



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

VIRTUAL ONLY
REGULAR MEETING
Wednesday, December 8, 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 Planning 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.

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
William Silva	Commissioner
Danny Huynh	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. Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. BUSINESS ITEMS

A. BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-12. CITY OF SEASIDE, PROPERTY OWNER AND SHEA HOMES, APPLICANT, ARE REQUESTING DESIGN REVIEW APPROVAL TO AMEND THE LANDSCAPING PLAN APPROVED FOR THE MONTEREY FRONTAGE ROAD OF THE ESTATES SUBDIVISION FOR THE SEASIDE RESORT DEVELOPMENT PROJECT LOCATED AT 1 MCCLURE WAY.

RECOMMENDATION: In accordance with Section 17.54.090.D, the applicant is requesting to amend the original approval of the landscape plan for Phase 1a and 1b of the Seaside Resort Development project.

B. USE PERMIT APPLICATION NO. 21-04. WRD ARCHITECTS, APPLICANT, AND AARON ZIELINSKI, PROPERTY OWNER, ARE REQUESTING USE PERMIT TO ALLOW FOR AN AUTOMOTIVE SERVICE REPAIR BUSINESS, INCLUDING A 176 SQUARE-FOOT ADDITION, FOR A PORSCHE SERVICE CENTER LOCATED AT 1845-B DEL MONTE BOULEVARD IN THE AUTOMOTIVE COMMERCIAL (CA) ZONING DISTRICT. THIS PROJECT IS EXEMPT CLASS 1, SECTION 15301 (A) AND (E) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION: In accordance with Section 17.14.030.B of the Seaside Municipal Code (Table 2.4 Allowed Land Uses and Permit Requirements for Commercial uses), Vehicular Services Major is subject to the approval of a use permit.

C. BOARD OF ARCHITECTURAL REVIEW NO. BAR-21-11: BRINKER AND ASSOCIATES APPLICANT AND PROPERTY OWNERS, ARE REQUESTING DESIGN REVIEW APPROVAL FOR A NEW COLOR SCHEME ON THE EXTERIOR FACADE OF A CHILI'S RESTAURANT LOCATED AT 1349 CANYON DEL REY BOULEVARD IN THE COASTAL VISITOR SERVING COMMERCIAL (CVSC) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION: In accordance with Section 17.62.030.B.8, changes to approved projects that were a specific condition of approval for the subject development shall be reviewed and approved by the original approval body.

- D. FENCE EXCEPTION APPLICATION NO. FE-21-03: BARBARA DIEDWARD, APPLICANT AND PROPERTY OWNER, IS REQUESTING A FENCE EXCEPTION TO ALLOW A SECTION OF THE FRONT YARD FENCE TO EXCEED THE MAXIMUM FOUR FOOT HEIGHT LIMIT IN THE FRONT SETBACK. THE PROJECT SITE IS LOCATED AT 1512 WANDA AVENUE IN THE RS-12 ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT, CLASS 5, SECTION 15305 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

RECOMMENDATION:

- E. VARIANCE APPLICATION NO. V-21-03: EDGAR MENDOZA, APPLICANT AND PROPERTY OWNER, IS REQUESTING A VARIANCE TO ALLOW AN AS-BUILT ABOVEGROUND DECK TO ENCORACH INTO THE REQUIRED REAR YARD FOR A SINGLE FAMILY DWELLING SITE LOCATED AT 1753 MENDOCINO STREET IN THE RS-12 (SINGLE FAMILY) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT, CLASS 5, SECTION 15305 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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.

- F. SEASIDE MUNICIPAL CODE AMENDMENT THE CITY OF SEASIDE IS REQUESTING A RECOMMENDATION FROM THE PLANNING COMMISSION ON PROPOSED TEXT AMENDMENTS REPEALING AND AMENDING CHAPTER 17.52, SECTION 17.52.230 (RESIDENTIAL SECOND UNITS) OF THE SEASIDE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS. THIS PROJECT IS CATEGORICALLY EXEMPT SECTION 15061(B)(3) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

RECOMMENDATION: The purpose is to seek input from the Planning Commission on amending the existing Seaside Municipal Code in regards to Accessory Dwelling Units (ADUs) to comply with state law.

7. REPORTS FROM COMMISSIONERS

8. REPORTS FROM STAFF

9. ADJOURNMENT

Next Regularly Scheduled Meeting:
DECEMBER 22, 2021
Seaside City Hall
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.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.A.

