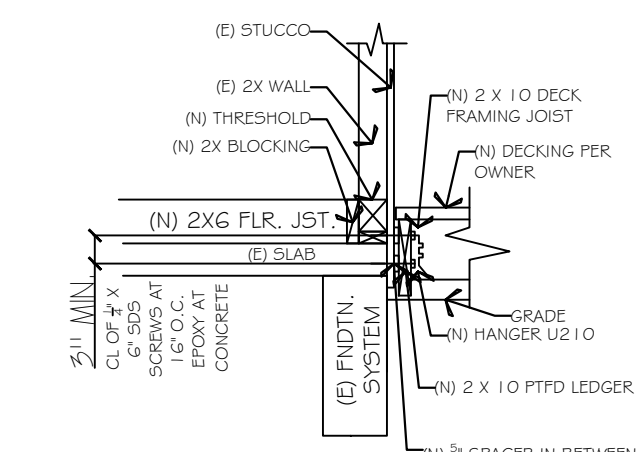


PROPOSED EAST ELEVATION (FRONT)

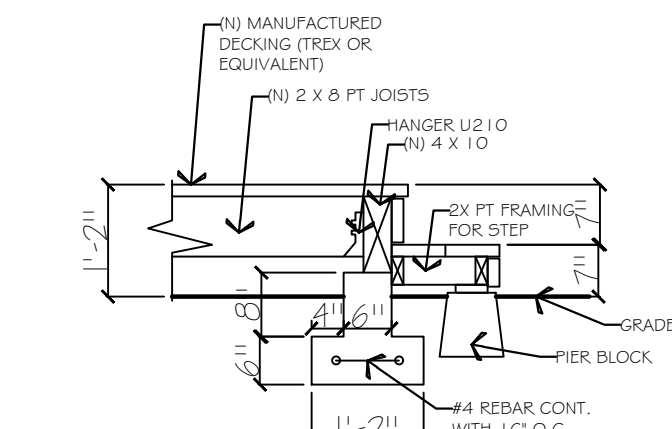
SCALE: 1/4" = 1'-0"



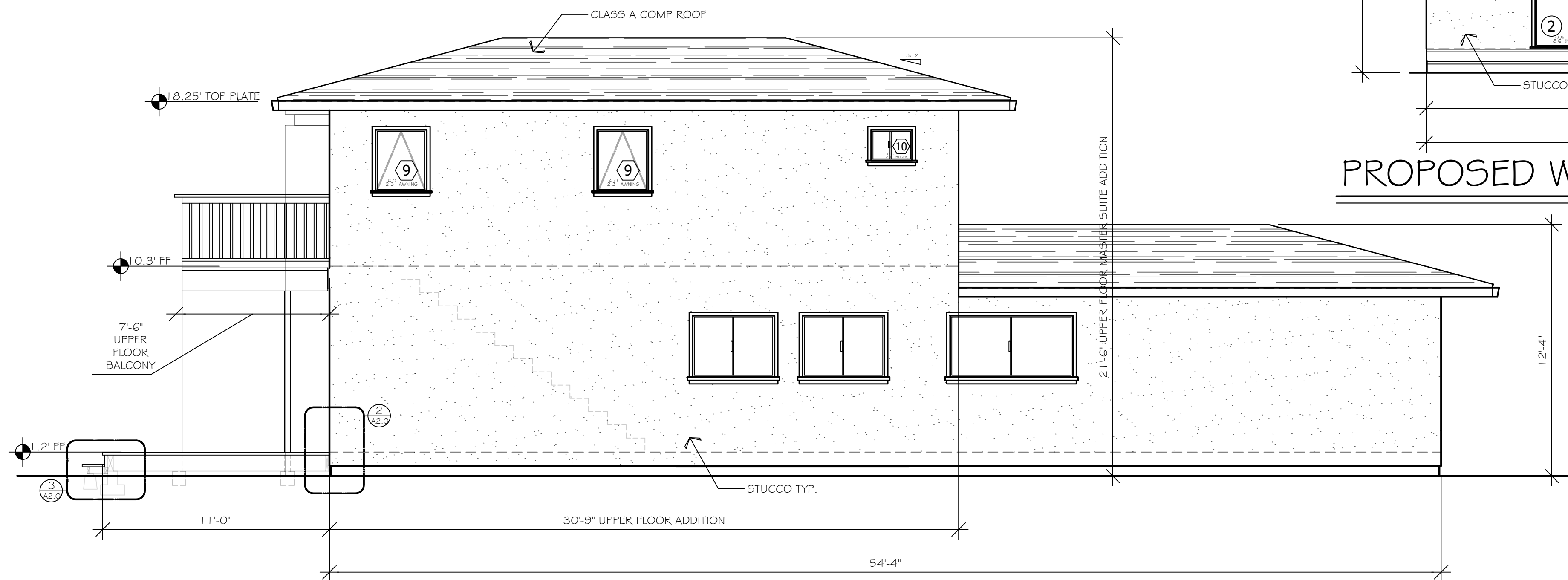
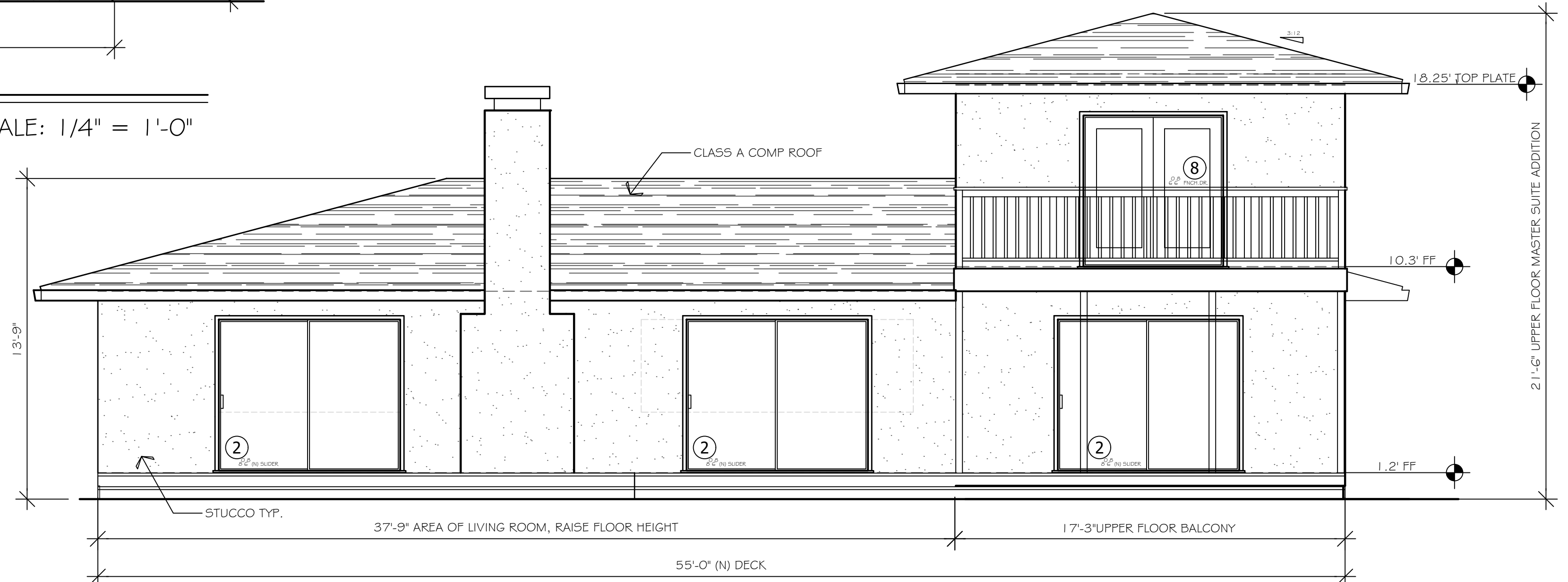
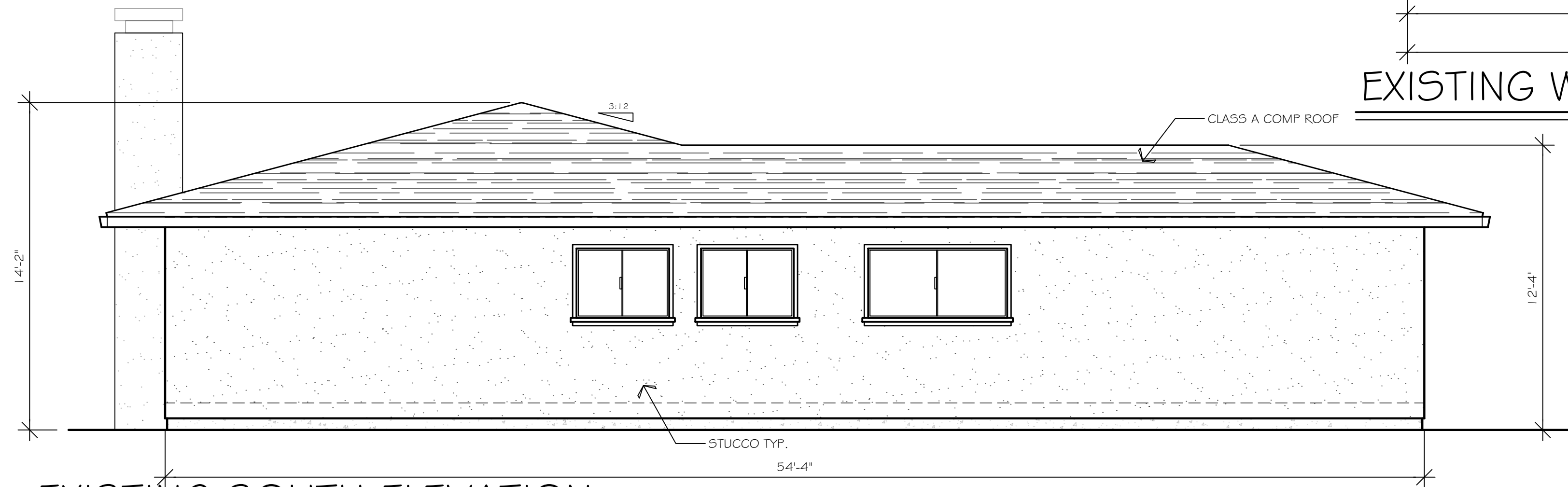
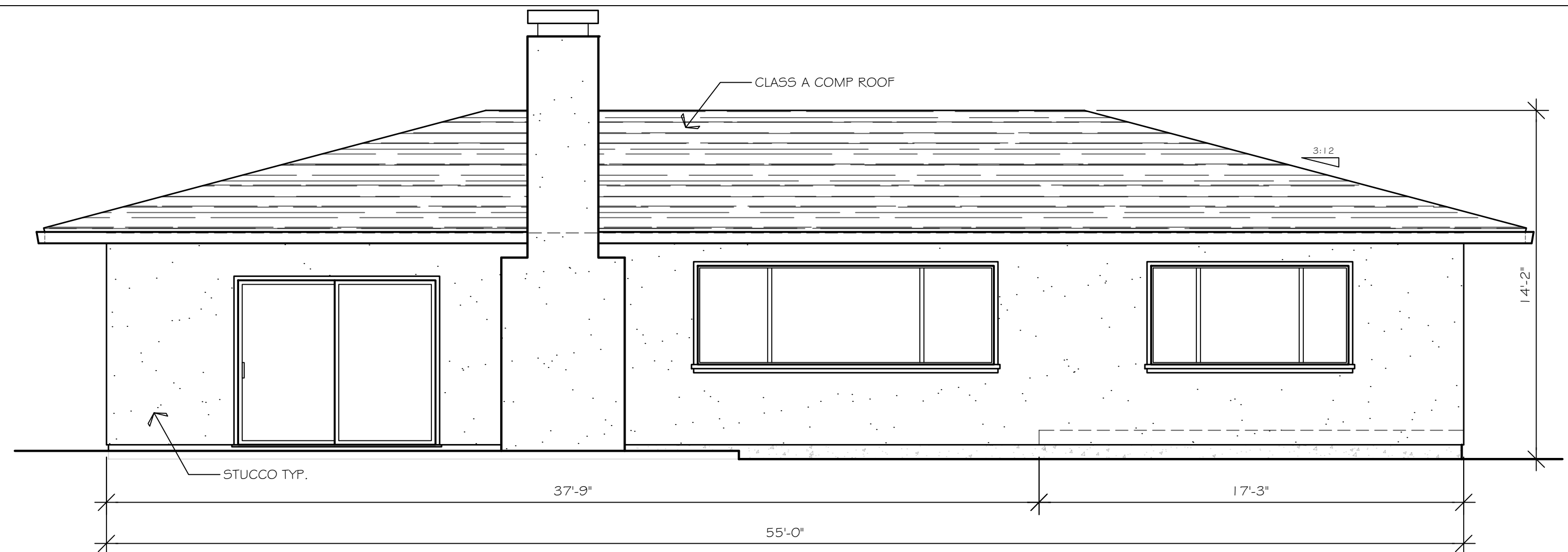
1 CONCRETE STAIR
SCALE: 1/2" = 1'-0"

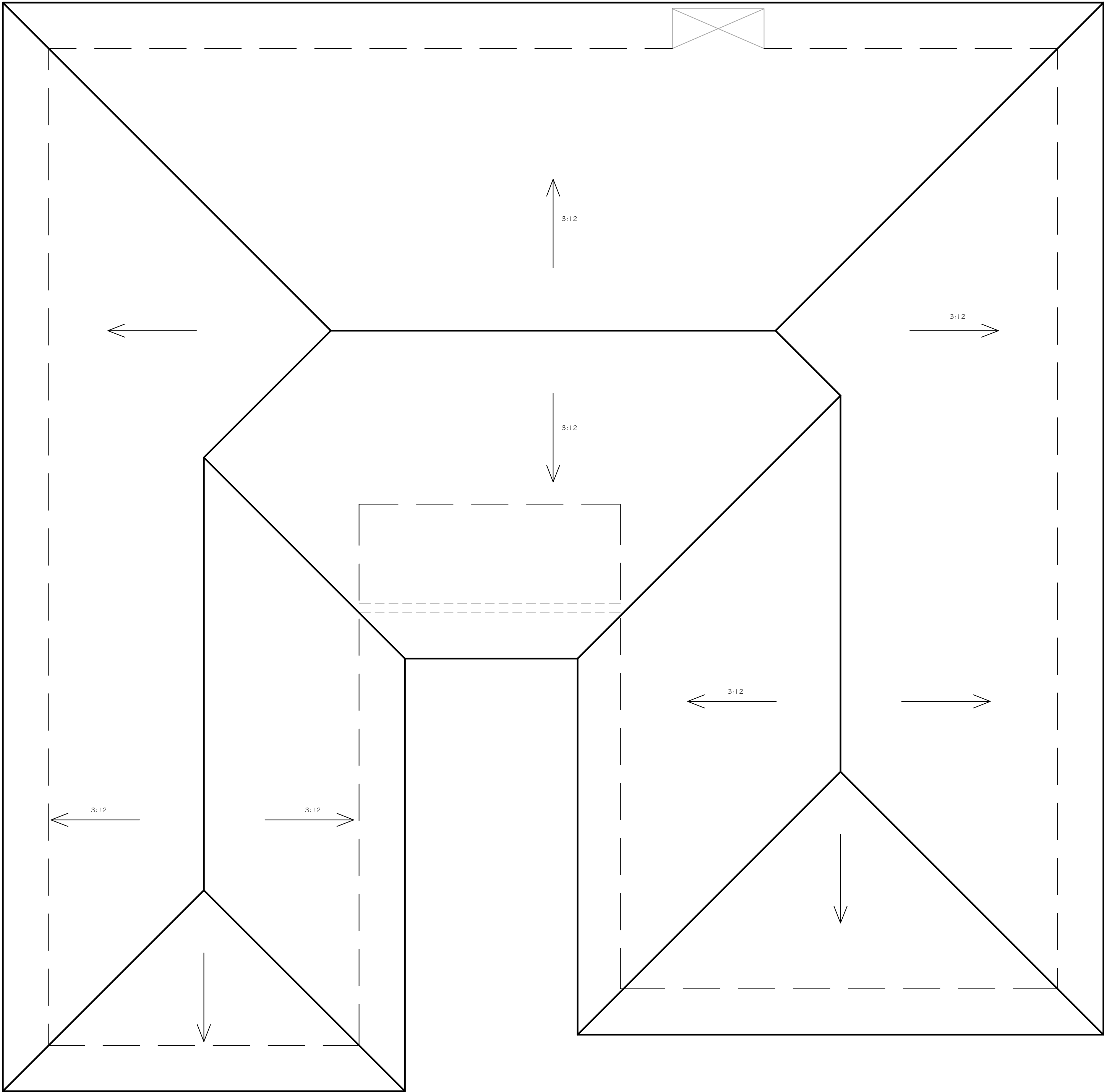


2 LEDGER CONN. DTL.
SCALE: 1/2" = 1'-0"



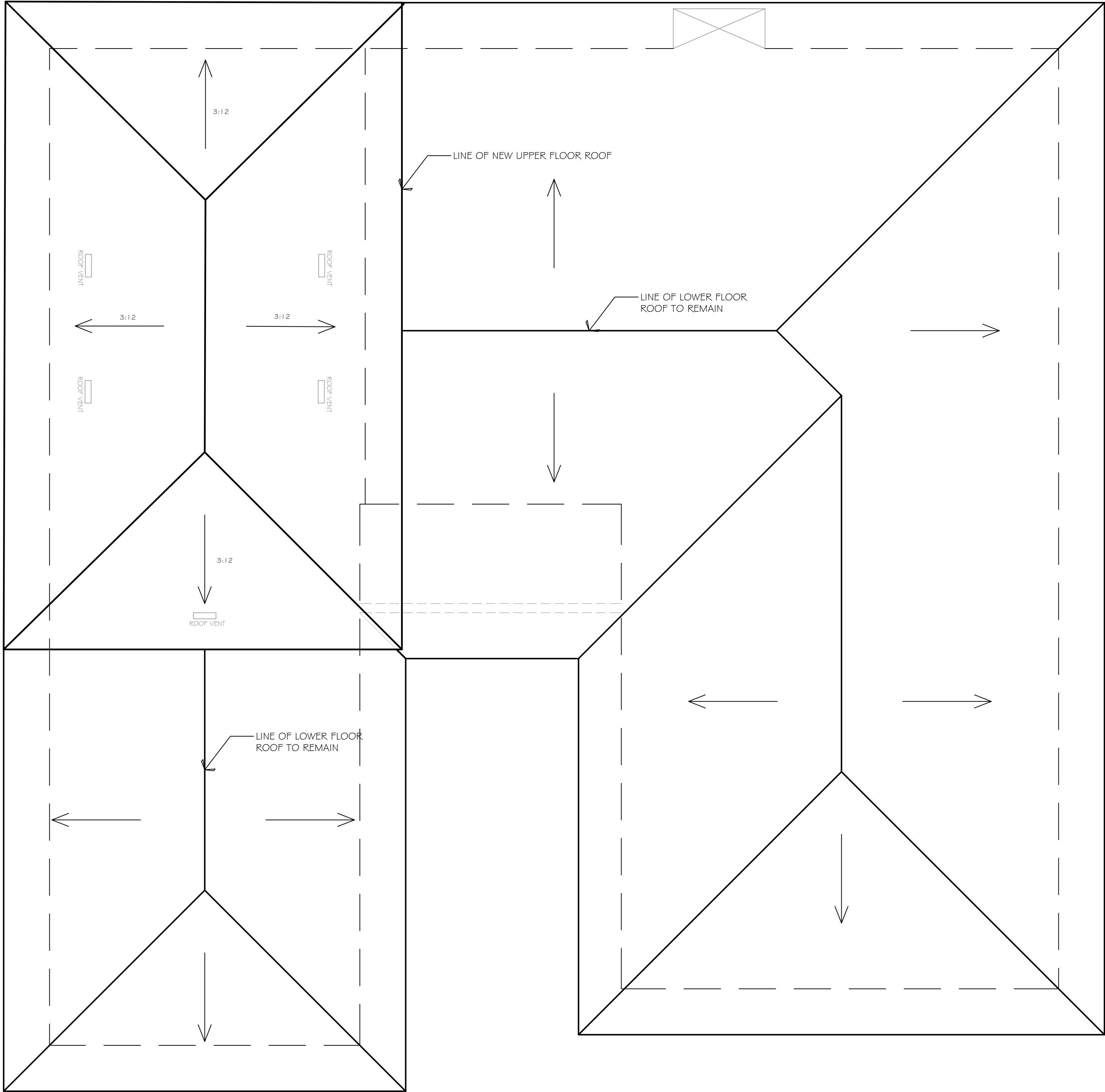
3 DECK FOOTING DTL.
SCALE: 1/2" = 1'-0"