TO: Planning Commission

FROM: Roberta Greathouse, Acting City Manager

BY: Rick Medina, Senior Planner

DATE: December 8, 2021

SUBJECT: BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-12. CITY OF SEASIDE, PROPERTY OWNER AND SHEA HOMES, APPLICANT, ARE REQUESTING DESIGN REVIEW APPROVAL TO AMEND THE LANDSCAPING PLAN APPROVED FOR THE MONTEREY FRONTAGE ROAD OF THE ESTATES SUBDIVISION FOR THE SEASIDE RESORT DEVELOPMENT PROJECT LOCATED AT 1 MCCLURE WAY.

RECOMMENDATION

In accordance with Section 17.54.090.D, the applicant is requesting to amend the original approval of the landscape plan for Phase 1a and 1b of the Seaside Resort Development project.

BACKGROUND

The Estates Subdivision is the residential component for the Seaside Resort Development Project that was approved by City Council on July 20, 2005. The Estates Subdivision is a 125-parcel residential project for the construction of detached single-family residential home sites. The Seaside Resort Development also includes the approval of a 330-Unit hotel and 170 Timeshare units that will not be affected by the proposed landscaping amendment. Location Map for the Seaside Resort Development boundaries is provided as Attachment 2. Site layout for the Hotel, Time Share Units and residential parcels is provided as Attachment 3.

Shea Homes received approval in June 2020 to build out 61 lots. Shea Homes is under construction on these home sites with some of the grading and framing of home sites and installation of roadways completed. Site photos are provided as Attachment 4.

PROJECT DESCRIPTION

In accordance with the Conditions of Approval for Phase 1B Estates Subdivision, a 10-foot wide right-of-way between Monterey lots 30 and 38 has been dedicated to the City. The 10-foot strip was approved to include the following tree species in 2005. Shea Homes in consultation with BFS Landscaping, are now requesting to modify the planting plan to include 29 Monterey Cypress trees in four groups with Red Fescue as ground cover. Irrigation will be provided to the Cypress trees and ground cover from controllers located within the circular entry to the subdivision to the south.

ENVIRONMENTAL REVIEW

A Final Environmental Impact Report (FEIR), Seaside Resort Project, was certified on July 7, 2005. The project would involve the development of detached single-family dwellings in compliance with the scope of the FEIR and the Mitigation and Monitoring Program adopted for the Seaside Estates Subdivision.

STAFF ANALYSIS AND FINDINGS

The applicant and Landscape Architect find that the planting of Monterey Cypress will blend better with the predominant planting of Monterey Cypress throughout the frontage along Monterey Road and within the golf course. The use of four different tree species that was on the original plan would distract from the natural setting that now exists along Monterey Road and within the golf course. The Red Fescue would provide a consistent ground cover that can also be easily managed with mowing and weed control.

FISCAL IMPACT

There will be no fiscal impact.

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Attachment 1 Conditions of Approval
 3. Exhibit A to Attachment 1 Project Plans
 4. Attachment 2 Location Map
 5. Attachment 3 - Phasing Map
 6. Attachment 4 - Site Photos
-

RESOLUTION NO. 21-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING BOARD OF ARCHITECTURAL REVIEW NO. BAR-21-12 FOR MODIFICATION TO LANDSCAPING FOR PHASE 1A AND 1B OF THE SEASIDE RESORT DEVELOPMENT AT 1 MCCLURE WAY IN THE FORT ORD VISITOR SERVING COMMERCIAL (V-FO) ZONING DISTRICT.

WHEREAS, City of Seaside, property owner, Shea Homes, applicant, are requesting approval of a Design Review approval to allow modifications to the landscape plan for the Estates Subdivision component of the Seaside resort Development located at 1 McClure way in the Fort Ord Visitor Serving Commercial (V-FO) zoning district; and

WHEREAS, a duly notice public hearing has been held on December 8, 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 Board of Architectural Review Application No. 21-12 in accordance with Section 17.62.030 of the Seaside Municipal Code.

WHEREAS, the proposed use is Categorically Exempt Class 4, Section 15304(B) from the California Environmental Quality Act

Evidence: A Final Environmental Impact Report (FEIR), Seaside Resort Project, was certified on July 7, 2005. The project would involve the development of detached single-family dwellings in compliance with the scope of the FEIR and the Mitigation and Monitoring Program adopted for the Seaside Estates Subdivision. The landscape changes being considered would not alter or effect the scope of the FEIR

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Board of Architectural Review Application No. BAR- 21-12:

Design Review Findings

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.

Evidence: The proposed landscape improvements will blend with the characteristics of the natural environment of Monterey Road Frontage and the environs of the Fort Ord golf courses.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Board of Architectural Review Application No. 21-12 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 December 8, 2021 shown on Exhibit A.

Standard:

1. 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.
2. 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.
3. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and dining room seats.
4. 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.
5. Water conservation fixtures shall be provided in the proposed project.
6. 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.

7. Use Permit 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.
8. 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 8th day of December, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

BOARD OF ARCHITECTURAL REVIEW APPLICATION No. BAR-21-12
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

Conditions of Approval
File No. BAR-21-12
December 8, 2021

Project Specific:

Planning:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans identified as “The Enclave at Cypress Grove, Lot 2” stamped as approved on December 8, 2021.
2. Prior to the issuance of a Building Permit, the applicant shall return with final landscaping and irrigation plans, fencing plans, if proposed, for the front and side yards, and retaining wall design for review and approval by the Board of Architectural Review.

Building:

3. The applicant must obtain building permit for the construction of the proposed dwelling and retaining wall.
4. Building plans are to be prepared by a licensed architect or engineer.

Standard:

1. Board of Architectural Review approval shall not be valid until the applicant has signed and accepted these conditions of approval. Failure to sign the conditions and return them to the Planning Division within fifteen (15) days from the date of approval will result in the Board of Architectural Review approval becoming null and void.
2. Board of Architectural Review approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.54.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.
3. Proposed changes to the approved application(s) must receive approval from the Board of Architectural Review, unless approved by the Director as outlined in Seaside Zoning Code Section 17.54.090.C.
4. 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.

5. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
6. Any work within the public right-of-way must conform to current engineering standards and shall require an encroachment permit from the Public Works Department.
7. All storm water runoff shall be contained and disposed of on site and the storm water retention system shall be reviewed and approved by the Public Works Department.
8. The proposed project shall comply with the applicable requirements of the Marina Coast Water District for the installation of new water fixtures and landscape irrigation equipment.
9. 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.
10. Water conservation fixtures shall be provided in the proposed project.

BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-12

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).

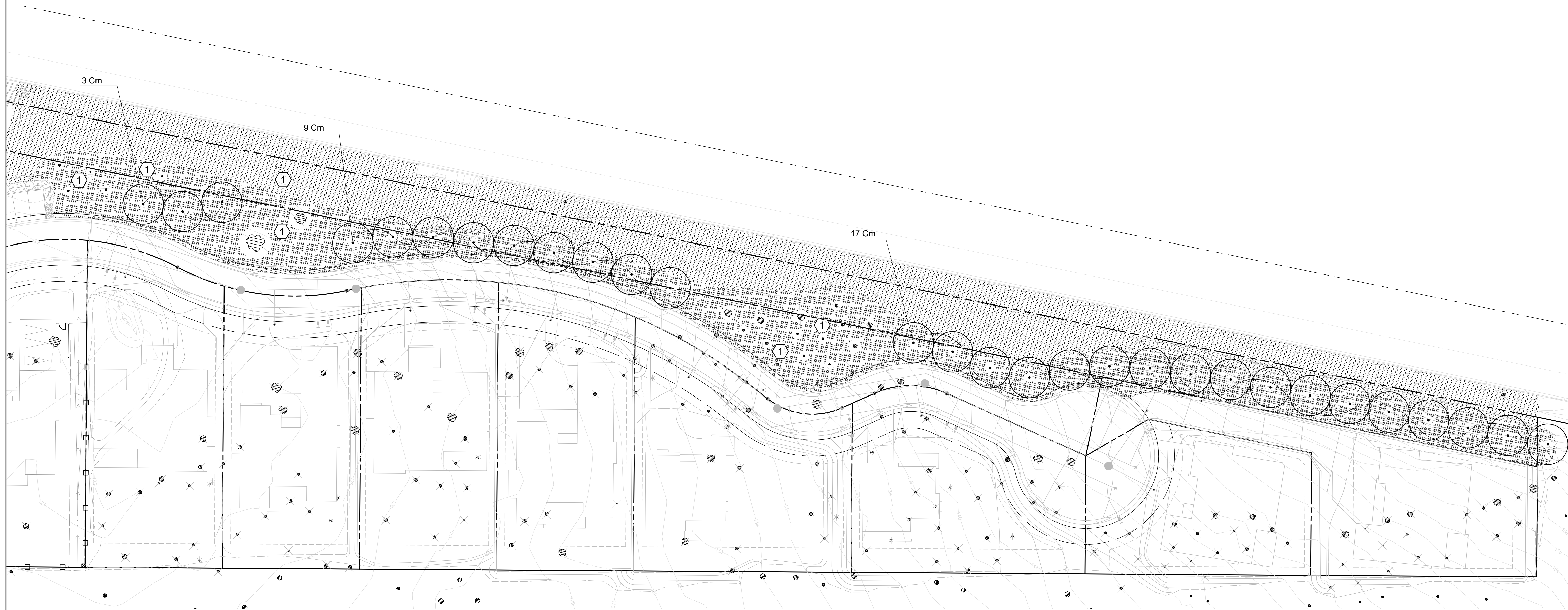
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Board of Architectural Review.