EXISTING ROOF PLAN

SCALE: 1/4" = 1'-0"



PROPOSED ROOF PLAN

SCALE: 1/4" = 1'-0"



Cassandra August, 2080 Hacienda St., Seaside, CA 93955 831-236-3182

Date: 8-26-2021

APN: 012-663-002

Project: Lorraine McGriff

Scope of Work: 525 SF Upper Floor Addition

1663 Mescal Ave.

Master Suite & 120 SF Balcony

Seaside, CA 93955

Request: Planning Approval

Design Package



Proposed Front Elevation

Master Suite



Windows:

Brand - Andersen

Make – 100 Series

Type - Gliding & Awning Windows

Color – WHITE (not pictured)



Doors: (at upper balcony addition only)

Brand – Andersen

Make – 100 Series

Type – French Doors

Color - WHITE



Siding:

Stucco – Smooth Finish to Match Existing

Wood Cladding - 4" Wood Clad Wainscoting 4' high to Match Existing Lower Floor Front Elevation



Paint:

To Match Existing - Grey/Blue

Roofing:

Class A Comp Roof to Match Existing - Grey

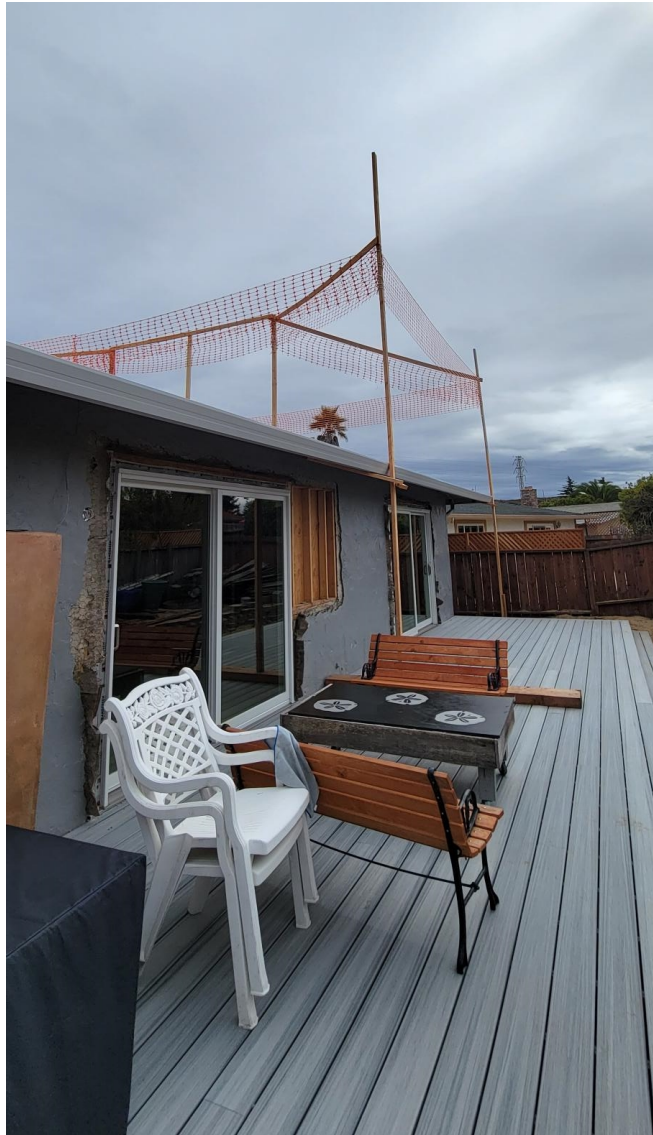




EAST ELEVATION



EAST ELEVATION AND ADJACENT PROPERTY TO THE SOUTH



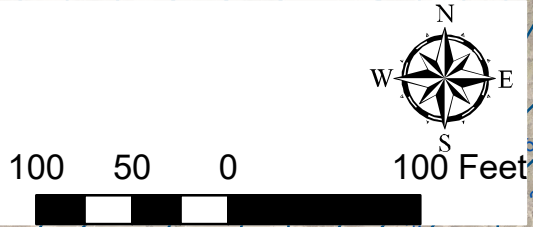
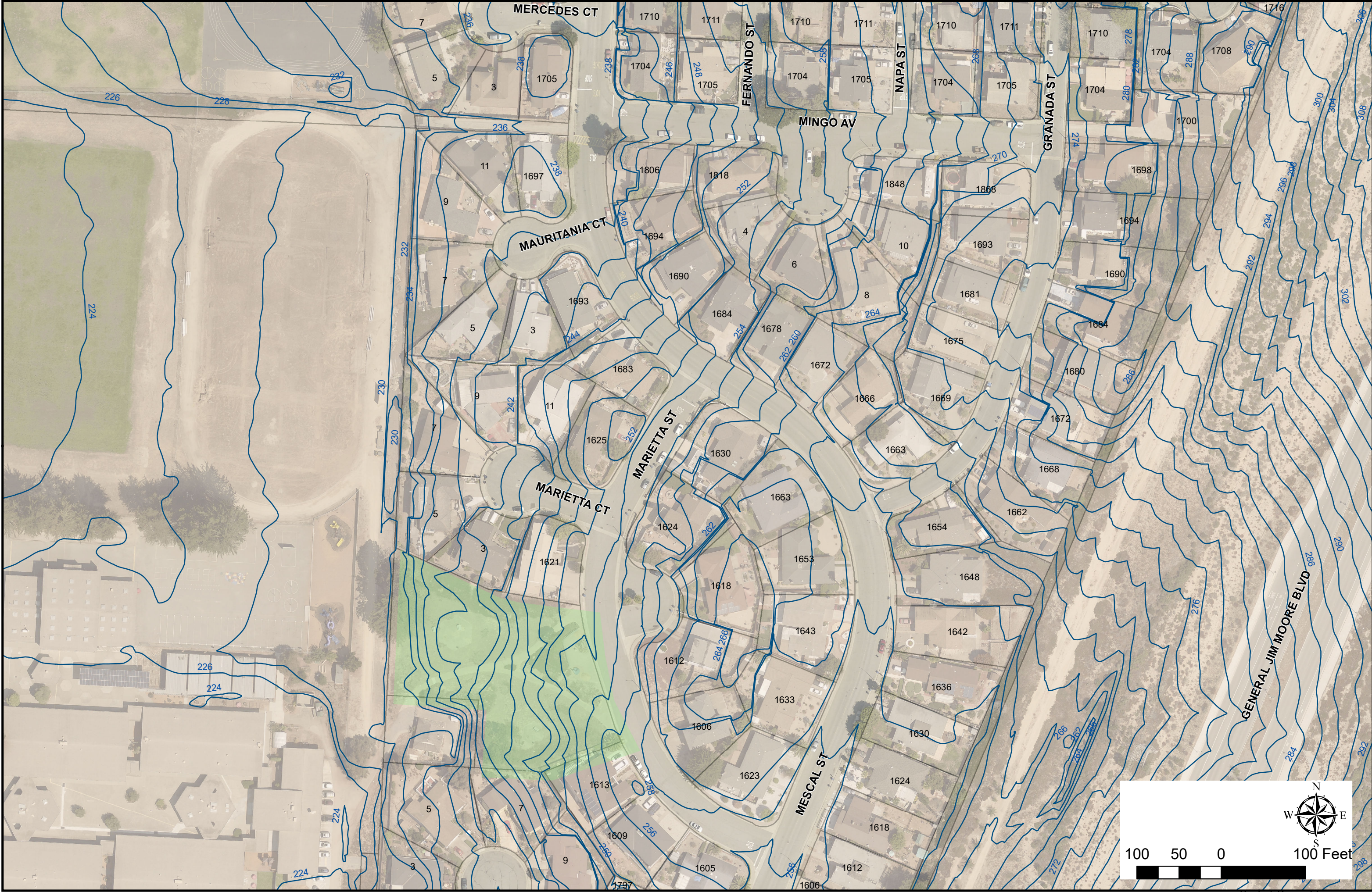
**WEST
ELEVATION/REAR
YARD**



REAR YARD/ABUTTING PROPERTIES

VIEW OF SECOND STORY ADDITION FROM MARIETTA STREET





10/14/2021 5:45:08 PM

Rodney Bartsch [rdbartsch@gmail.com](mailto:rndbartsch@gmail.com)

We live at 1618 Marietta Street in Seaside. A new neighbor, who lives behind us will be constructing a second story to his home. The address is 1663 Mescal Street, Seaside. This addition will be exposing not only our entire backyard, but our inside laundry room, kitchen and kitchenette to his view. This will expose my Grandchild when she plays in the yard and any family gatherings that happen for holidays or birthdays. It will be an invasion of our privacy.

The neighbor himself has installed a six foot fence around his property for his own privacy. We also have a privacy fence as well as planted trees around the fence for further privacy. The addition of this second story will far exceed the tops of the trees (please see attached photographs)

This addition may also decrease the value of our home as potential buyers may be discouraged due to the lack of privacy.

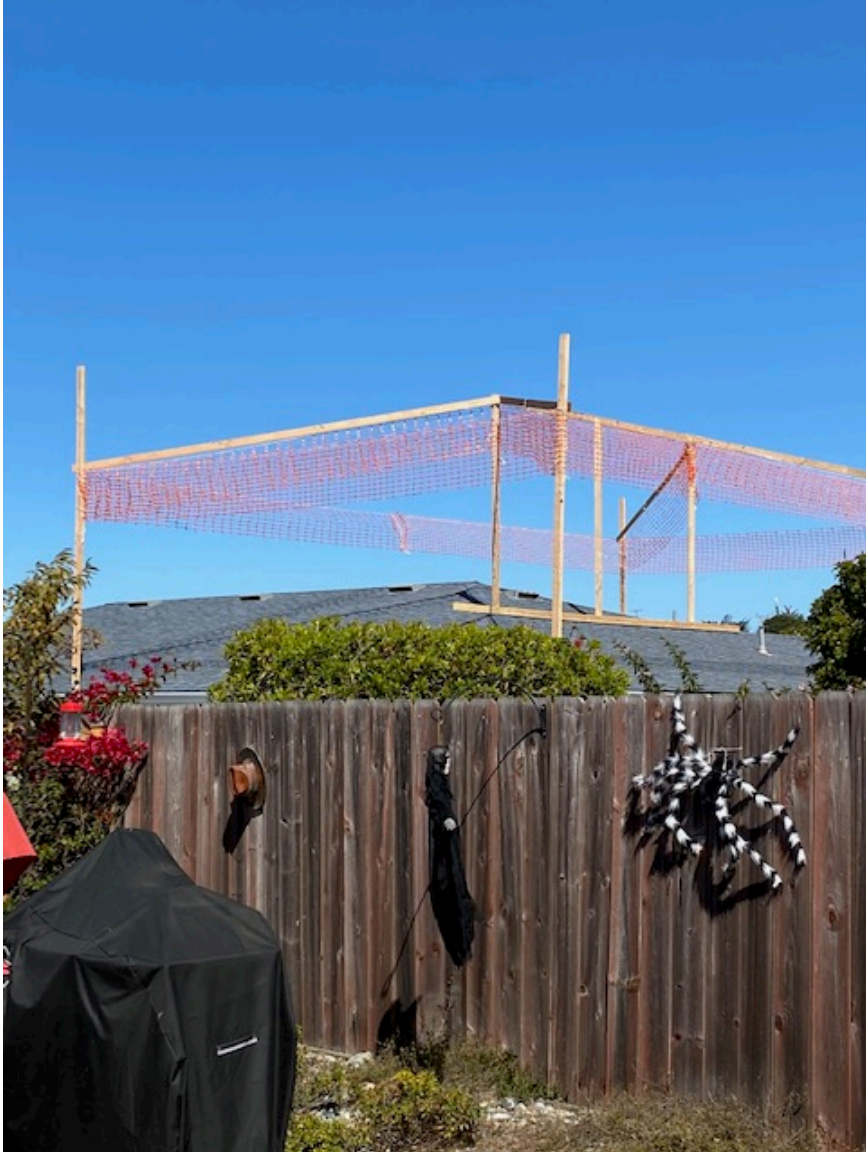
We are hoping for some consideration at the October 27th meeting in hopes of coming to a suitable solution that will benefit both parties involved.

Thank you for your consideration
Dolores and Rodney Bartsch
1618 Marietta Street
Seaside, CA 93955
831-899-8973

robartsch@gmail.com









Backyard









CITY OF SEASIDE STAFF REPORT

Item No.: 7.B.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: October 27, 2021

SUBJECT: VARIANCE APPLICATION NO. V-21-02: STAR MALLORY, APPLICANT AND PROPERTY OWNER, IS REQUESTING A VARIANCE TO ALLOW FOR AN AS-BUILT STAIRWAY THAT IS ATTACHED TO A DECK PROJECT INTO ENCROACH INTO THE REAR YARD SETBACK LOCATED AT 1889 HIGHLAND STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 5, SECTION 153059(A) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

PURPOSE & RECOMMENDATION

In accordance with Seaside Municipal Code (SMC), the following code sections are applicable: SMC 17.62.080: The Planning Commission may waive or modify certain standards of the Zoning Ordinance for special circumstances except allowed land uses, residential density, specific prohibitions or procedural requirements. Variance findings are listed under Section 17.62.080.F.1.

Staff recommends approval of V-21 for the proposed two-foot seven inch reduction in the required 10 rear setback for an exterior stairway attached to a deck in accordance with the draft Resolution (Attachment 1), subject to Attachment 1 – Exhibit A, Project Plans.

BACKGROUND

The subject property is developed with a one-story, 982 square foot one-story dwelling consisting of three bedrooms and one bath with an attached one-car garage that was constructed in 1956. An attached 38 foot by seven foot aboveground deck exists within the rear yard.

SITE LOCATION AND DESCRIPTION

The project site is a 3,750 square-foot parcel and is located on the west side of Highland Street between La Salle Avenue to the north and San Pablo Avenue to the south. The adjacent properties are developed with single family dwellings to the east, north, south, and west. See Attachment 2 for Location Map. See Attachment 3 for Site Photos.

PROJECT DESCRIPTION

The project will consist of approving an as-built stairway that is attached to an existing aboveground deck located in the rear yard. The aboveground deck is 38 feet in length by seven feet in width. The aboveground deck is 2'-6" above the grade and 10'-1" from the rear yard. The aboveground deck has stairway access to the rear yard only from the as-built stairway located in the middle of the deck. The as-built stairway maintains a seven foot three inch setback from the rear property line. A minimum 10-foot setback is required for an exterior stairway attached to the dwelling. Each side access from the as-built deck consists of five steps. The site photos provided as Attachment 3 illustrate the location of the as-built stairway in relation to the rear property line, the design of the stairway and access to the rear yard from the deck above.

The required setbacks for the exterior stairway are listed in Table 1 below:

TABLE 1 – REQUIRED SETBACKS

SETBACK LOCATION	PROPOSED	REQUIRED
FRONT	N/A	15'
SIDE	N/A	5'
REAR	7'3"	10"

No modifications need to be made to the existing residence in review of the variance.

STAFF ANALYSIS

The existence of the stairway was discovered during the escrow on of the recent purchase of the dwelling in August of 2021. It was disclosed by the City that there was evidence from aerial photos of the aboveground deck but that the stairway had been added later. In accordance with Section 17.30.100.E (Table3-5 – Allowed Architectural Projections Into Setbacks), the following apply to Aboveground Deck and the attached as-built stairway:

Unenclosed aboveground decks attached to a structure may encroach 6 feet into the 15-foot rear setback. The existing deck is setback 10'-1" from the rear property line, which is nine inches less than the maximum encroachment.

Unenclosed stairways attached to a structure may encroach six feet into the 15-foot rear yard setback. The existing stairway is setback seven feet three inches from the rear property line, which exceeds the maximum encroachment by two feet nine inches.

Variance Finding

There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, so that strict application of the Zoning Ordinance deprives the property owner of privileges enjoyed by other properties in the vicinity and same zone.

Evidence: In review of the projections allowed into setbacks under Table 3-5 of the Zoning Code, staff finds that the purpose of these standards is to address a certain degree of privacy between parcels and fire safety standards. With respect to the relatively shallow rear yards that exist on the project site and the surrounding neighborhood, City staff had taken into account the differentiation in topography between Highland Street and Soto Street. The rear yard of the adjoining property at 1888 Soto Street to the west is three feet below the grade of the project site. This grade difference would offset and minimize the potential of someone using the stairway on the project site from looking directly into the rear yard of the adjoining property or neighboring properties. City staff find that the size of the stairway and landing are relatively minor and do not pose any significant impacts on the enjoyment of other properties.

2. The approval of the variance includes conditions of approval as necessary to ensure the adjustment granted does not grant special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone.

Evidence: The approval of the Variance would not allow for any expansion of the stairway beyond its current landing area or stairway steps. This would ensure that the property maintains adequate and safe access from the deck area to the rear yard below and would not create any external effects on the adjoining property to the rear.

CEQA ANALYSIS

This project is exempt from the California Environmental Quality Act pursuant to Class 5, Section 15305.a, Minor Alterations In Land Use Limitations: Minor side yard and setback variances not resulting in the creation of any new parcel.

Evidence: The proposed variance will allow for a reduction of two feet nine inches for an exterior stairway to allow access from an aboveground deck approximately three feet above grade to the rear yard below.

FINDINGS

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of the Zoning Ordinance and the Municipal Code;

Evidence: The aboveground deck which the exterior stairway provides access to complies with all applicable standards of development and provisions of the Zoning Ordinance and the Municipal Code. This variance will allow the property owner to adequately and safely access the rear yard below the deck.

2. The proposed use is consistent with the General Plan and any applicable specific

plan;

Evidence: The project site is designated as Medium Density Single-Family Residential in the General Plan Land Use Element. This designation is applied to areas with existing detached single-family dwellings with a maximum density of 12 dwelling units per acre.

The General Plan requires all new development to complement and enhance existing land uses, as set forth in the following Land Use Goal and Policy: Goal LU-4 – Ensure that new development compliments existing land uses and enhances the character of the community and its neighbors.

Policy LU-4.1 – Requires that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: The project proposal is compatible with the surrounding residential land uses. The exterior stairway will not detract from the character of the neighborhood due to the design of the addition, use of materials, and available infrastructure.

Evidence: The residence has been designed to respect the existing residential patterns and scale in the neighborhood.

3. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The site is an existing residence in the RS-12 zoning district. The exterior stairway will not alter the location of existing utilities or access from the deck to the rear yard below or create an adverse impact on adjoining properties.

4. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare or materially injurious to persons, property or improvements in the vicinity and zone district in which the property is located.

Evidence: The City of Seaside's Fire Department, Building Department and Public Works Department have reviewed the conceptual project proposal.

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Attachment 1 Exhibit A
 3. Attachment 2 Location Map
 4. Attachment 3 Site photos
-

RESOLUTION NO. 21-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING VARIANCE No. V-21-02 FOR AN AS BUILT STAIRWAY PROJECTION INTO A REQUIRED REAR YARD FOR A SINGLE FAMILY DWELLING AT 1889 HIGHLAND STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT.

WHEREAS, Star Mallory, property owner, and applicant, is requesting approval of a Variance application to allow for an exterior stairway attached to a deck to project into rear yard setback on a parcel developed with a single family dwelling located at 1889 Highland Street in the RS-12 zoning district; and,

WHEREAS, a duly noticed public hearing has been held on October 27, 2021; and,

WHEREAS, the Planning Commission reviewed the staff report, received and considered oral comments at the public hearing concerning the proposed use and acted to grant approval of Variance Application V-21-02 in accordance with Section 17.62.080 of the Seaside Municipal Code; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 5, Section 15305(a). Class 5 consists of projects that involve minor alterations in land use limitations in areas with average slope of less than 2%, which do not result in any changes to land use or density.