Applicant's Signature

Date

Property Owner's Signature

Date



REVISIONS:

NO.	DATE	DESCRIPTION
-----	------	-------------

PLANT LEGEND

*WUC	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CHARACTER
<u>Trees</u>					
L	Cm	Cupressus macrocarpa	Monterey Cypress	24" Box	
<u>Groundcovers</u>					
L		Festuca rubra	Red Fescue	Hydroseed	
		Mulch and weed mat			

REFERENCE NOTES

- 1 Existing Monterey Cypress to Remain: Preserve and protect.

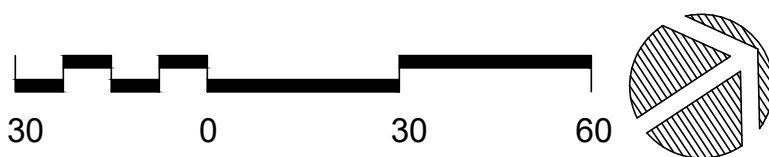
PROJECT:
**SHEA HOMES -
THE ENCLAVE**
ENTRY LANDSCAPE



PROJECT NO: 21.037
DATE: 12/01/2021
SCALE: AS SHOWN
DRAWN | CHECKED: DZ/LF
ISSUANCE:
ISSUANCE

SHEET NAME:
**Parcel A & B
Planting Plan**

SHEET NO:
L-5.0



Location Map



SEASIDE RESORT



Attachment 4

Site Photos



View of Monterey Road Frontage looking north



View of Monterey Road Frontage looking south



CITY OF SEASIDE STAFF REPORT

Item No.: 6.B.

TO: Planning Commission

FROM: Roberta Greathouse, Acting City Manager

BY: Rick Medina, Senior Planner

DATE: December 8, 2021

SUBJECT: USE PERMIT APPLICATION NO. 21-04. WRD ARCHITECTS, APPLICANT, AND AARON ZIELINSKI, PROPERTY OWNER, ARE REQUESTING USE PERMIT TO ALLOW FOR AN AUTOMOTIVE SERVICE REPAIR BUSINESS, INCLUDING A 176 SQUARE-FOOT ADDITION, FOR A PORSCHE SERVICE CENTER LOCATED AT 1845-B DEL MONTE BOULEVARD IN THE AUTOMOTIVE COMMERCIAL (CA) ZONING DISTRICT. THIS PROJECT IS EXEMPT CLASS 1, SECTION 15301 (A) AND (E) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION

In accordance with Section 17.14.030.B of the Seaside Municipal Code (Table 2.4 Allowed Land Uses and Permit Requirements for Commercial uses), Vehicular Services Major is subject to the approval of a use permit.

BACKGROUND

The project site is approximately 11,397 square feet in size and is located on the northwest corner of Del Monte Boulevard and Tioga Avenue. The project site is developed with an 8,418 square-foot commercial building consisting of Suite A (4,143 sq. ft.) and Suite B (4,275 sq. ft.). Suite A has been occupied by Storelli Brothers Auto Body since 1985. Suite B has been occupied by various auto detailing businesses and auto part storage warehouse businesses. The building extends to the property lines on the north, east, and south sides. A row of angled parking separates the rear access entrances and the rear western property line, which abuts the railroad right-of-way.

The project site is on a corner lot bordered by Del Monte Boulevard on the east and Tioga Avenue to the south. Surrounding land uses include auto dealerships, auto repair businesses and a COSTCO Gas Station to the south and east, a vacant lot to the

north and Costco retail center to the west. A location map is provided as Attachment 2. Site Photos are provided as Attachment 3.

Environmental Review

The project is categorically exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301. Class 1 consists of minor alterations to existing public or private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Evidence: The proposed project will consist of interior tenant improvements and the construction of a 176 square foot enclosure for an oil storage and compressor room.

PROJECT DESCRIPTION

Porsche of Monterey (Porsche) located at 1781 Del Monte Boulevard is proposing to use the project site to expand its automotive servicing needs. The dealership presently has six work bays. As shown on Attachment 4, the Porsche dealership is located 100 feet to the south of Tioga Avenue. The Porsche service center entrance is located behind the dealership facing the railroad right-of-way. The facility at 1845-B Del Monte Boulevard will be used exclusively by Porsche for vehicles being serviced by Porsche customers. All vehicles being serviced at 1845 Del Monte Boulevard will be checked in at the main dealership. Porsche personnel will deliver vehicles to the project site for servicing and back to the dealership for pick-up by the customer. No exterior signage or branding is necessary as all drop off and pickups of vehicles will occur at the Porsche dealership.