Evidence: *The site is developed with a single-family residence and an attached above-ground deck on the rear elevation. The attached stairway is on a grade of less than 2% and will not change or alter the existing land use or density.*

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Variance Application No. V-21-02:

Variance Finding

1. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, so that strict application of the Zoning Ordinance deprives the property owner of privileges enjoyed by other properties in the vicinity and same zone.

Evidence: In review of the projections allowed into setbacks under Table 3-5 of the Zoning Code, staff finds that the purpose of these standards is to address a certain degree of privacy between parcels and fire safety standards. With respect to the relatively shallow rear yards that exist on the project site and the surrounding neighborhood, City staff had taken into account the differentiation in topography between Highland Street and Soto Street. The rear yard of the adjoining property at

1888 Soto Street to the west is three feet below the grade of the project site. This grade difference would offset and minimize the potential of someone using the stairway on the project site from looking directly into the rear yard of the adjoining property or neighboring properties. City staff find that the size of the stairway and landing are relatively minor and do not pose any significant impacts on the enjoyment of other properties.

2. The approval of the variance includes conditions of approval as necessary to ensure the adjustment granted does not grant special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone.

Evidence: The approval of the Variance would not allow for any expansion of the stairway beyond its current landing area or stairway steps. This would ensure that the property maintains adequate and safe access from the deck area to the rear yard below and would not create any external effects on the adjoining property to the rear.

3. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

***Evidence:** The project is zoned RS-12 (Single Family Residential). Single family dwellings are a permitted use in the RS-12 zone. The proposed two-story addition will be in compliance with required setbacks, height limitations and lot coverage. With the issuance of a use permit for the placement of an uncovered parking space in the existing driveway, the project will be in compliance with the applicable provisions of the Zoning Ordinance and Municipal Code.*

4. The proposed use is consistent with the General Plan and any applicable specific plan.

The General Plan requires all new development to complement and enhance existing land uses, as set forth in the following Land Use Goal and Policy:

Goal LU-4 – Ensure that new development compliments existing land uses and enhances the character of the community and its neighbors.

Policy LU-4.1 – Requires that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: The project proposal is compatible with the surrounding residential land uses. The exterior stairway will not detract from the character of the neighborhood due to the design of the addition, use of materials, and available infrastructure.

Evidence: The residence has been designed to respect the existing residential patterns and scale in the neighborhood.

5. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The site is an existing residence in the RS-12 zoning district. The exterior stairway will not alter the location of existing utilities or access from the deck to the rear yard below or create an adverse impact on adjoining properties.

6. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare or materially injurious to persons, property or improvements in the vicinity and zone district in which the property is located.

Evidence: The City of Seaside's Fire Department, Building Department and Public Works Department have reviewed the conceptual project proposal.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Variance application No. 21-02 subject to the following terms and conditions:

Project Specific:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans approved for discretionary permits for this project, Stamped Approved on October 27, 2021 shown on Exhibit A.

Standard:

2. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
3. Any proposed future development or change in use shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.

4. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures.
5. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
6. Water conservation fixtures shall be provided in the proposed project.
7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. Design Review approval will become null and void if a building permit is not obtained within one (1) year from the date of approval to begin construction on the project.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the special meeting of the Planning Commission of the City of Seaside, State of California, on the 27th day of October, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

USE PERMIT APPLICATION No. UP-21-01

AND

DESIGN REVIEW APPLICATION No. BAR-21-06

PC RESOLUTION No. 21-XX

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

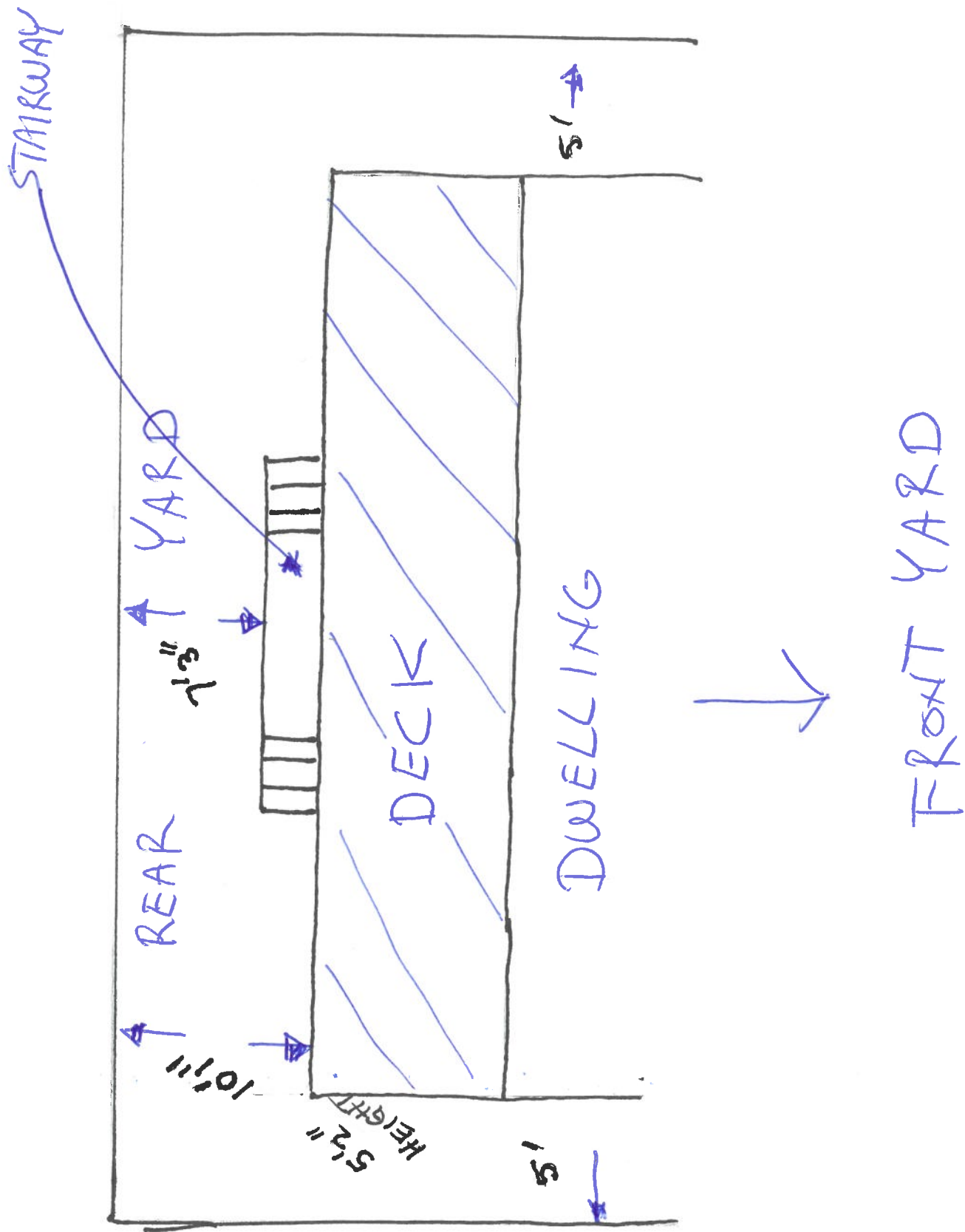
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Water Allocation Committee.

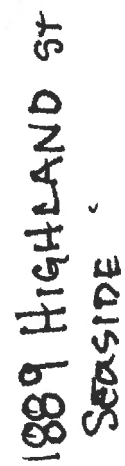
Applicant's Signature

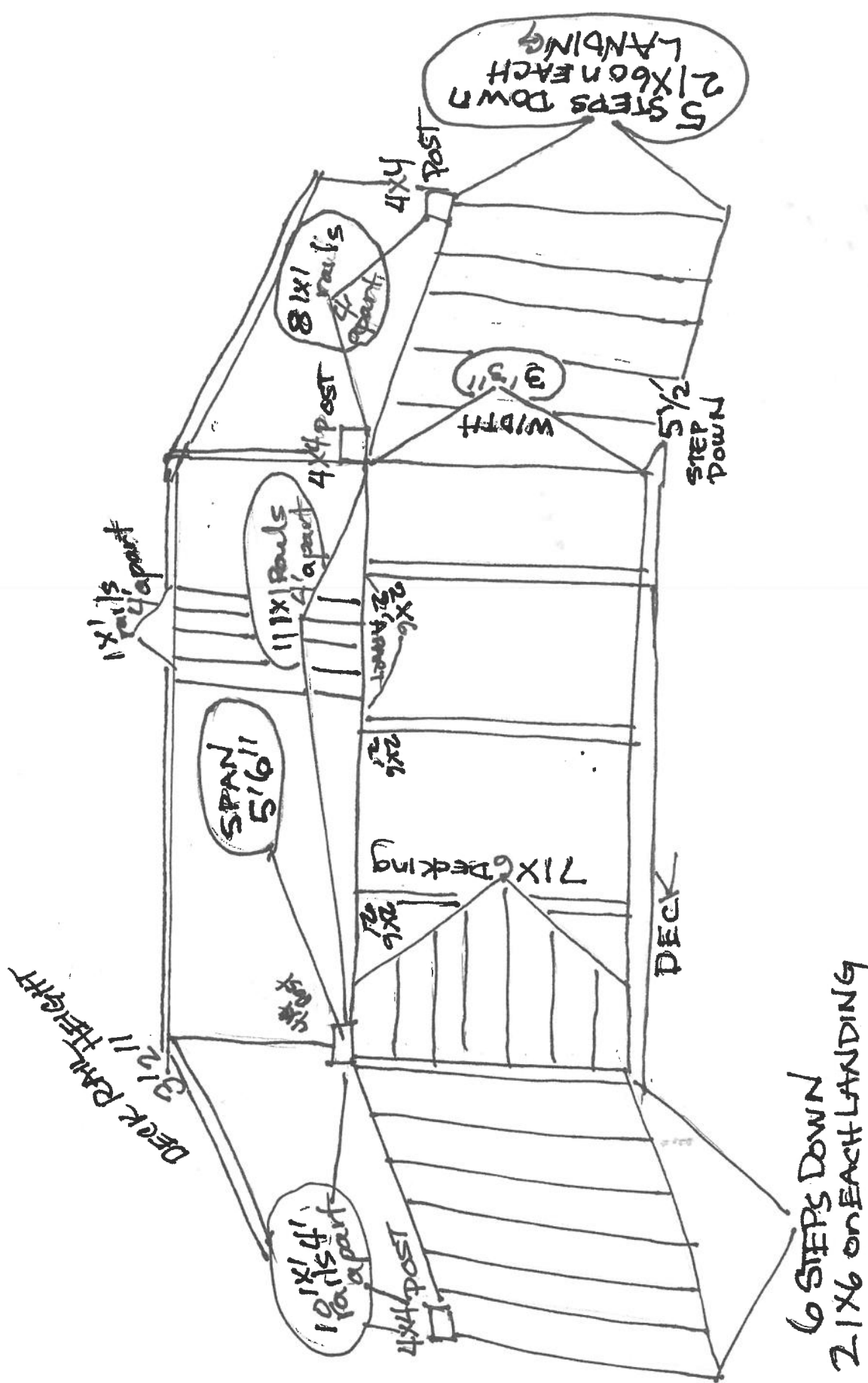
Date

Property Owner's Signature

Date





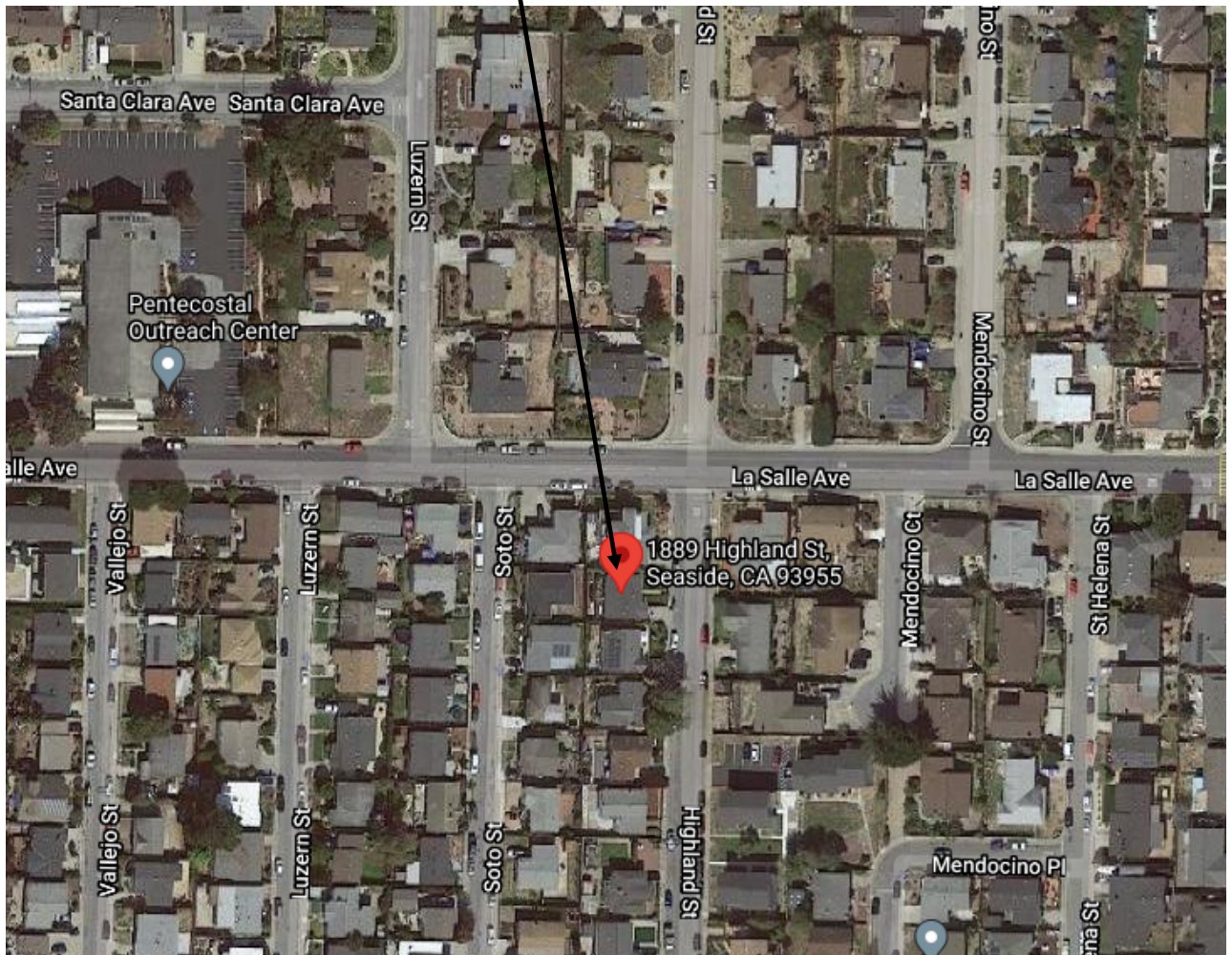


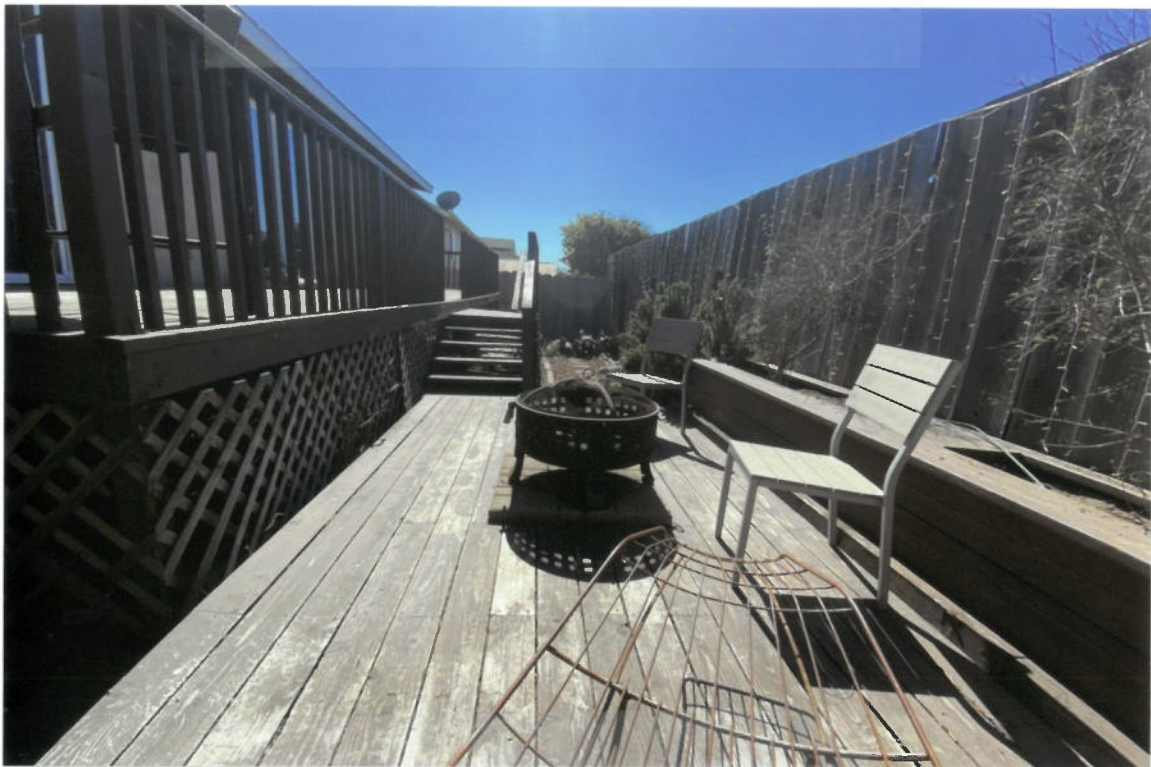
1889 HIGHLANDS

Attachment 2

Location map

Project Site: 1889 Highland Street











CITY OF SEASIDE STAFF REPORT

Item No.: 7.C.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: October 27, 2021

SUBJECT: **USE PERMIT APPLICATION NO. UP-21-01/BOARD OF ARCHITRECTURAL REVIEW APPLICATION NO. BAR-21-06:**
HUGO PEREZ, APPLICANT, AND ROBERT BOOTH, PROPERTY OWNER, ARE REQUESTING THE APPROVAL OF A PARKING EXCEPTION AND RESIDENTIAL DESIGN REVIEW FOR A TWO-STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1644 LUXTON STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

Design Review

In accordance with Section 17.62.030.B.2 of the Seaside Municipal Code (SMC), Board of Architectural Review (BAR) approval is required for the construction of a second story addition to an existing single family residence.

Use Permit

In accordance with Section 17.34.100 of the SMC, Use Permit approval is required for the reduction in off-street parking.

BACKGROUND

SITE LOCATION AND DESCRIPTION

The project site consists of a 3,650 square-foot parcel (50'x73') located at the northeast corner of Luxton Street and Luxton Place. The area for the footprint of the dwelling and the rear yard is relatively flat with the front yard gradually sloping from east to west toward the sidewalk.. A mature Monterey Cypress tree exists within the

rear yard adjacent to the southern street side property line. The adjacent properties to the north and east consist of one-story single-family dwellings. The property to the west is developed with a city park. The property to the south, which is separated by a one-way street (Luxton Place), is developed with two large multi-family apartment complexes.

Project Description

The applicant is proposing a 608 square-foot two-story addition to the rear elevation of the existing 720 square foot single family dwelling. The dwelling is built with an attached 220 square-foot one-car garage. The existing dwelling is in its original construction. No changes or modifications will be made to the existing dwelling or garage.

The floor plan for the existing first floor consists of two bedrooms, a living room, a kitchen and a bathroom. The two-story addition will be comprised of an office/den on the first floor and a master bedroom on the second floor. A 9'x12' deck will be added to the south elevation of the master bedroom. The floor space of the office/den will have an open doorway into the kitchen. The total floor area of the dwelling with the new addition will be 1,328 square feet. The maximum height of the gable ridge of the addition will be 23'-9". The maximum height allowed in the RS-12 zoning district is 24'. The property development standards in the RS-12 Zoning District are listed in Table 1 below:

<u>Setback</u>	<u>Proposed Addition</u>	<u>Required</u>
Front	No Change	15 feet (Existing dwelling is at 17 feet)
Side	22 feet on south side and 5 feet on north side (Existing garage holds nonconforming 2' side setback)	10 feet on the street side and 5 feet on the interior side of a corner lot
Rear		15 feet
Height	15'-6" feet 23'-9" feet	24 feet maximum height limit
Lot Coverage	42%	25%
Parking	No Change (One-Car garage Existing)	One covered parking space and one uncovered parking space.

The proposed design will consist of the following

1. The roof of the addition will consist of a 4/12 Gable ridge to match the existing gable roof on the first level.
2. The exterior siding will consist of Allura horizontal fiber cement to match the existing horizontal redwood siding..
3. A combination of aluminum casement, a double hung and fixed windows-on-story

addition. Window trim will consist of 1x and sill to match existing Aluminum windows and window trim/sill on existing dwelling will remain as is.

4. Composition shingle roof.

5. Second story redwood deck

7. Installation of wall mounted light fixtures at the front and rear entry doors and at the door of the second story deck.

STAFF ANALYSIS

The surrounding structures consist primarily of older one-story, single family residential units constructed in the late 1950's to early 1960's. This neighborhood is comprised of various floor plans and elevations that utilize floor plans and elevations unique to each site. The design of the proposed addition offers a horizontal wood siding building design typical in the 1950's and early 1960's.. The proposed development will require Design Review and Use Permit approval.

Design Review

Seaside Zoning Code Section 17.62.030.E.1 states that Architectural Review approval shall consider the character, quality, scale of design, architectural relationships with the site, building materials, lighting, and other applicable aspects of the design. The proposed plans present a match with the horizontal exterior siding and will create its own character while respecting the scale and materials of the neighborhood with the placement of the addition at the rear of the site and retention of the mature Monterey Cypress tree within the rear yard.

The City of Seaside Single Family, Residential Design Guidelines (SFRDG) are to assist staff, the public, and decision-makers through the architectural review process. The BAR will utilize the design guidelines in their review of the project. This project complies with the SFRDG through the following design elements:

Site Planing

I.A.iii.

Policy: Entry walkways should extend to the sidewalk, rather than the driveway.

Evidence: *The applicant will continue to maintain an existing walkway system parallel to the driveway from the sidewalk to front entry door.*

Walls, Fencing and Screening

I.D.i.

Policy Walls and fences should be attractive and complement the style and character of the homes and neighborhood.

Evidence: The existing three-foot tall wood fence consists of a vertical picket appearance to reduce mass, is setback from the front property line and has an

attractive design to complete the horizontal wood siding on the first floor.

II.A.i

Policy: The physical size and mass of the project should be proportional to the lot size.

Evidence: *The proposed Floor Area Ratio (FAR) is 36%. The allowed FAR is 45%
Evidence: The setback of the two-story addition on the front and south side will establish an appropriate transition from the front view to avoid a box-like appearance and create a reduced massing with a stepping down in height.*

II.A.iii.

Policy: Architectural elements should be designed to eliminate the appearance of box-like buildings.

Evidence: *The proposed second story addition will be located to the rear and will have a 12/3 hip roof to match the existing structure. The positioning of the addition approximately 40 feet from the front facade of the lower first floor combined with the modulations of the north and south sides of the dwelling, a second story deck projection on the south side will eliminate a box-like appearance and provide visual interest on all four sides.*

II.B.ii.a.

Policy: A second story should be oriented away from neighbors' yards as much as possible.

Evidence: *The portion of the addition facing the closest neighbor to the north will contain the stairway to the second floor. The windows on the north side will be fixed and contain two rectangular and two smaller square windows designed to let in sunlight to the addition. The windows would not result in a loss of privacy for the adjoining dwelling or its rear yard. The location of the deck on the south side will face toward the front and street side yard.*

Evidence: *The architectural style is reinforced by the use of a consistent hip roof, divided light windows, and horizontal siding on the new second floor to reinforce the consistency of the architectural design between the first and second floors.*

II.C.i&ii.

Policy: The second story front setback should average 5 feet more than the first floor setback; the second story side setback should average 3 feet more than the first floor setback

Evidence: *The second story element will be set back 40 feet from the front façade, 40 feet from the south side, and five feet from the north side. The proposed offsets are consistent with the requested building off-sets and will provide visual interest from all four sides.*

III.A.iv.

Policy: *The exterior treatment and overall design of additions to existing homes should respect the features of the original structure.*

Evidence: *The proposed addition will continue with the horizontal siding design and materials (e.g. Doors, Siding, and Windows) of the original structure.*

III.A.v.

Policy: *To the extent feasible, the architectural character established for the street facing elevations should continue on all elevations.*

Evidence: *The street facing elevations continues on all four elevations.*

III.A.vii.

Policy: *The boundary between each floor of the dwelling structure should be delineated through cornice lines, balconies, or similar architectural detailing.*

Evidence: *The boundary between the first and second floors will be delineated with a 2X fascia band on the east and north side elevations and with a second story deck on the south side.*

III.D.i.

Policy: *Consistent and harmonious use of high quality, durable materials is encouraged*

Evidence: *The applicant is proposing the use of cement fiber horizontal siding, wood fascia, and aluminum windows.*

Use Permit

For an addition to a single family dwelling that results in a total square footage of greater than 1,201 square feet, a residence is required to provide one covered space and one uncovered space. The uncovered space may be permitted in front of the garage or within a separate driveway not located within the required 15-foot front yard setback. The existing driveway is 22 feet in length from the front property line. The garage door would have to be setback 34 feet from the front property line to accommodate an uncovered 19-foot deep parking space beyond the 15-foot front yard setback (See Exhibit D). The applicant is requesting a use permit from the Planning Commission to modify this provision by allowing the existing driveway depth of 22 feet for the uncovered parking space.

The applicant has cited that it would not be feasible to relocate the garage to the rear of the site or modify the length by extending the garage to a depth of 38 feet to create two tandem spaces due to the existing mature Monterey Cypress tree that is 15 feet behind the garage. Extending the depth of the garage would require the removal of

the tree. In addition to the trunk and limbs of the tree that are near the garage, the root system is also extensive, making the placement of an expanded foundation for a detached garage or a paved driveway for an uncovered space elsewhere in the rear yard potentially taxing on the health of the tree..The Planning Commission can consider the existing structure's ;location, underlying parcel size or topography or public safety concerns render the applicable parking requirements unreasonable.

The Planning Commission

REQUIRED FINDINGS

The following findings are required under Section 17.62.070.F of the SMC:

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Evidence: *The project is zoned RS-12 (Sinle Family Residential). Single family dwellings are a permitted use in the RS-12 zone. The proposed two-story addition will be in compliance with required setbacks, height limitations and lot coverage. With the issuance of a use permit for the placement of an uncovered parking space in the existing driveway, the project will be in compliance with the applicable provisions of the Zoning Ordinance and Municipal Code.*

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance: *The Seaside General Plan designates the land use for the project site as Medium Density Single Family Residential. The land use designation is primarily intended for the development of single family dwellings.*

Land Use Element: *Goal LU-4 is to ensure that new development complements existing land uses and enhances the character of the community and neighborhoods. Policy LU-4.1 requires all new development to be compatible with surrounding uses, the site and available infrastructure.*

Evidence: *The location of the proposed uncovered parking space within the driveway will not encroach into the public right-of-way nor create a line of site visibility for vehicles or pedestrians.*

3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future

land uses in the vicinity.

Evidence: *The proposed project will consist of a two-story addition designed in compliance with applicable zoning standards for the RS-12 zoning district and the City's Residential Design Guidelines.*

- 4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.**

Evidence: *The project site is physically suitable for the placement of a single uncovered space within the existing driveway in terms of the site access and pedestrian visibility. The proposed two-story addition will not have any impact on accessibility and visibility of vehicles entering or exiting onto Luxton Street.*

- 5. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.**

Evidence: The proposed development is consistent with the General Plan and RS-12 Zoning property development standards. The modification of the uncovered parking standards will not have an adverse impact that would be detrimental to the public interest, health, safety or welfare or materially injurious to persons, property or improvements in the vicinity or district zone.

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Attachment 1 Exhibit A Project Plans
 3. Attachment 2 Location Map
 4. Attachment 3 Site photos
-

RESOLUTION NO. 21-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING DESIGN REVIEW PERMIT BAR-21-06 AND USE PERMIT APPLICATION NO. 21-01 FOR A TWO-STORY ADDITION TO A SINGLE FAMILY DWELLING AT 1644 LUXTON STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT.

WHEREAS, Robert Booth, property owner, and Hugo Perez, applicant, are requesting approval of a Use Permit application and Design Review Application to allow for a two-story addition at 1644 Street in the RS-12 zoning district; and,

WHEREAS, a duly noticed public hearing has been held on October 27, 2021; and,

WHEREAS, the Planning Commission reviewed the staff report, received and considered oral comments at the public hearing concerning the proposed use and acted to grant approval of Use Permit Application UP-21-01 and Design Review Application No. BAR-21- 06 in accordance with Section 17.62.030 of the Seaside Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Use Permit Application No. UP-21-01 and Design Review Application No. BAR- 21-06:

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301(E). Class 31 consists of projects that involve negligible or no expansion of an existing use and specific to this project: additions to existing structures that will not result in an increase of more than 50% of the floor area of the structures before the addition or 2,500 sf, whichever is lesser.

Evidence: *The site is developed with a 720 sf split level single-family residence and the proposed project consists the approval of a new 608 sf two-story addition.*

Design Review Findings:

In accordance with the requirements of SMCS 17.62.070.E and F, the Planning Commission is required to make all of the following findings in order to grant approval of the Design Review application.

E. Architectural considerations. Architectural considerations, including the character, quality, and scale of the design, architectural relationship with the site and other structures, building materials, colors, fencing, trash enclosure and walkway improvements, exterior lighting and signs, and the screening of exterior appurtenances.

1. The Proposed use is allowed within the zone district and complies with all other applicable provisions of the Zoning Ordinance and Municipal Code.

Evidence: The property is located in the Single Family Residential (RS-12) zoning district, subject to Design Review approval (SMCS 17.30.100.E; Table 3-5).

Evidence: The proposed two-story addition will comply with the applicable setback requirements for the R-12 Zoning District and suggested building off-sets listed in the Residential Design Guidelines

- F. Conditions of approval. In making its decisions, the Board of Architectural Review may impose the conditions, as it deems reasonable and necessary to protect the best interests of the surrounding area, as well as to further the public health, safety, and general welfare of the community.

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of the Zoning Ordinance and the Municipal Code.

Evidence: In accordance with the SMC 17.12.050, Table 2-3, Residential Zone Development Standards, the proposed project adheres to all setbacks and development regulations.

2. In compliance with Section 17.62.030.E.1 of the SMC, the two-story addition is consistent in quality, scale, and architectural relationship with the site and other structures.

Evidence: The proposed two-story addition has been designed to be consistent in quality, scale, and architectural relationship with the site and there are no significant visual impacts to the adjacent properties. With any two-story addition there are privacy impacts to the adjacent properties. The windows on the north side of the second story will be positioned within the stairwell to minimize visual viewing from a bedroom or living room. The deck on the second story will be placed on the south side so that it faces the corner street. An existing mature Monterey Cypress tree will remain between the site and property to east which provides some privacy screen between the two properties and provides a vegetative break-up of the building mass..

Single-Family Residential Design Guidelines

The following Single-Family Residential Design Guidelines support this proposed modification:

The City of Seaside Single Family, Residential Design Guidelines (SFRDG) are to assist staff, the public, and decision-makers through the architectural review process. The BAR will utilize the design guidelines in their review of the project. This project complies with the SFRDG through the following design elements:

Site Planning

I.A.iii.

Policy: Entry walkways should extend to the sidewalk, rather than the driveway.

Evidence: *The applicant will continue to maintain an existing walkway system parallel to the driveway from the sidewalk to front entry door.*

Walls, Fencing and Screening

I.D.i.

Policy: Walls and fences should be attractive and complement the style and character of the homes and neighborhood.

Evidence: The existing three-foot tall wood fence consists of a vertical picket appearance to reduce mass, is setback from the front property line and has an attractive design to complete the horizontal wood siding on the first floor.

II.A.i

Policy: The physical size and mass of the project should be proportional to the lot size.

Evidence: *The proposed Floor Area Ratio (FAR) is 36%. The allowed FAR is 45%
Evidence: The setback of the two-story addition on the front and south side will establish an appropriate transition from the front view to avoid a box-like appearance and create a reduced massing with a stepping down in height.*

II.A.iii.

Policy: Architectural elements should be designed to eliminate the appearance of box-like buildings.

Evidence: *The proposed second story addition will be located to the rear and will have a 12/3 hip roof to match the existing structure. The positioning of the addition approximately 40 feet from the front facade of the lower first floor combined with the*

modulations of the north and south sides of the dwelling, a second story deck projection on the south side will eliminate a box-like appearance and provide visual interest on all four sides.

II.B.ii.a.

Policy: *A second story should be oriented away from neighbors' yards as much as possible.*

Evidence: *The portion of the addition facing the closest neighbor to the north will contain the stairway to the second floor. The windows on the north side will be fixed and contain two rectangular and two smaller square windows designed to let in sunlight to the addition. The windows would not result in a loss of privacy for the adjoining dwelling or its rear yard. The location of the deck on the south side will face toward the front and street side yard.*

Evidence: *The architectural style is reinforced by the use of a consistent hip roof, divided light windows, and horizontal siding on the new second floor to reinforce the consistency of the architectural design between the first and second floors.*

II.C.i&ii.

Policy: *The second story front setback should average 5 feet more than the first floor setback; the second story side setback should average 3 feet more than the first floor setback*

Evidence: *The second story element will be set back 40 feet from the front façade, 40 feet from the south side, and five feet from the north side. The proposed offsets are consistent with the requested building off-sets and will provide visual interest from all four sides.*

Architectural Features

III.A.iv.

Policy: *The exterior treatment and overall design of additions to existing homes should respect the features of the original structure.*

Evidence *The proposed addition will continue with the horizontal siding design and materials (e.g. Doors, Siding, and Windows) of the original structure.*

III.A.v.

Policy: *To the extent feasible, the architectural character established for the street facing elevations should continue on all elevations.*

Evidence *The Street facing elevations continues on all four elevations.*

III.A.vii.

Policy: *The boundary between each floor of the dwelling structure should be delineated through cornice lines, balconies, or similar architectural detailing.*

Evidence: *The boundary between the first and second floors will be delineated with a 2X fascia band on the east and north side elevations and with a second story deck on the south side.*

III.D.i.

Policy: *Consistent and harmonious use of high quality, durable materials is encouraged*

Evidence: *The applicant is proposing the use of cement fiber horizontal siding, wood fascia, and aluminum windows.*

Use Permit Findings

- 1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.**

Evidence: *The project is zoned RS-12 (Single Family Residential). Single family dwellings are a permitted use in the RS-12 zone. The proposed two-story addition will be in compliance with required setbacks, height limitations and lot coverage. With the issuance of a use permit for the placement of an uncovered parking space in the existing driveway, the project will be in compliance with the applicable provisions of the Zoning Ordinance and Municipal Code.*

- 2. The proposed use is consistent with the General Plan and any applicable specific plan.**

Seaside General Plan Conformance: *The Seaside General Plan designates the land use for the project site as Medium Density Single Family Residential. The land use designation is primarily intended for the development of single family dwellings.*

Land Use Element: *Goal LU-4 is to ensure that new development complements*

existing land uses and enhances the character of the community and neighborhoods. Policy LU-4.1 requires all new development to be compatible with surrounding uses, the site and available infrastructure.

Evidence: *The location of the proposed uncovered parking space within the driveway will not encroach into the public right-of-way nor create a line of site visibility for vehicles or pedestrians.*

3. **The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.**

Evidence: *The proposed project will consist of a two-story addition designed in compliance with applicable zoning standards for the RS-12 zoning district and the City's Residential Design Guidelines.*

4. **The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.**

Evidence: *The project site is physically suitable for the placement of a single uncovered space within the existing driveway in terms of the site access and pedestrian visibility. The proposed two-story addition will not have any impact on accessibility and visibility of vehicles entering or exiting onto Luxton Street.*

5. **Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.**

Evidence: The proposed development is consistent with the General Plan and RS-12 Zoning property development standards. The modification of the uncovered parking standards will not have an adverse impact that would be detrimental to the public interest, health, safety or welfare or materially injurious to persons, property or improvements in the vicinity or district zone.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Board of Architectural Review Application No. 21-06 and Use Permit Application UP-21-01 subject to the following terms and conditions:

Project Specific:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans approved for discretionary

permits for this project, Stamped Approved on October 27, 2021 shown on Exhibit A.

Standard:

2. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
3. Any proposed future development or change in use shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
4. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures.
5. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
6. Water conservation fixtures shall be provided in the proposed project.
7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. Design Review approval will become null and void if a building permit is not obtained within one (1) year from the date of approval to begin construction on the project.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the special meeting of the Planning Commission of the City of Seaside, State of California, on the 27th day of October, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

USE PERMIT APPLICATION No. UP-21-01
AND
DESIGN REVIEW APPLICATION No. BAR-21-06
PC RESOLUTION No. 21-XX

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Water Allocation Committee.

Applicant's Signature

Date

Property Owner's Signature

Date

ROBERT'S ADDITION
1644 LUXTON STREET
SEASIDE, CA 93955
012-692-004-000



CUSTOM
ADDITIONS
&
INTERIORS

JP

Hugo Perez

26362 Carmel Rancho Lane, suite 211
Carmel By-The-Sea, CA 93923
Tel (831) 262-8120

Email: hugopcastro@gmail.com

REVISIONS		
SYMB	DESCRIPTIONS	DATE
1	REVISION	

1644 LUXTON STREET
SEASIDE, CA 93955

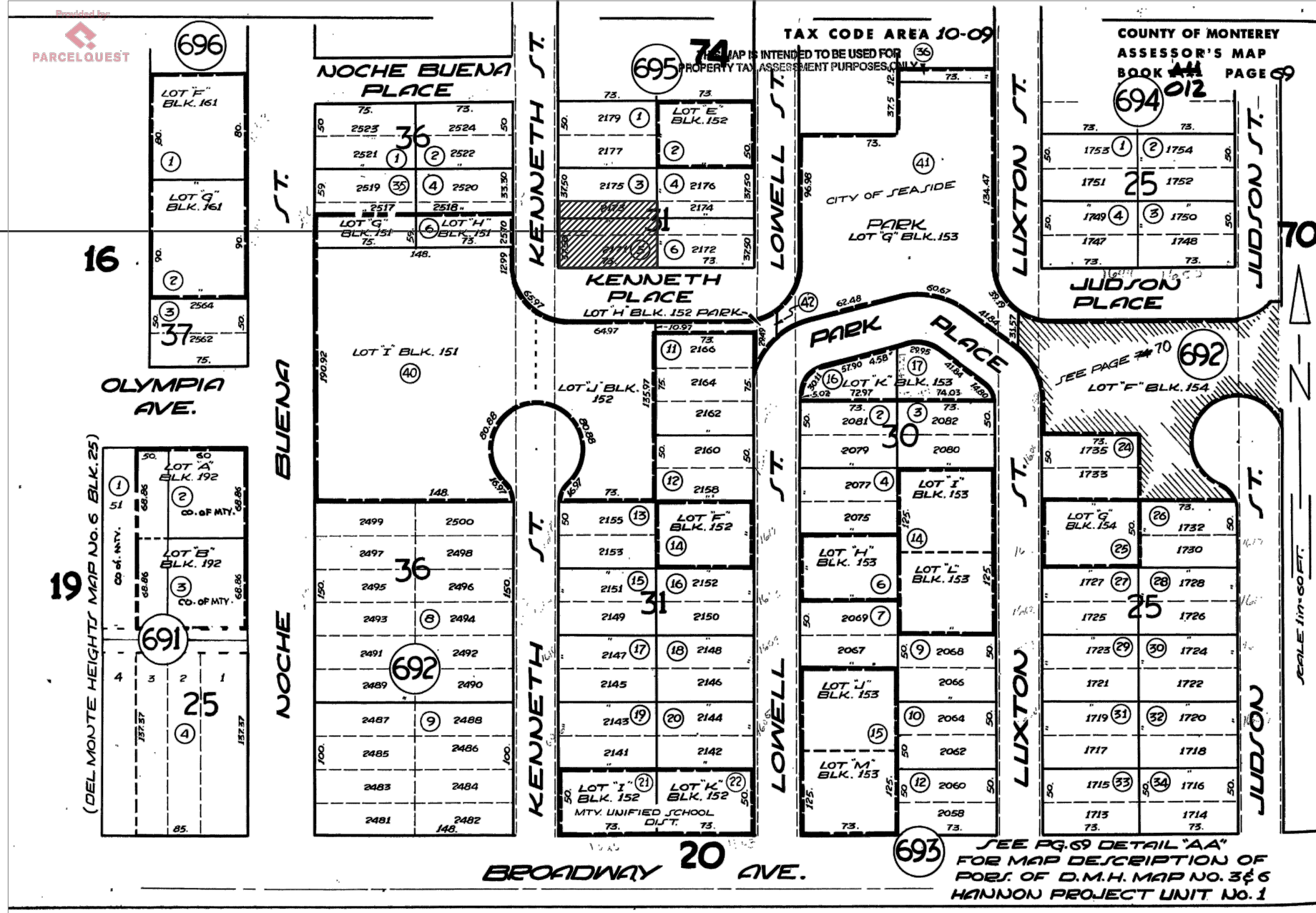
TITLE SHEET

012-692-004-000

PERMIT No
JOB No
DATE: 6/5/2020
SCALE: AS SHOWN

A1.0

SITE LOCATION
1644 LUXTON STREET
SEASIDE, CA



2 VICINITY MAP
NOT TO SCALE

SCOPE OF WORK:

- PROPOSED TWO STORY ADDITION
(608 SQ. FT.) APP.) :

LOWER PLAN, OFFICE /DINNING (247 S.F.)
UPPER: MASTER BEDROOM (361 S.F.)
UPPER WOOD DECK (6'X9') (54 S.F.)

PROJECT DATA

OWNER INFO.

Robert Booth and Michelle Nightingale
1644 Luxton Street,
Seaside, CA 93955

PROJECT ADDRESS

1644 Luxton Street
Seaside, CA 93955

BUILDING INFORMATION

EXISTING	
SINGLE RESIDENCE	720 SQ. FT. (APP.)
ATTACHED GARAGE	220 SQ. FT. (APP.)

TOTAL BUILDING	940 SQ. FT. (APP.)
FIRE SPRINKLER SYSTEM	NO

PROPOSED BUILDING

PROPOSED LOWER ADDITION	247 SQ. FT.
PROPOSED UPPER ADDITION	361 SQ. FT.
TOTAL ADDITION	608 SQ. FT.
TOTAL NEW BUILDING	1,548 SQ. FT.
PROPOSED FAR	0.35

PROPERTY INFORMATION

A.P.N.	012-292-004
ZONNING	R-1
OCCUPANCY	U
CONSTRUCTION TYPE	V-B
EXISTING STORY	1
PROPOSED STORY	2

LOT INFORMATION

LOT SIZE	3,700 SQ. FT. = 0.0853 ACRES
(E) BUILDING LOT COVERAGE	25% (APP.)
PROPOSED BUILDING LOT COVERAGE	42% (APP.)

APPLICABLE CODES:

2019 CALIFORNIA BUILDING CODE (CBC) AND/OR CALIFORNIA RESIDENTIAL CODE (CRC), 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN), 2019 CALIFORNIA ELECTRICAL CODE (CEC), 2019 CALIFORNIA MECHANICAL CODE (CMC), 2019 CALIFORNIA PLUMBING CODE (CPC), 2019 CALIFORNIA FIRE CODE (CFC), 2019 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS (CBEE), AND ALL CITY OF SEASIDE ORDINANCES

INDEX SHEET

TITLE SHEET.....	A1.0
AS BUILT SITE PLAN.....	A1.1
AS BUILT FLOOR PLAN, ROOF PLAN & ELEVATIONS.....	A1.2
PROPOSED FLOOR AND ROOF PLAN.....	A1.3
PROPOSED ELEVATIONS.....	A1.4
SPECS SHEET.....	SP.0



1 PERSPECTIVE VIEW
NOT TO SCALE



CUSTOM
ADDITIONS
&
INTERIORS

HP

Hugo Perez

26362 Carmel Rancho Lane, suite 211
Carmel By-The-Sea, CA 93923
Tel (831) 262-8120

Email: hugopcastro@gmail.com

REVISIONS		
SYMB	DESCRIPTIONS	DATE
1	REVISION	

1644 LUXTON STREET
SEASIDE, CA 93955

AS BUILT SITE PLAN

012-692-004-000

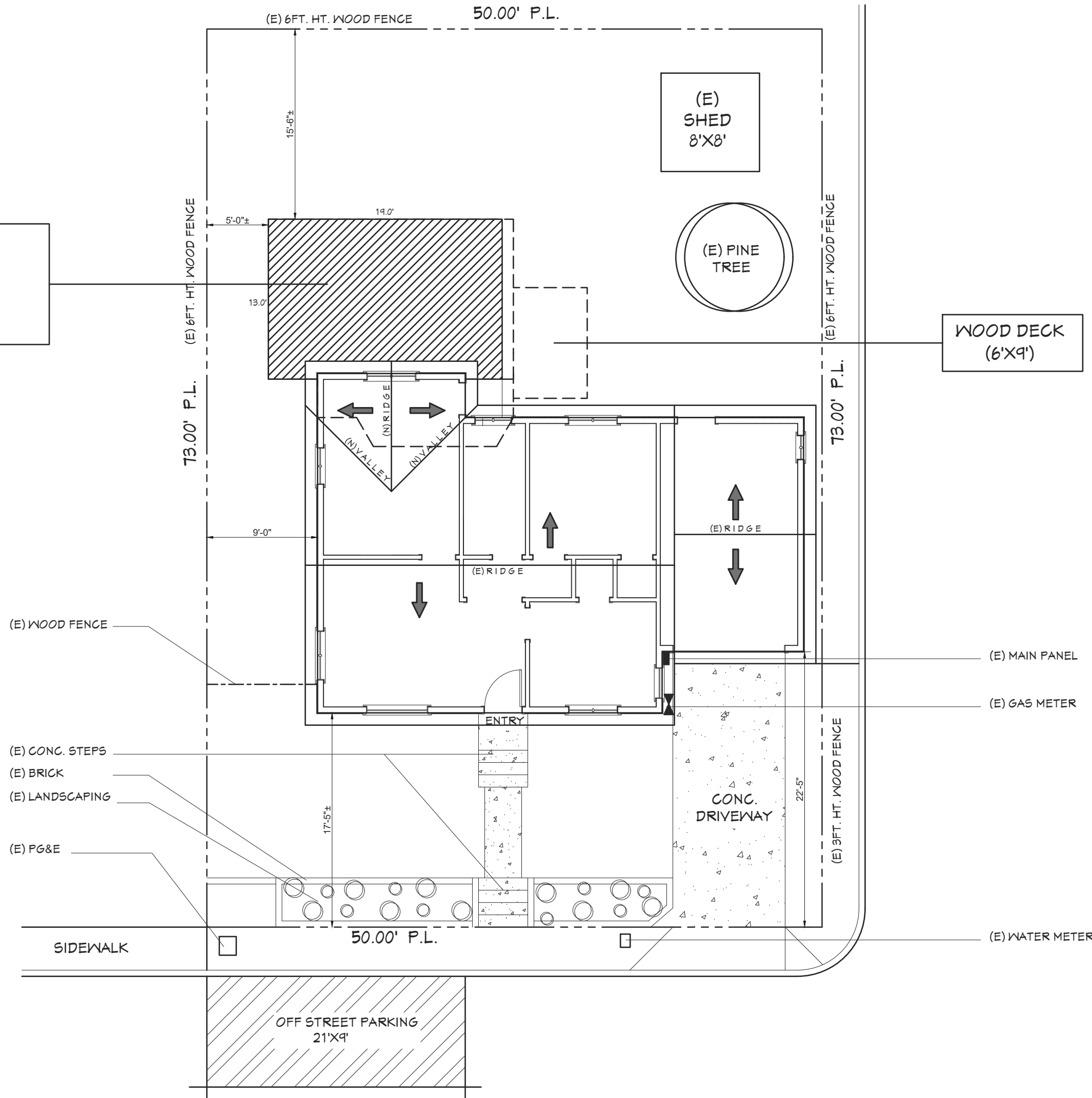
SHEET TITLE

PERMIT No	
JOB No	
DATE:	6/5/2020
SCALE:	AS SHOWN

A1.1

PROPOSED TWO STORY
ADDITION;

LOWER 247 SF.
UPPER 361 SF.



1 AS BUILT SITE PLAN
SCALE: 1/8"=1'-0"

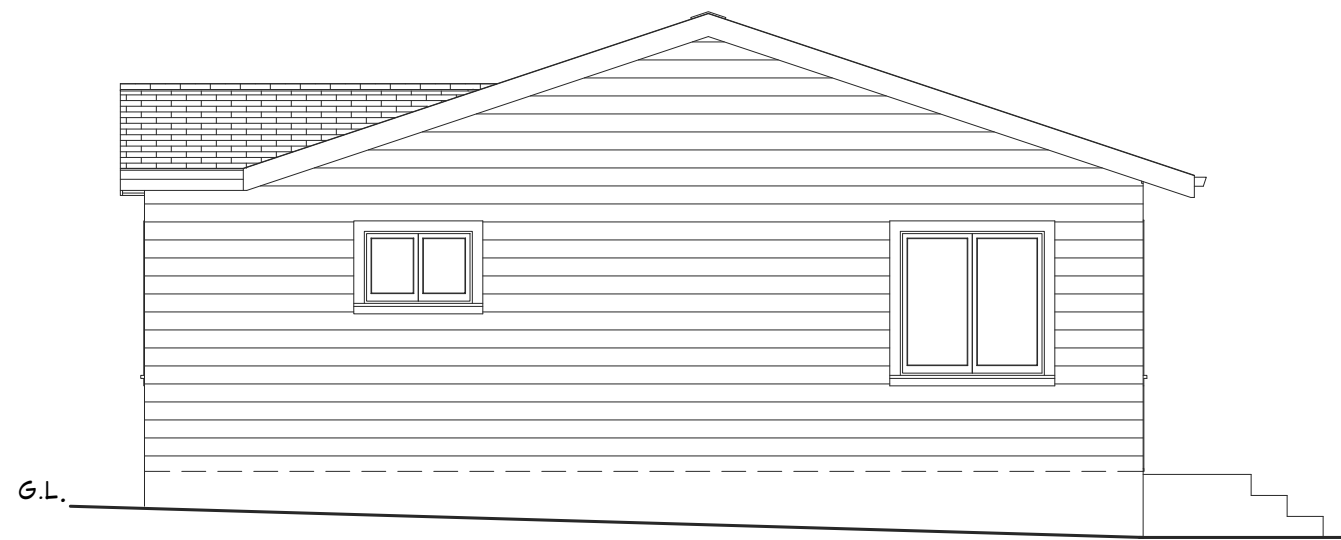
NOTE: THIS INFORMATION ARE BASE ON SITE MEASUREMENTS AND ASSESSORS AND RECORDS INFORMATION. A PROFESSIONAL SURVEYOR IS REQUIRED IN ORDER TO DETERMINE THE LEGAL BOUNDARIES OF THIS PROPERTY IF REQUIRED BY CITY. THEREFORE, THE DESIGNER IS NOT RESPONSIBLE FOR ANY MISINFORMATION ON THIS PLANS.

"VERIFY MEASUREMENTS ON FIELD"

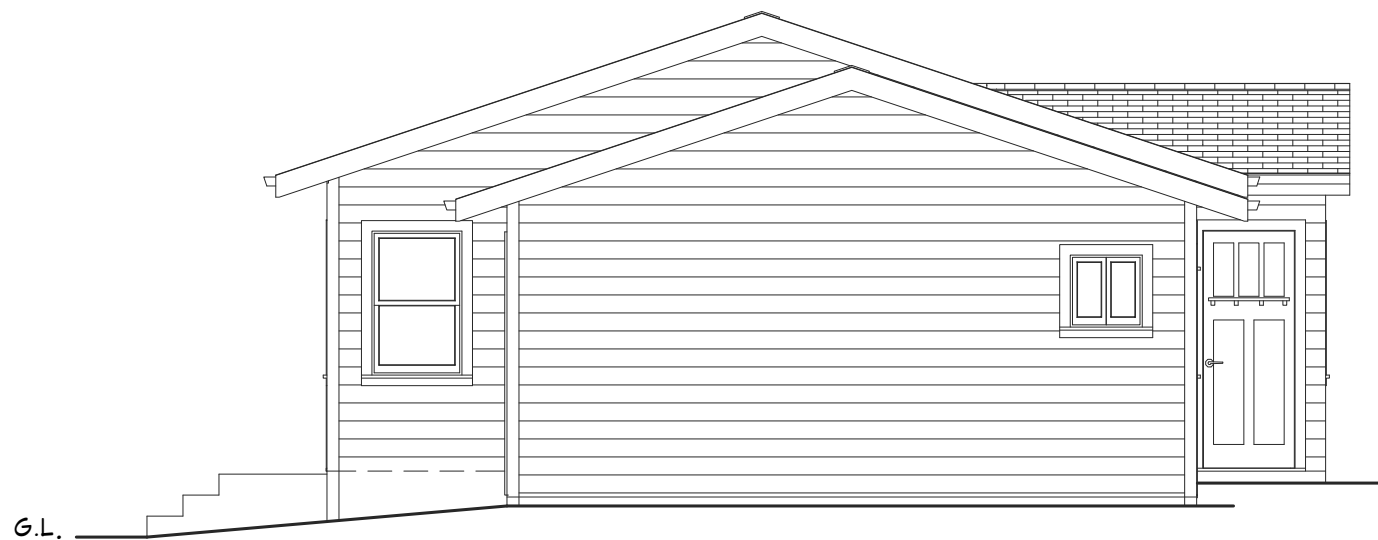
MATERIALS
ROOF MATERIALS: ASPHALT SHINGLES
EXTERIOR WALLS: HORIZONTAL SIDING



3 AS BUILT WEST ELEVATION
SCALE: 3/16"=1'-0"



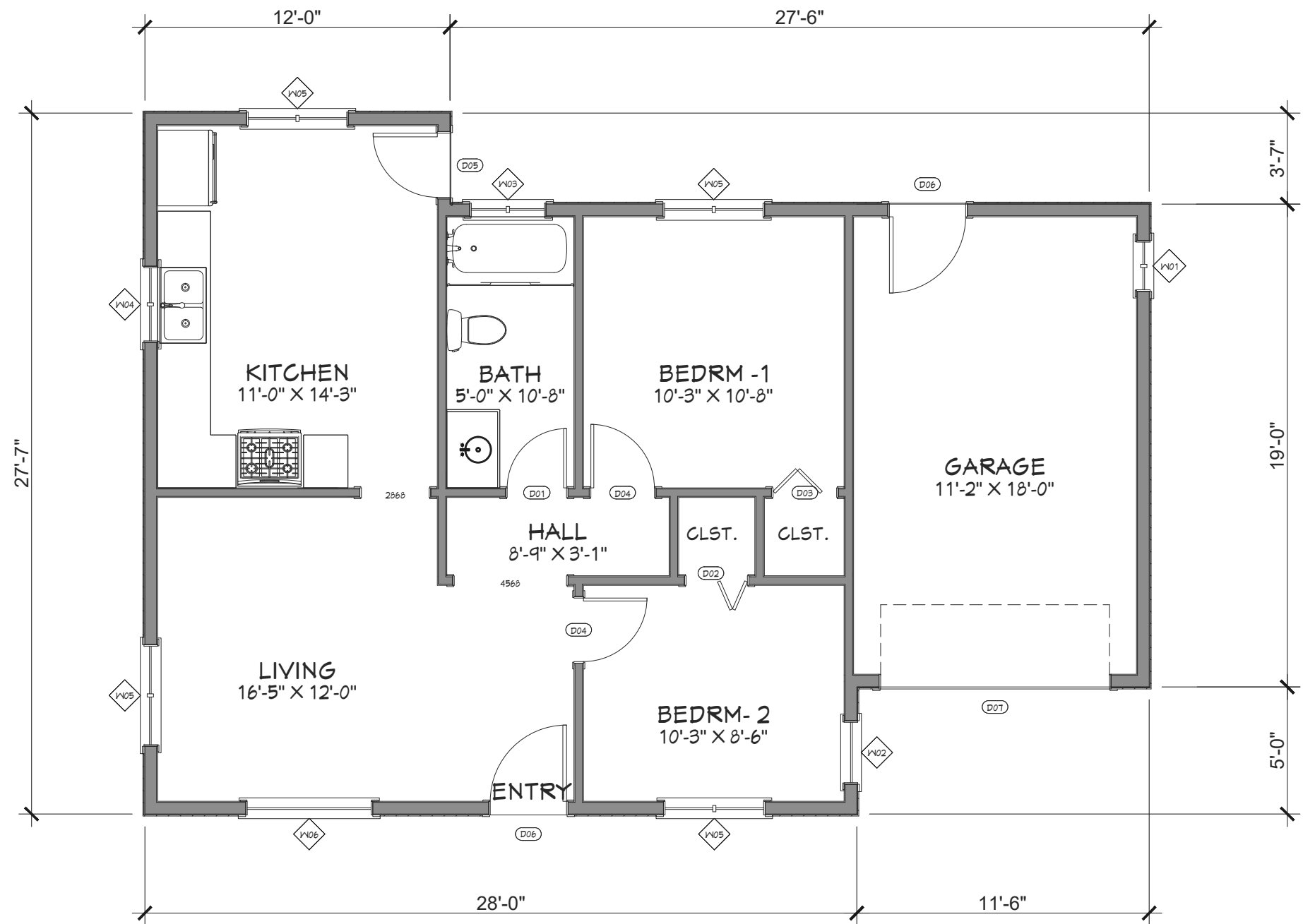
4 AS BUILT NORTH ELEVATION
SCALE: 3/16"=1'-0"



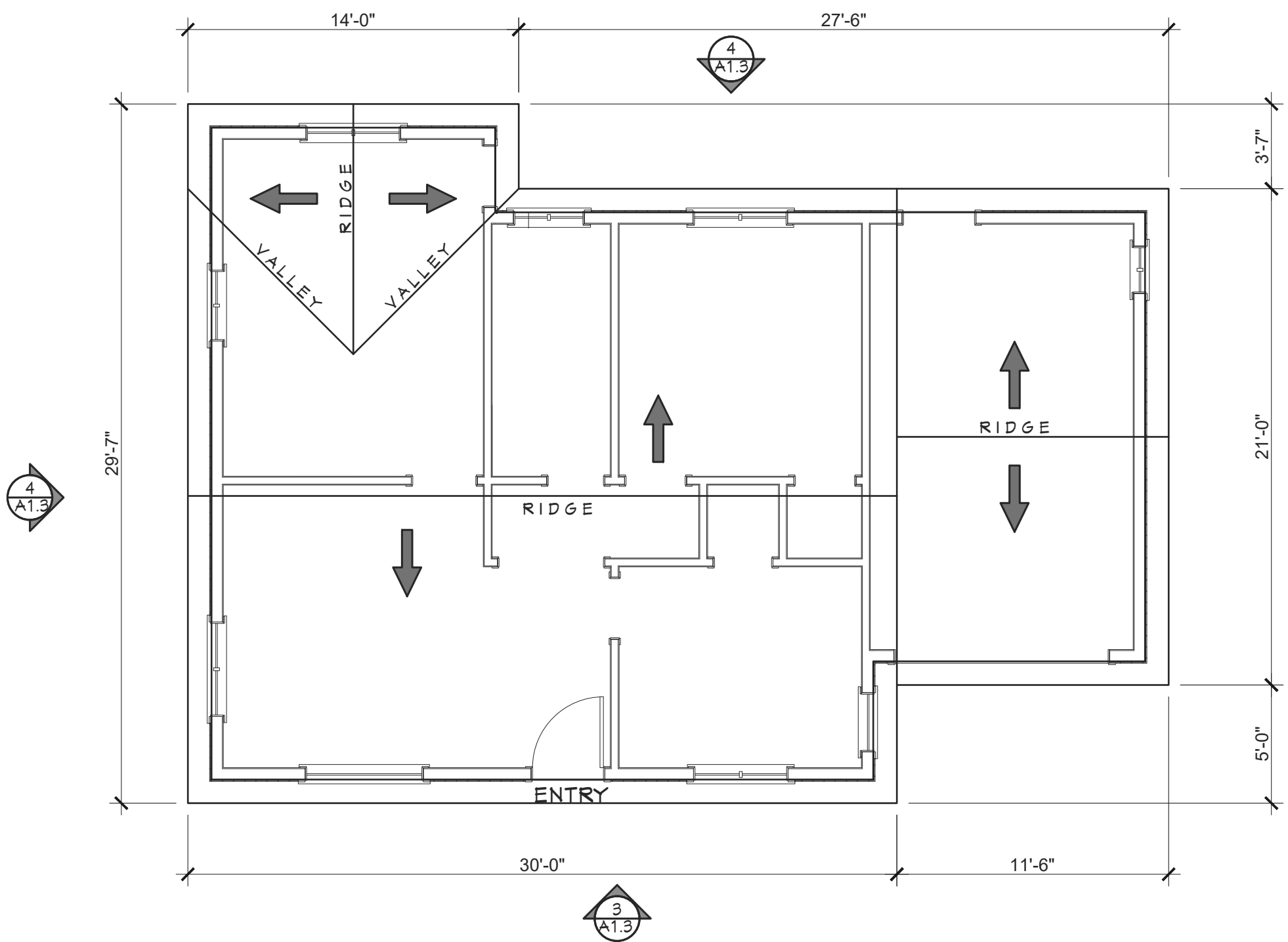
5 AS BUILT SOUTH ELEVATION
SCALE: 3/16"=1'-0"



6 AS BUILT EAST ELEVATION
SCALE: 3/16"=1'-0"



1 AS BUILT MAIN FLOOR PLAN
SCALE: 3/16"=1'-0"



2 AS BUILT MAIN ROOF PLAN
SCALE: 3/16"=1'-0"

AS BUILT DOOR SCHEDULE													
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	HEADER	THICKNESS	CODE	MANUFACTURER	COMMENTS
D01	2468	1	1	2468 R IN	28"	80"	30°X92 1/2"	HINGED DOOR F04	246X93" (2)	1 3/8"			
D02	2568	1	1	2568 L	28 15/16"	80"	30 15/16°X92 1/2"	2 DR. BIFOLD-LOUVERED	246X93 15/16" (2)	1 3/8"			
D03	2668	1	1	2668 L	30"	80"	32°X92 1/2"	2 DR. BIFOLD-LOUVERED	246X93" (2)	1 3/8"			
D04	2668	2	1	2668 L IN	30"	80"	32°X92 1/2"	HINGED DOOR F04	246X93" (2)	1 3/8"			
D05	2668	1	1	2668 R EX	50 1/4"	80"	32 1/4°X93"	EXT. HINGED DOOR E21	246X93 1/4" (2)	1 3/4"			
D06	3068	2	1	3068 R EX	36"	80"	38°X93"	EXT. HINGED DOOR E21	246X41" (2)	1 3/4"			
D07	4070	1	1	4070	108"	84"	110°X93"	GARAGE-GARAGE DOOR CH05	2X12X116" (2)	1 3/4"			

AS BUILT WINDOW SCHEDULE													
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	EGRESS	DESCRIPTION	HEADER	CODE	MANUFACTURER	COMMENTS
W01	2020DC	1	1	2020DC	24"	24"	25°X25"		DOUBLE CASEMENT-LH/RH/R				
W02	2640DH	1	1	2640DH	30"	48"	31°X48"		DOUBLE HUNG				
W03	3010DC	1	1	3010DC	36"	12"	31°X13"		DOUBLE CASEMENT-LH/RH/R				
W04	3020DC	1	1	3020DC	36"	24"	31°X25"		DOUBLE CASEMENT-LH/RH/R				
W05	4040DC	4	1	4040DC	48"	48"	48°X48"		DOUBLE CASEMENT-LH/RH/R				
W06	5040FX	1	1	5040FX	60"	48"	61°X48"		FIXED GLASS				



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ADDITIONS
&
INTERIORS

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1644 LUXTON STREET
SEASIDE, CA 93955

012-692-004-000

AS BUILT MAIN FLOOR PLAN
AND MAIN ELEVATIONS

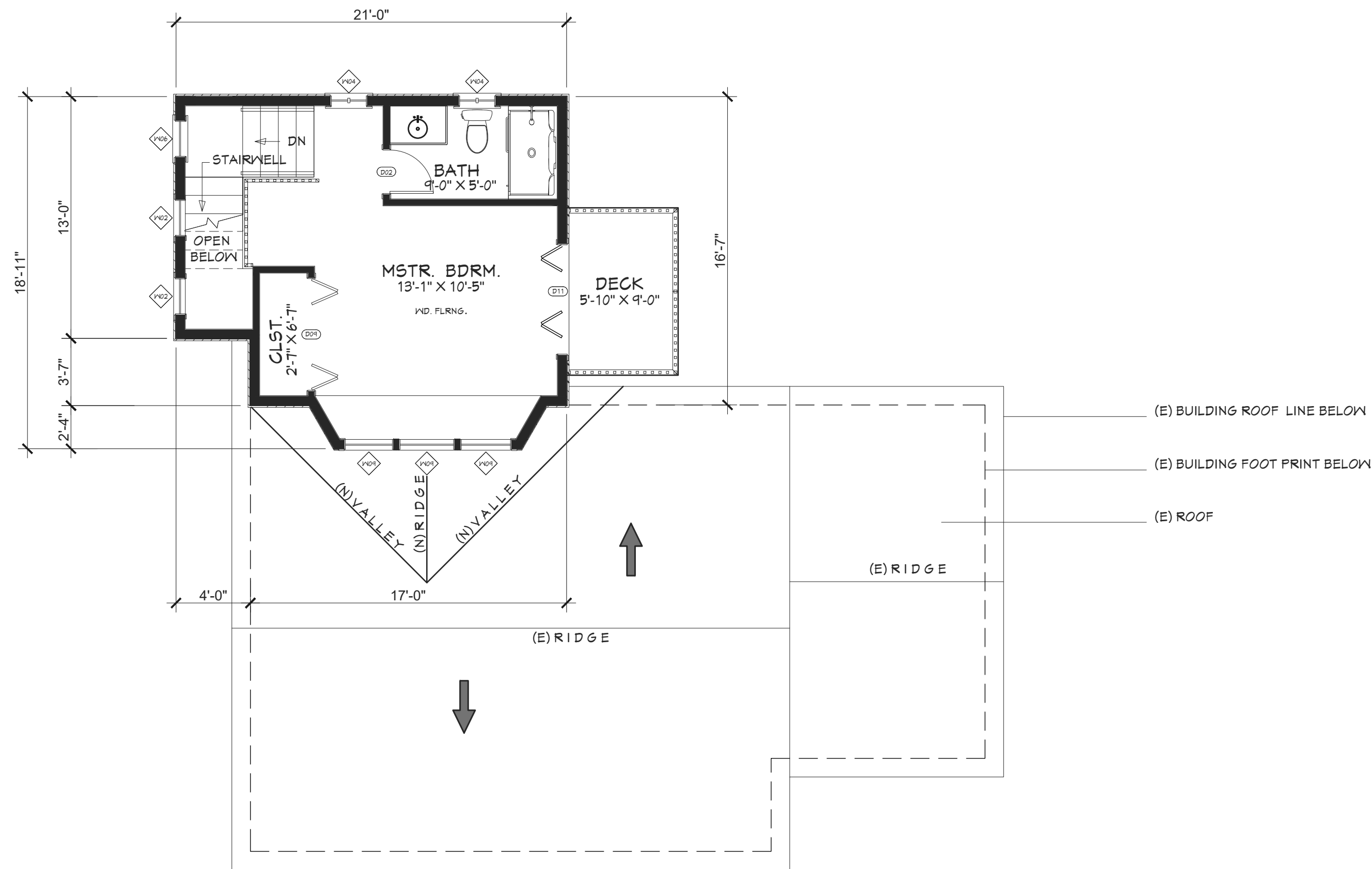
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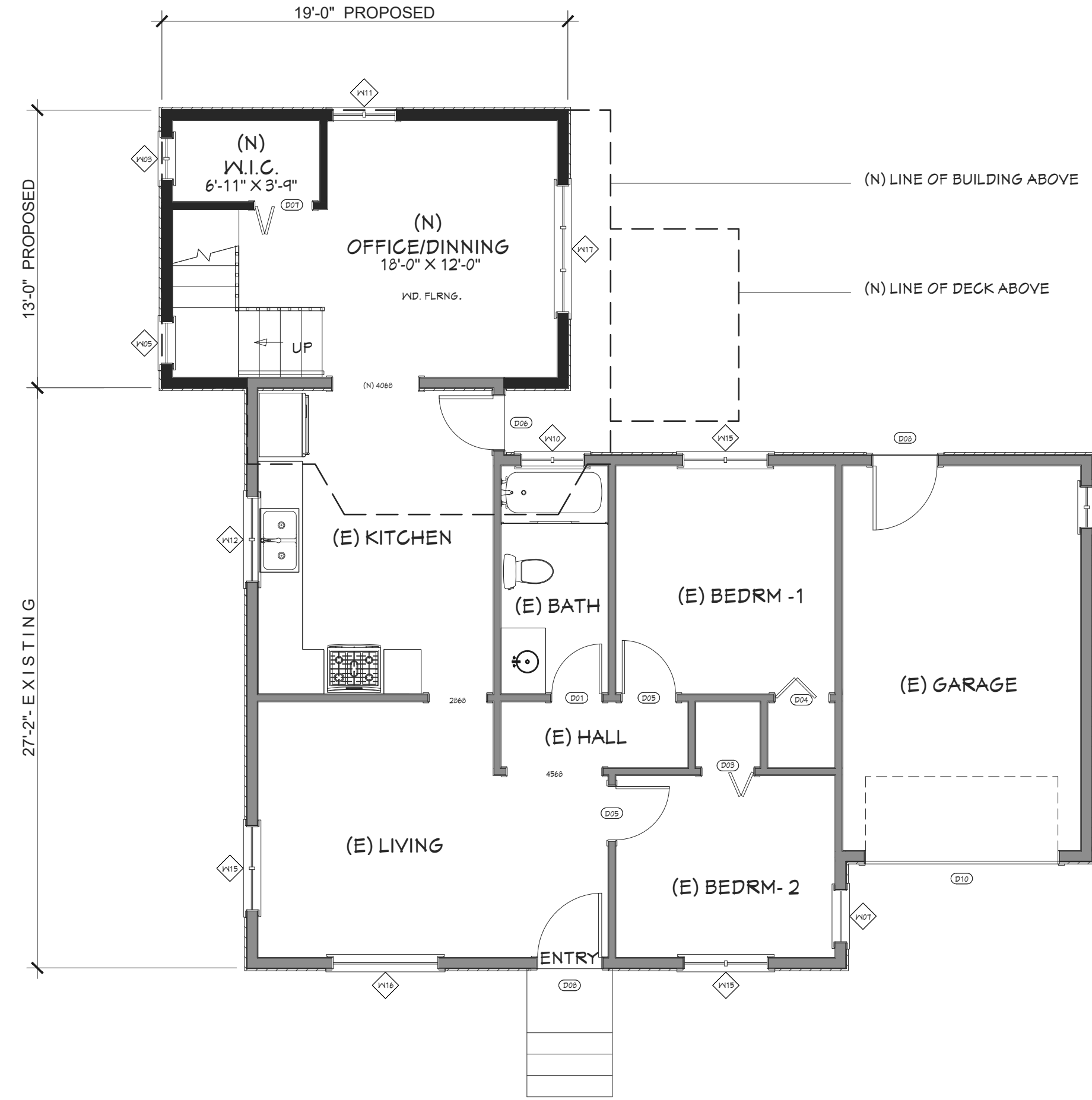
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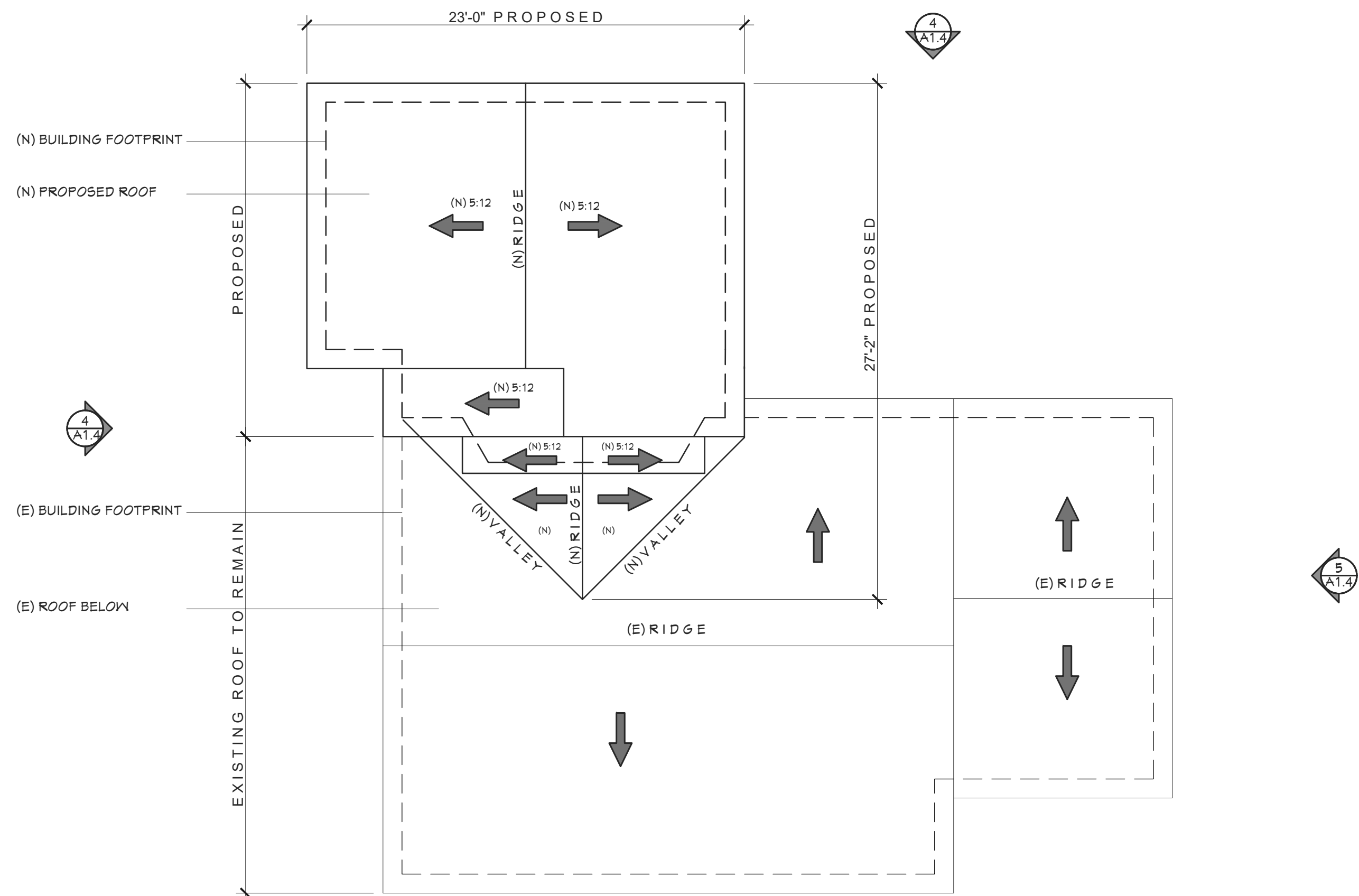
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2 PROPOSED UPPER FLOOR PLAN
SCALE: 3/16"=1'-0"



1 PROPOSED LOWER FLOOR PLAN
SCALE: 3/16"=1'-0"



3 PROPOSED ROOF PLAN
SCALE: 3/16"=1'-0"

WALL LEGEND

- (N) 2X6 EXTERIOR WALL
- (N) 2X4 INTERIOR WALL
- EXISTING WALL

MATERIALS

NOTE: "ALL NEW MATERIAL TO MATCH EXISTING"

ROOF MATERIALS: ASPHALT SHINGLES CLASS "A"
O/I "D" #30 FELT PAPER O/I 5/8" PLY.

TIMBERLINE ULTRA HD
UL740, ICC ESR-1475

EXTERIOR WALLS: HORIZONTAL SIDING
(ALLURA TYPE OR EQ.)

COLORS:

DOOR SCHEDULE													
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	HEADER	THICKNESS	CODE	MANUFACTURER	COMMENTS
D01	2460	1	1	2460 R IN	28"	80"	30"x32 1/2"	HINGED-DOOR F04	PER PLAN	1 3/8"			
D02	2460	1	2	2460 R IN	28"	80"	30"x32 1/2"	HINGED-DOOR F04	PER PLAN	1 3/8"			
D03	2560	1	1	2560 L	28 15/16"	80"	30 15/16"x32 1/2"	2 DR. BIFOLD-LOUVERED	PER PLAN	1 3/8"			
D04	2660	1	1	2660 L	30"	80"	32"x32 1/2"	2 DR. BIFOLD-LOUVERED	PER PLAN	1 3/8"			
D05	2660	2	1	2660 L IN	30"	80"	32"x32 1/2"	HINGED-DOOR F04	PER PLAN	1 3/8"			
D06	2660	1	1	2660 R EX	30 1/4"	80"	32 1/4"x33"	EXT. HINGED-DOOR E21	PER PLAN	1 3/4"			
D07	2660	1	1	2660 R	32"	80"	34"x32 1/2"	2 DR. BIFOLD-LOUVERED	PER PLAN	1 3/8"			
D08	3060	2	1	3060 R EX	36"	80"	38"x33"	EXT. HINGED-DOOR E21	PER PLAN	1 3/4"			
D09	6060	1	2	6060 L/R	72"	80"	74"x32 1/2"	4 DR. BIFOLD-LOUVERED	PER PLAN	1 3/8"			
D10	4070	1	1	4070	108"	84"	110"x81"	GARAGE-GARAGE DOOR CHD05	PER PLAN	1 3/4"			
D11	5060	1	2	5060 L/R EX	60"	80"	62"x32 1/2"	EXT. 4DR. BIFOLD GLASS PANEL	PER PLAN	1 3/4"			

WINDOW SCHEDULE													
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	EGRESS	DESCRIPTION	HEADER	CODE	MANUFACTURER	COMMENTS
W01	2020DC	1	1	2020DC	24"	24"	25"x25"		DOUBLE CASEMENT-L/LH/RHR	PER PLAN			
(N) W02	2020FX	2	2	2020FX	24"	24"	25"x25"		FIXED GLASS	PER PLAN			
(N) W03	2030DC	1	1	2030DC	24"	36"	25"x31"		DOUBLE CASEMENT-L/LH/RHR	PER PLAN			
(N) W04	2030DC	2	2	2030DC	24"	36"	25"x31"		DOUBLE CASEMENT-L/LH/RHR	PER PLAN			
(N) W05	2060FX	1	1	2060FX	24"	72"	25"x73"		FIXED GLASS	PER PLAN			
(N) W06	2060FX	1	1	2060FX	24"	72"	25"x73"		FIXED GLASS	PER PLAN			
W07	2640DH	1	1	2640DH	30"	48"	31"x44"		DOUBLE HUNG	EXISTING			
(N) W08	2850FX	3	2	2850FX	32"	60"	33"x61"		FIXED GLASS	PER PLAN			
W10	3010DC	1	1	3010DC	36"	12"	31"x13"		DOUBLE CASEMENT-L/LH/RHR	PER PLAN			
(N) W11	3020DC	1	1	3020DC	36"	24"	31"x25"		DOUBLE CASEMENT-L/LH/RHR	PER PLAN			
(N) W12	4030DC	1	1	3030DC	36"	36"	31"x31"		DOUBLE CASEMENT-L/LH/RHR	PER PLAN			
W15	4040DC	3	1	4040DC	48"	48"	44"x44"		DOUBLE CASEMENT-L/LH/RHR	EXISTING			
W16	5040FX	1	1	5040FX	60"	48"	61"x44"		FIXED GLASS	EXISTING			
(N) W17	6030TC	1	1	6030TC	72"	36"	73"x31"		TRIPLE CASEMENT-L/LH/RHR	PER PLAN			



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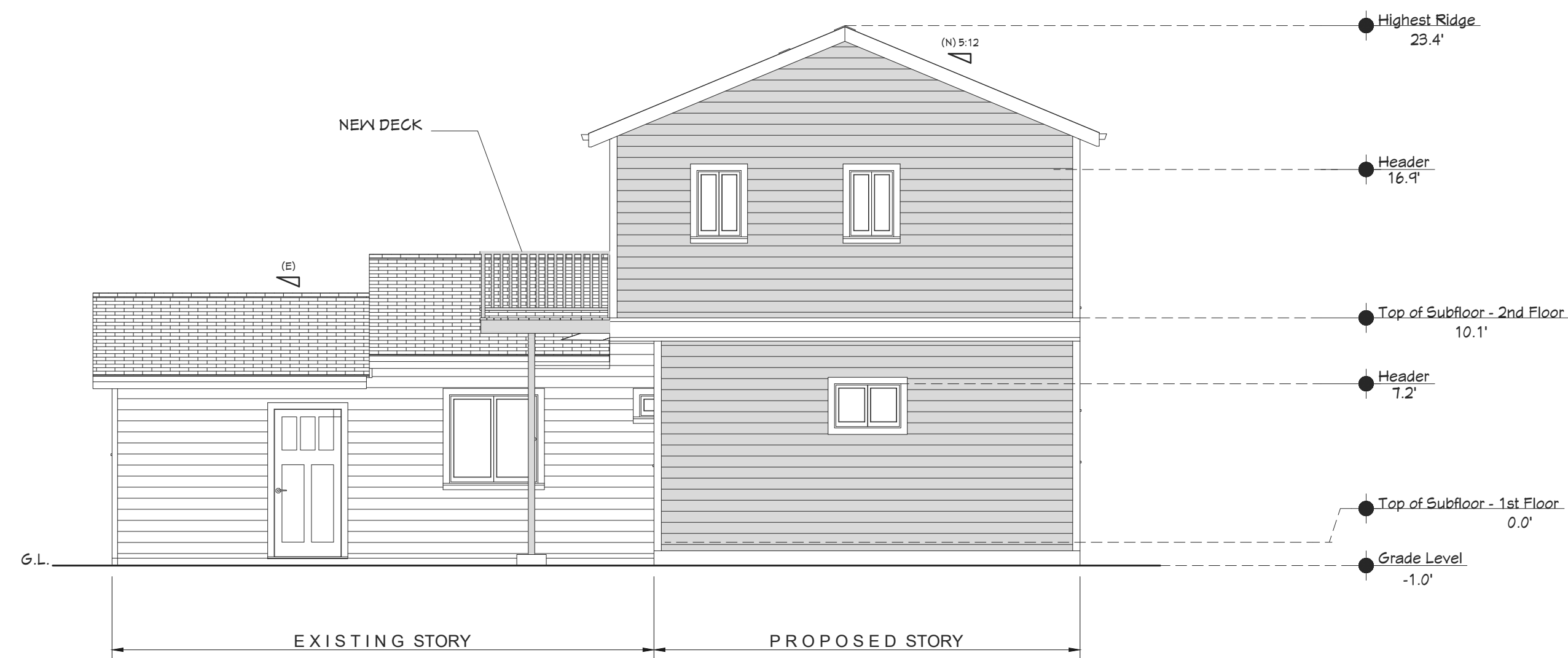
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1	REVISION	

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PROPOSED FLOOR AND ROOF PLAN

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JOB No
DATE: 6/5/2020
SCALE: AS SHOWN

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4 PROPOSED EAST ELEVATION
SCALE: 3/16"=1'-0"



1 PROPOSED WEST ELEVATION
SCALE: 3/16"=1'-0"

MATERIALS

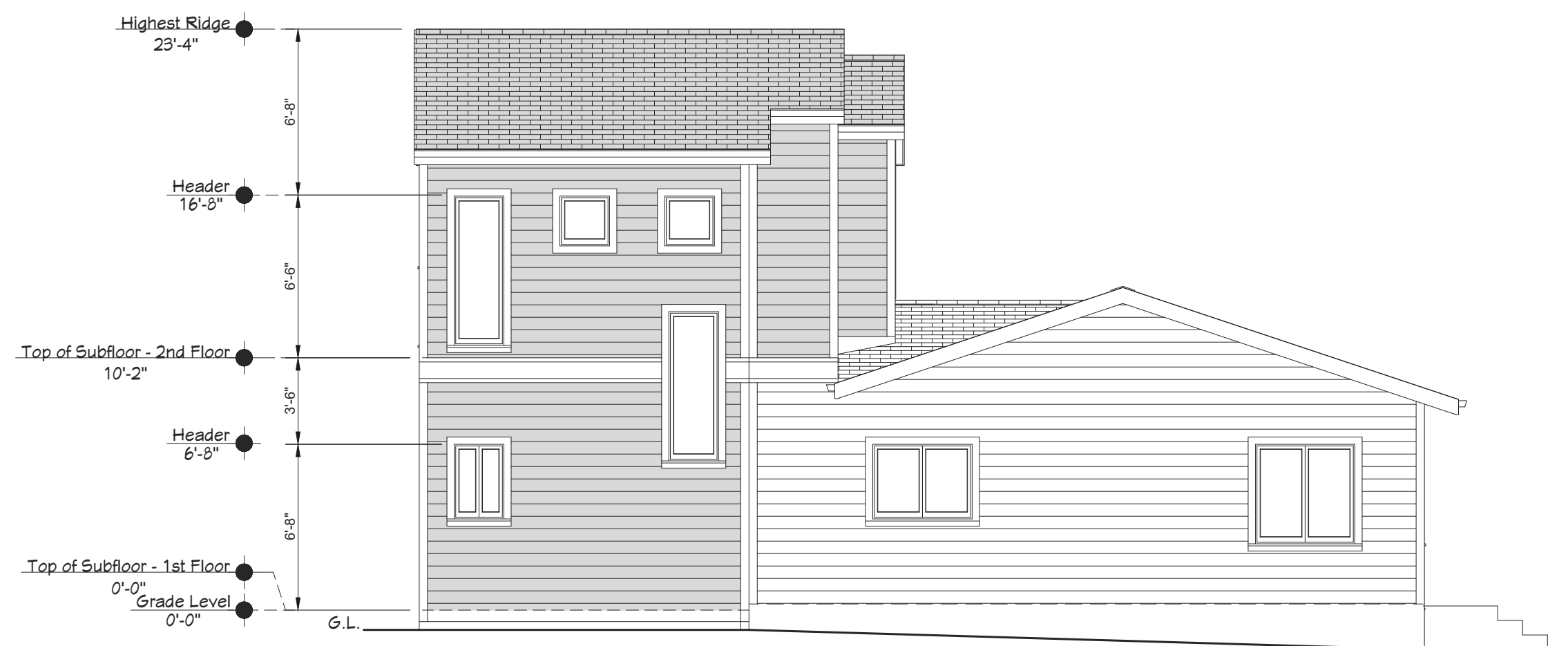
NOTE: "ALL NEW MATERIAL TO MATCH EXISTING"

ROOF MATERIALS: ASPHALT SHINGLES CLASS "A"
0/15° #30 FELT PAPER 0/3° PLY.

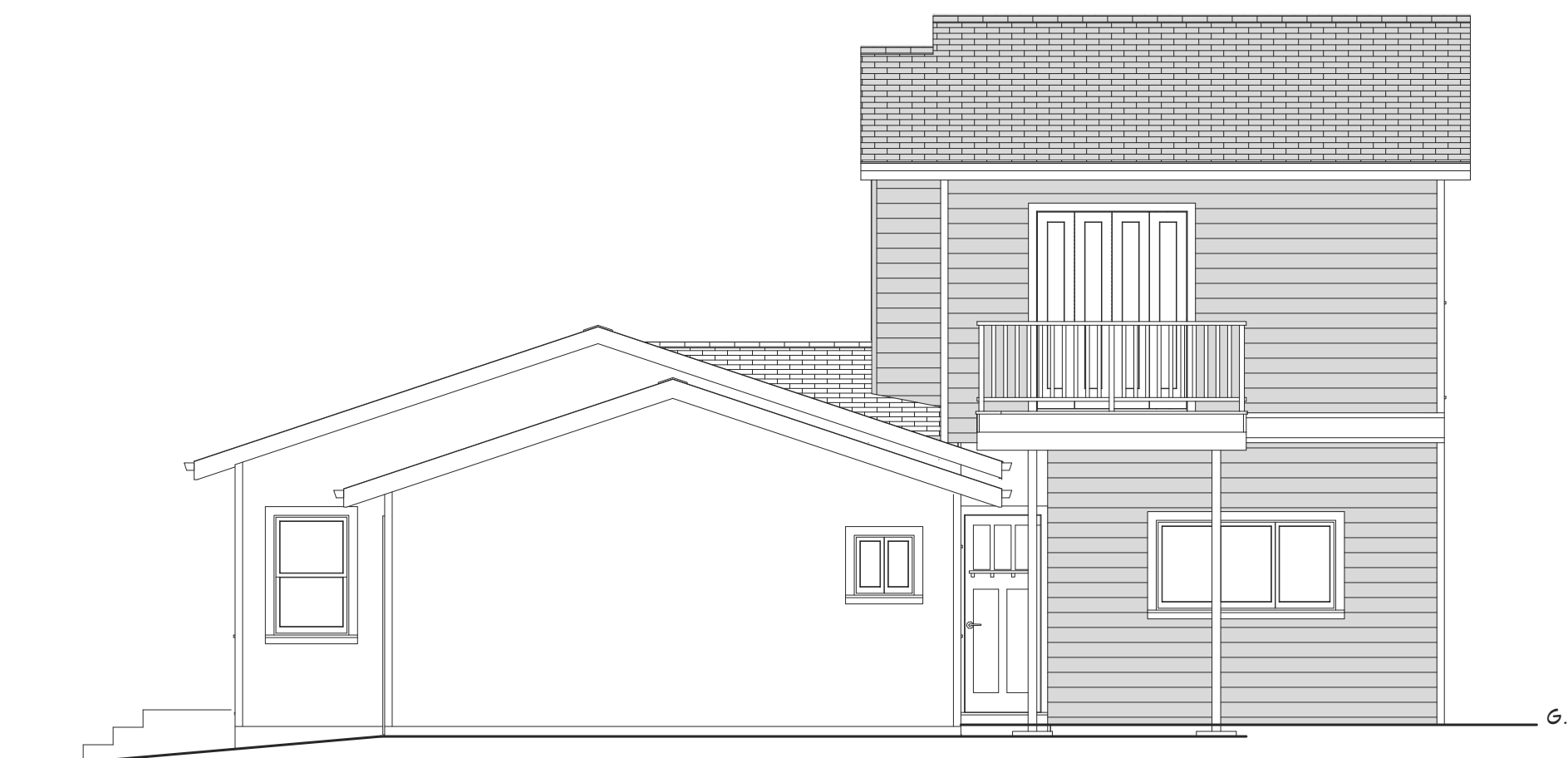
TIMBERLINE ULTRA HD
UL790, ICC ESR-1475

EXTERIOR WALLS: HORIZONTAL SIDING
(ALLURA TYPE OR EQ.)

COLOR:



3 PROPOSED NORTH ELEVATION
SCALE: 3/16"=1'-0"



2 PROPOSED SOUTH ELEVATION
SCALE: 3/16"=1'-0"



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SHEET TITLE:

PROPOSED ELEVATIONS

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Specification Sheet



Allura Fiber Cement Soffit
Fiber Cement Soffit (Ventilated and Non-Ventilated)

General Description: Allura Fiber Cement soffit is available in products providing both traditional and contemporary aesthetics. It is suitable for residential and light commercial applications. These products offer a high degree of dimensional stability and impact resistance. Soffit is available in ventilated and non-ventilated designs.

Style	Finish	Net Free Air Space Per Lineal Foot	Panel Size	Ventilation Slot Dimensions (Approx.)	Thickness (Nominal)
Cedar	Primer/Sealer	n/a	12" x12'	n/a	1/4"
		n/a	16" x12'	n/a	1/4"
		n/a	24" x12'	n/a	1/4"
Cedar Ventilated/ Perforated	Primer/Sealer	6.9 Sq. In.	12" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	16" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	24" x12'	3/16" diameter	1/4"
Smooth	Primer/Sealer	n/a	12" x12'	n/a	1/4"
		n/a	16" x12'	n/a	1/4"
		n/a	24" x12'	n/a	1/4"
Smooth Ventilated/ Perforated	Primer/Sealer	6.9 Sq. In.	12" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	16" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	24" x12'	3/16" diameter	1/4"
Porch Ceiling Panel/ Soffit Cedar or Smooth	Primer/Sealer	n/a	4" x8'		1/4"

Finishes: Allura uses an exclusive Primer/Sealer to protect against moisture on all products. Our ColorMax® finishing system offers additional protection against the elements while enhancing the exterior finish with a spectrum of 16 attractive solid colors for all Soffit and Porch Ceiling Panels. The Cedar Soffit is also available in 6 natural wood stains.

Surface Patterns: Cedar-textured grain and Smooth

Sizes: 12" (305mm), 16" (406mm), 24" (610mm) x 12' (3657mm) length

Thickness: 1/4" (6mm)

Composition: The products are manufactured using a multi-step high-pressure process combining Portland cement, recycled content, wood fiber and specialty additives. Wood grains and other architectural features are pressed into the surface.

Technical Data: Allura Fiber Cement soffit was tested in accordance with the American Society for Testing & Materials (ASTM) standards of the following specifications:

ASTM C1186-02	Standard Specification for Flat Non-Asbestos Fiber Cement Sheets
ASTM C1185-96	Sampling and Testing Non-Asbestos Fiber-Cement Flat Sheet, Roofing and Siding Shingles, and Clapboards
ASTM E84	Surface Burning Characteristics of Building Materials
ASTM E136	Non-Combustible
ASTM G26-95	Operating Light-Exposure Apparatus (Xenon-Arc Type) With and Without Water for Exposure of Nonmetallic Materials

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Soffit Specification Sheet

General Description: Allura Fiber Cement soffit is available with both traditional and contemporary aesthetics. It is suitable for residential and light commercial applications and is available in ventilated and non-ventilated designs.

Style	Finish	Net Free Air Space Per Lineal	Panel Size	Ventilation Slot Dimensions (Approx.)	Thickness
Cedar	Primer/Sealer	n/a	12" x12'	n/a	1/4"
		n/a	16" x12'	n/a	1/4"
		n/a	24" x12'	n/a	1/4"
Cedar Ventilated/ Perforated	Primer/Sealer	6.9 Sq. In.	12" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	16" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	24" x12'	3/16" diameter	1/4"
Smooth	Primer/Sealer	n/a	12" x12'	n/a	1/4"
		n/a	16" x12'	n/a	1/4"
		n/a	24" x12'	n/a	1/4"
Smooth Ventilated/ Perforated	Primer/Sealer	6.9 Sq. In.	12" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	16" x12'	3/16" diameter	1/4"
		6.9 Sq. In.	24" x12'	3/16" diameter	1/4"
Porch Ceiling Panel Traditional Cedar or Smooth	Primer/Sealer	n/a	4" x8'		1/4"

Finishes: Allura's exclusive primer is ready for field top coating with high quality, acrylic latex paint or stains. Factory pre-finishing available with paint or stain.

Surface Patterns: Traditional Cedar or smooth

Sizes: 12" (305mm), 16" (406mm), or 24" (610mm) x 12'. Porch panel 4' x 8'.

Composition: The products are manufactured using a multistep high-pressure process combining Portland cement, wood fiber, and specialty additives. Wood grains and other architectural features are pressed into the surface.

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Houston, Texas 77067
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www.allurausa.com
7/19

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www.allurausa.com
7/19



Technical Data: Allura Fiber Cement soffit is tested in accordance with the American Society for Testing and Materials.

ASTM C1186-02	Standard Specification for Flat Non-Asbestos Fiber Cement Sheets
ASTM C1185-96	Sampling and Testing Non-Asbestos Fiber-Cement Flat Sheets, Roofing and Siding Shingles and Clapboards
ASTM E84	Surface Burning Characteristics of Building Materials
ASTM E136	Non-Combustible

Certifications: ICC ESR-1668, Texas Department of Insurance EC-16, Miami Dade 18-0222.08

Fire Resistance Characteristics: Allura Fiber Cement products are Class A fire rated with a Flame Spread Rating -0, Smoke developed -5, per ASTM E84, and is considered non-combustible in accordance with ASTM E136.

Warranty: Allura Fiber Cement soffit offers a 50-year limited transferable product warranty. A 15-year Colormax coating warranty is offered on pre-finished material.

Allura warrants that if used for its intended purpose and properly installed and maintained according to Allura's published installation instructions: (a) will resist damage caused by hail or termite attacks, (b) will resist rot, (c) will remain non-combustible, and (d) will be free from manufacturing defects in material and workmanship. See warranties for details and limitations.

Technical Support: Allura maintains a technical services staff to assist building professionals with questions regarding Allura siding products. Call 1 (844) 4 Allura for answers to technical or installation related questions.



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SPECS SHEET

012-692-004-000

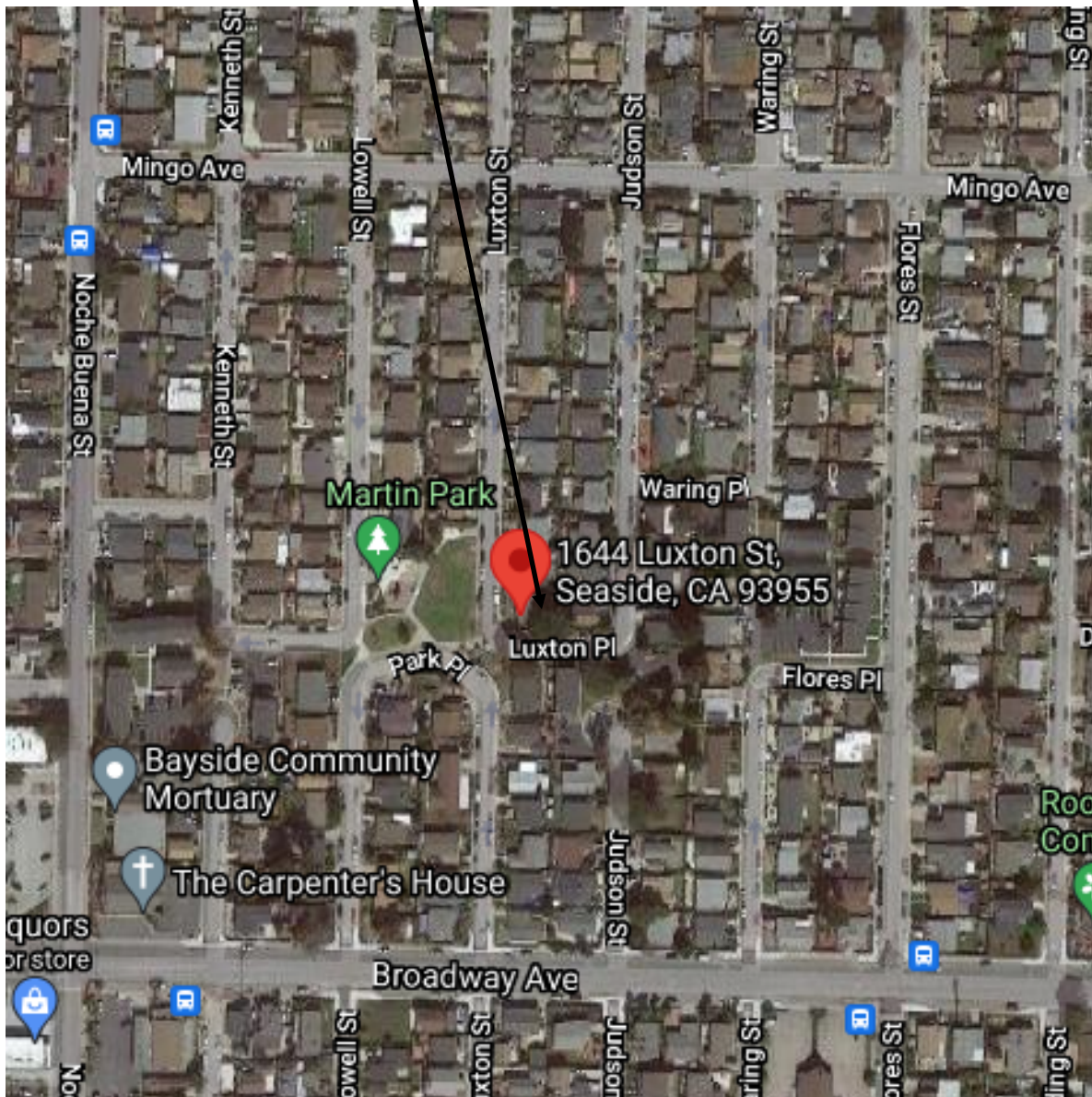
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Attachment 2

Location Map

Project Site: 1644 Luxton Street



Attachment 3

Site Photos



Front Elevation – South Side



Front Elevation – North side



South Elevation



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.D.

TO: Planning Commission

BY: Beth Rocha, Senior Planner

DATE: October 27, 2021

SUBJECT: DISCUSSION ON RETURNING TO IN-PERSON MEETINGS

PURPOSE & RECOMMENDATION

Discuss and share preferences for returning to in-person meetings, hybrid (in-person and remote/virtual), or continuing with remote/virtual.

BACKGROUND

AB 361 (Attachment 1) extends the flexibilities provided in the Governor's prior executive order to local and state bodies to hold public meetings electronically beyond the executive order's September 30, 2021 expiration date.

On October 7, 2021 the City Council approved a COVID vaccination policy that will require all City of Seaside personnel, including employees, contractors who work at City worksites and facilities or interact with City employees or members of the public in the performance of their duties on behalf of the City, volunteers and interns, to be fully vaccinated subject against SARS-COV-2, the virus that causes COVID-19, to the limited exceptions provided in Attachment 2: City of Seaside COVID-19 Vaccination Requirement Policy.

ATTACHMENTS

1. Attachment 1: AB-361
 2. Attachment 2: Vaccination Policy
-


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AB-361 Open meetings: state and local agencies: teleconferences. (2021-2022)

SHARE THIS:



Date Published: 09/17/2021 09:00 PM

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials

have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in

connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all

otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5

(commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

City of Seaside COVID-19 Vaccination Requirement Policy

I. Preamble

To protect City of Seaside (“City”) personnel, the community members with whom City personnel interact, and its residents, the City will require all City of Seaside personnel, including employees, contractors who work at City worksites and facilities or interact with City employees or members of the public in the performance of their duties on behalf of the City, volunteers and interns, to be fully vaccinated subject against SARS-COV-2, the virus that causes COVID-19, to the limited exceptions provided below.

The City adopted this vaccination policy as an emergency public health response to mitigate the negative public health consequences associated with increased incidence and test positivity rates and the prevalence of new virus variants, including increased hospitalizations, intensive care unit (“ICU”) admissions, and deaths. This policy is intended to effectuate positive public health outcomes in the City of Seaside by reducing the likelihood of hospitalizations at health care facilities in the City and surrounding areas, ICU admissions to hospitals that serve the City and its community, and deaths.

At this time, the current COVID-19 vaccines approved for use in the United States are effective at helping to reduce the risk of getting and spreading the infection. The current COVID-19 vaccines are also effective at reducing the risk of becoming seriously ill, even if a fully vaccinated person gets COVID-19, and even against the current variants of the virus that causes COVID-19. Although no vaccine is 100% effective at preventing illness in vaccinated people, the currently authorized COVID-19 vaccines remain the best form of protection against COVID-19.

This policy complements the County of Monterey’s Resolution No. 21-272, requiring all County employees to become fully vaccinated against COVID-19 and the Executive Order issued by the White House on September 9, 2021 requiring COVID-19 vaccination for all Federal employees, with exceptions only as required by law.

In accordance with this Policy, City employees, contractors, volunteers and interns may obtain the COVID-19 vaccine at a vaccination site of their choosing. Information on the COVID-19 vaccines and how to obtain vaccination is available at <https://covid19.ca.gov/vaccines/>.

II. Relevant Definitions

1. “City personnel”, for purposes of this Policy and related requirements, includes: (1) City of Seaside employees; (2) Non-employees, including interns, and volunteers, who provide services to the City; and (3) Contractors who are engaged by the City and who work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City.

City contractors who qualify as City personnel for purposes of this Policy only include, for

example, contracted staff who work at City worksites or facilities or with the City of Seaside outside of such worksites or facilities. This definition does not include, for example, a third-party attorney who provides legal services exclusively from a remote location. The inclusion of non-employees in the definition of “City personnel” confers no employment status between such individuals and the City.

2. “COVID-19 vaccine” means a COVID-19 vaccine approved by the U.S. Food and Drug Administration under either the Emergency Use Authorization approval process or the Biologics License Application (“BLA”) (i.e., general use) approval process.
3. “Fully vaccinated” means (1) it has been at least two weeks since a person has completed the entire recommended series of a COVID-19 vaccine, and (2) the person has provided proof of vaccination in a form consistent with the requirements for verification of vaccine status in the State of California’s July 26, 2021 Public Health Officer Order which is available at the following web address: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Unvaccinated-Workers-In-High-Risk-Settings.aspx>.

Proof of vaccination includes the following: (1) COVID-19 vaccination record card (issued by the Department of Health and Human Services, Centers for Disease Control & Prevention (“CDC”) or World Health Organization Yellow Card) which includes the name of the person vaccinated, type of vaccine provided and date last dose administered); (2) a photo of a vaccination record card as a separate document; (3) a photo of a vaccination record card stored on a phone or electronic device; (4) documentation of COVID-19 vaccination from a health care provider; (5) digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type; and (6) documentation of vaccination from other contracted employers who follow these vaccination records guidelines and standards.

4. “Partially vaccinated” means (1) a person has received (i) one dose of a two dose recommended series of a COVID-19 vaccine or (ii) the complete recommended series of a COVID-19 vaccine but less than two weeks has elapsed since the person completed the entire recommended series, and (2) the person has provided proof of vaccination in a form consistent with the requirements for verification of vaccine status in the State of California’s July 26, 2021 Public Health Officer Order.

III. Scope

The policy applies to all City personnel including volunteers and Board & Commissioners. The policy is to be administered in conjunction with the City’s COVID-19 Prevention Plan and protocols designed to mitigate risks related to COVID-19 in the workplace and at City facilities or properties. The City’s COVID-19 Prevention Plan is available at

<https://www.ci.seaside.ca.us/602/Policies-and-Procedures>. The City Manager may make changes to this policy and related forms as necessary to manage and administer the policy.

IV. Effective Period

The policy shall be effective immediately and shall remain in full force and effect until the City Manager determines that the local public health circumstances have sufficiently improved to permit the suspension of the policy.

V. Vaccination Requirement

The City requires that City personnel adhere to the following requirements:

1. By October 25, 2021, all City personnel must be partially or fully vaccinated or must have submitted a request for exemption.
2. By November 22, 2021, all City personnel who will seek an exemption must have submitted the request for exemption as outlined in Section VI.
3. By December 6, 2021, all City personnel must be fully vaccinated or must have submitted a request for exemption.
4. Effective November 22, 2021, all newly hired City employees and any new volunteers, interns or contractors must be fully vaccinated or must have submitted a request for exemption.

City personnel who fail to comply with this policy shall not be permitted to perform work at City worksites or facilities, except as outlined in Section VI for employees who are exempt from the vaccination requirement for the limited reasons identified therein.

Required Testing While Personnel Become Fully Vaccinated

Additionally, from October 22, 2021 through December 6, 2021 (the deadline for all City personnel to be fully vaccinated or have submitted a request for exemption), individuals who are not fully vaccinated will be required to undergo weekly testing until they establish that they are fully vaccinated, as defined above, and no later than December 6, 2021. If individuals are granted an exemption pursuant to Section VI below, they will be subject to the terms of the established reasonable accommodation.

VI. Limited Exemptions to Vaccination Requirement

Limited Exemptions for City Employees:

1. City employees may request a reasonable accommodation to the vaccination

requirement if they:

- A. Have a medical condition, disability, or other medical restriction that affects their ability to safely receive a COVID-19 vaccine, as verified by their Health Care provider, and are requesting an exemption as a reasonable accommodation; or,
 - B. Object to COVID-19 vaccination based on their sincerely-held religious belief, practice, or observance.
2. Requests for exemption must be submitted according to the requirements set forth in Section VI, below. If a person's request for exemption is not approved, they must be partially or fully vaccinated within one week and fully vaccinated within seven (7) weeks of when they were notified that their request for exemption was not approved. Individuals who are required to vaccinate and were denied a requested exemption will be required to undergo weekly testing until they are fully vaccinated within the applicable timeframe.
3. To seek a reasonable accommodation from the vaccination requirements in this Policy, City employees must use the process and forms designated by the City for this purpose, and include supporting documentation as follows:
- A. Contact City Human Resources Department at 899-6712 or access the appropriate form through <http://www.ci.seaside.ca.us/602/Policies-and-Procedures>. The available forms are:
 - a. Disability Accommodation Request Form; and
 - b. Religious Accommodation Request Form

Employees may contact the Samantha Sakhrani in the City's Human Resources Department at 899-6711 or salcaraz@ci.seaside.ca.us to request the form or assistance with completing the form.

- A. Complete and submit the applicable form(s) as directed by the City's Human Resources Department.
- B. The Human Resources Department will then contact the employee to request additional information, as necessary, and to engage the employee in an interactive process if the employee so qualifies.

Limited Exemptions for City Contractors, Volunteers, and Interns

If a City contractor, volunteer or intern is covered by this policy and does not meet the vaccination requirements, the individual's sponsoring department may request an ad hoc

exemption from the City, who will consider the requested exemption on a case-by-case basis. The City Manager or his / her designee's consideration will include, but not be limited to, the sponsoring department's need and whether the contractor, volunteer, or intern meets the standard for an exemption available to City employees, as described above.

VII. Vaccine Boosters

If COVID-19 vaccine booster doses become necessary to prevent the contraction and transmission of the virus that causes COVID-19, this vaccination policy and the requirements and limited exemptions set forth herein shall apply to COVID-19 vaccine boosters.

Under such circumstances, all City personnel must receive a COVID-19 vaccine booster when public health authorities, including the United States Centers for Disease Control, the California Department of Public Health ("CDPH"), or the Monterey County Department of Public Health indicate that a COVID-19 vaccine booster is necessary, based on the COVID-19 vaccine that the employee received and the date upon which the employee became fully vaccinated.

VIII. Confidentiality of Vaccination Records

The City will treat all vaccination records as confidential medical information and maintain such records as required by the Confidentiality of Medical Information Act ("CMIA"), California Civil Code §§ 56.20, 56.21.

The City will not use or disclose such information, unless authorized to do so or as permitted or required under the law.

AUTHORIZATION FOR THE CITY OF SEASIDE'S USE AND DISCLOSURE OF CONFIDENTIAL MEDICAL INFORMATION

Confidentiality of Medical Information Act ("CMIA"), Civil Code §§ 56.20, 56.21.

Pursuant to California's Confidentiality of Medical Information Act, I, _____ **[Name of City Personnel]**, authorize the City of Seaside to use and disclose information regarding my COVID-19 vaccination status for legitimate, non-discriminatory business purposes where my vaccination status is necessary for the City to make work-related decisions authorized by or in order to comply with federal, state, or local law or regulation that takes a person's vaccination status into account.

Specifically, I authorize the City to use and disclose this information for the purposes provided under the Cal/OSHA COVID-19 Regulations (8 C.C.R. §§ 3205-3205.4), including, but not limited to, decisions regarding the use of face coverings.

This authorization is limited to the following types of information:

Information regarding my COVID-19 vaccination status.

The City is authorized to use this information for the following purposes:

For legitimate, non-discriminatory business purposes where information regarding my vaccination status is necessary for the City to make work-related decisions authorized by or in order to comply with federal, state, or local laws that take a person's vaccination status into account.

The following parties are authorized to disclose this information for the above purposes:

The City and the City's designated agent(s) where:

1. The disclosure of my vaccination status is or may be impliedly or constructively disclosed by my action(s) (*e.g.*, not wearing a face covering in the workplace); and/or

2. The disclosure of my vaccination status is or may be impliedly or constructively disclosed by action(s) of the City or the City's designated agent(s) (e.g., allowing me to not wear a face covering in the workplace).

The following parties are authorized to receive disclosure of this information for the above purposes:

Any agent or employee of the City, visitor, invitee or other member of the public accessing the City's premises or facilities, etc., who may become aware of my vaccination status, by my action(s) and/or those of the City (e.g., become aware that I am fully vaccinated by my choice to remove a face covering in the workplace with the City's consent).

Authorization period:

The parties specified above are authorized to disclose information regarding my COVID-19 vaccination status in the manner specified above through **June 30, 2022**.

Right to receive a copy of this authorization:

I understand that if I sign this authorization, I have the right to receive a copy of this authorization. Upon request, the City will provide me with a copy of this authorization.

I authorize the limited uses and disclosures of my medical information as described above for the purposes listed above. I understand that this authorization is voluntary and that I am signing this authorization voluntarily.

Name (PLEASE PRINT)

Signature

Date

Disability Accommodation Request Form For City of Seaside Policy Requiring COVID-19 Vaccination

The City of Seaside ("City") affords equal employment opportunity for all qualified employees and applicants as to all terms of employment and prohibits discrimination against employees or applicants based on classifications protected by law, including, but not limited to, those with qualifying disabilities. Accordingly, the City provides accommodations for employees and applicants whose qualifying disabilities conflict with an employment requirement, unless providing such accommodation would impose an undue hardship on the City and its conduct of City business.

To promote a safe and healthful workplace for employees, contractors, volunteers and interns and to promote the health and safety of employees, contractors, volunteers and interns, and members of the public who may visit City's worksites and facilities, and the community in general, the City requires that all employees, contractors who work at worksites and facilities or interact with City employees or members of the public in the performance of their duties on behalf of the City, volunteers, and interns be fully vaccinated in accordance with the City's COVID-19 vaccination policy.

Employees may use this form to request an accommodation or exemption to the City's requirement if they have a contraindication to the available COVID-19 vaccines recognized by the Centers for Disease Control and Prevention ("CDC") or by the vaccines' manufacturer, or a qualifying disability, including pregnancy-related conditions, that precludes their vaccination.

Employees requesting an accommodation must complete this form and provide all of the requested information:

Section A: General Information and Worksite Information

Employee's Name _____
Employee's Job Title: _____
Employee's Supervisor: _____
Employee's Department: _____
Employee's Worksite: _____

Section B: General Position and Worksite Information

Please check all that currently apply to you:

- ☐ I perform work onsite at a City worksite or facility.
- ☐ My essential job duties require that I interact in person with City employees, visitors, or members of the public.
- ☐ I perform work in shared or communal spaces or areas where City employees, visitors, or members of the public may also be present.

Section C: Reason for Request

- ☐ I have a physical or mental disability (which can include a contraindication to each of the FDA-approved COVID-19 vaccines) that limits or precludes my ability to be fully vaccinated against COVID-19.
- ☐ The certification from my medical provider is attached (**the medical provider should not disclose information about your diagnosis or condition; the certification**).

Section D: Requested Accommodation

- ☐ Please describe the accommodation* you are requesting**:

** Please note that an accommodation must enable you to meet the essential functions of your job and must not impose an undue hardship on the City or pose a direct threat to your health and safety or the health and safety of others in the workplace.*

Further, please note that the City adopted the vaccination policy based on public health concerns in the community and in order to effectuate positive public health outcomes in the community and to protect the health and safety of all employees and individuals who come to the agency. While the City will, on an individualized basis, evaluate each request for accommodation from the vaccination policy, please note that the circumstances requiring that the City adopt such policy may continue for some time and it may not be possible to provide workplace accommodations at all or non-workplace accommodations in perpetuity.

*** Please note that the City will consider your preferred accommodation and other possible accommodations for your health or medical condition.*

My signature below indicates that the information I have provided in this form is true and correct. I also understand that in evaluating my request for an accommodation, the City will request an additional document(s) from my health care provider, and may not grant my requested accommodation if it does not allow me to perform my essential job duties, if it imposes an undue hardship on the City, or if it poses a direct threat to my health and safety or to the health and safety of others.

Employee's Signature

Date

Religious Accommodation Request Form For City of Seaside Policy Requiring COVID-19 Vaccination

The City of Seaside ("City") affords equal employment opportunity for all qualified employees and applicants as to all terms of employment and prohibits discrimination against employees or applicants based on classifications protected by law, including, but not limited to, religion, creed, and religious belief, practice, or observance. Accordingly, the City provides accommodations for employees and applicants whose sincerely held religious belief, practice, or observance conflicts with an employment requirement, unless providing such an accommodation would impose an undue hardship on the City and its conduct of City business.

To promote a safe and healthful workplace for employees, contractors who work at City worksites and facilities or interact with City employees or members of the public in the performance of their duties on behalf of the City, volunteers, and interns, and to promote the health and safety of employees, contractors, volunteers and interns, and members of the public who may visit City worksites and facilities and the community in general, the City requires that all employees, contractors, volunteers, and interns become fully vaccinated against COVID-19 in accordance with the City's COVID-19 vaccination policy.

Employees may use this form to request a religious accommodation to the vaccination requirement if they have a sincerely held religious belief, practice, or observance that conflicts with the City's requirement that all employees, contractors, volunteers and interns receive a COVID-19 vaccination.

Employees requesting an accommodation must complete this form and provide all of the requested information:

Section A: General Information and Worksite Information

Employee's Name: _____

Employee's Job Title: _____

Employee's Supervisor: _____

Employee's Department: _____

Employee's Worksite: _____

Section B: General Position and Worksite Information

Please check all that currently apply to you:

- ☐ I perform work onsite at a City worksite or facility.
- ☐ My essential job duties require that I interact in person with City employees, visitors, or members of the public.
- ☐ I perform work in shared or communal spaces or areas where City employees, visitors, or members of the public may also be present.

Section C: Religious Belief, Practice, or Observance

Do you have a sincerely held religious belief, practice, or observance that conflicts with the requirement that you receive a COVID-19 vaccination?

- ☐ Yes
- ☐ No

Description of Religious Belief, Practice, or Observance

Please describe how your sincerely held religious belief(s), practice(s), or observance(s) conflict(s) with the requirement that you receive a COVID-19 vaccination:

Section D: Requested Accommodation

Please describe the accommodation* you are requesting**:

** Please note that an accommodation must enable you to meet the essential functions of your job and must not impose an undue hardship on the City or pose a direct threat to your health and safety or the health and safety of others in the workplace.*

Further, please note that the City adopted its COVID-19 vaccination policy based on public health concerns in the community and in order to effectuate positive public health outcomes in the community and to protect the health and safety of all employees and individuals who come to the agency. While the City will, on an individualized basis, evaluate each request for accommodation from the COVID-19 vaccination policy, please note that the circumstances requiring that the City adopt such policy may continue for some time and it may not be possible to provide workplace accommodations at all or accommodations in perpetuity.

*** Please note that the City will consider your preferred accommodation and other possible accommodations for your religious belief, practice, or observance.*

My signature below indicates that the information I have provided in this form is true and correct. I also understand that in evaluating my request for an accommodation, the City may not grant my requested accommodation if it does not allow me to perform my essential job duties, if it imposes an undue hardship on the City, or if it poses a direct threat to my health and safety or to the health and safety of others.

Employee's Signature

Date