The proposed project will consist of the following improvements:

1. Interior improvements to accommodate five work bays. Each service bay will have an aboveground car lifts and accessory equipment/tools; and
2. Construction of a 176 square-foot enclosure on the west side facing the parking lot to accommodate an oil storage room and a compressor room.

The service center will be open Monday through Saturday 7 am to 6 pm. On Sunday, 11 am to 5 pm.

STAFF ANALYSIS

Use Permit Findings

In accordance with S.M.C. Section 17.14, an application for a vehicle service repair facility shall be filed through the Use Permit process, and considered by the Planning

Commission to determine whether the following findings can be made concerning the proposed project:

- 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.**

Zoning Ordinance Conformance

This project is located within the CA (Automotive Commercial) Zoning District. The site has historically been used for automotive servicing and parts warehouses. The automotive servicing for the proposed use will be contained within the interior of the building and will have sufficient space to accommodate five automotive work bays. Additionally, the proposed use is compatible with the adjoining auto-related repair facilities and auto dealerships.

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

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Regional Commercial. The land use classification is intended to include large scale development with retail, entertainment and or service uses. The proposed service use would be operated in conjunction with a new car dealership.

The proposed project is consistent with the following General Plan Goals and Policies.

Land Use Element

Goal LU-2: Revitalize existing commercial areas.

Policy LU-2-7: Continue with revitalization of the Seaside Autocenter.

Evidence: The proposed project will allow for and promote new car sales through improved service capability and customer service.

- 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.**

Design

The proposed design of the expanded service business will utilize the roll-up doors at the rear of the site to minimize visual and traffic impacts on Del Monte Boulevard.

Location

The ingress and egress to the site will function via an existing drive approach on Tioga Avenue. The site is located approximately 100 feet from the Porsche Dealership, allowing for ideal integration of the vacant space with the primary business location.

Size

All service needs and refuse generated will be contained within the building. .

Operating Characteristics

The proposed hours of operation will be conducted during typical hours with existing auto dealerships and auto service businesses. There are no existing traffic or noise sensitive impacts in the area that would be created or enhanced with the operation of the proposed five service bays.

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.

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. As condition of approval, the applicant must receive clearance from the applicable public utility agency to permit the connection of standard utilities.

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.

The granting of Use Permit Application No. UP-21-04 would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other existing or future uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

FISCAL IMPACT

There will be no fiscal impact.

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Exhibit A to Attachment 1 Project Plans
 3. Attachment 2 - Location map
-

4. Attachment 3 - Site Photos
 5. Attachment 4 - Aerial layout
-

RESOLUTION NO. 21-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING USE PERMIT NO. UP-21-04 TO ALLOW a VEHICLE SERVICE REPAIR AT 1845-B DEL MONTE BOULEVARD IN THE AUTOMOTIVE COMMERCIAL (CA) ZONING DISTRICT.

WHEREAS, Aaron Zielinski, property owner, and WRD Architects, applicant, are requesting approval of a Use Permit to allow for a Porsche of Monterey to establish a Vehicle Service Repair facility at 1845 Del Monte Boulevard in the Automotive Commercial (CA) zoning district; and

WHEREAS, a duly notice public hearing has been held on December 8, 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 No. 21-04 in accordance with Section 17.62.070 of the Seaside Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Use Permit Application No. UP- 21-04:

WHEREAS, the proposed use is Categorically Exempt Class 1, Section 15301 from the California Environmental Quality Act (CEQA); therefore,

Evidence: The proposed project consists of interior tenant improvements and a 165 square-foot exterior enclosure for oil storage and air compressor room which consist of minor improvements that whereby it can be seen with certainty would not result in any impact on the environment.

Use Permit Findings

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

- 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.**

Zoning Ordinance Conformance

This project is located within the CA (Automotive Commercial) Zoning District. The site has historically been used for automotive servicing and parts warehouse. The automotive servicing for the proposed use will be contained within the interior of the

building and will have sufficient space to accommodate .five automotive work bays. Additionally, the proposed use is compatible with the adjoining auto related repair facilities and auto dealerships.

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

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Regional Commercial. The land use classification is intended to include large scale development with retail, entertainment and or service uses. The proposed service use would be operated in conjunction with a new car dealership.

The proposed project is consistent with the following General Plan Goals and Policies.

Land Use Element

Goal LU-2: Revitalize existing commercial areas.

Policy LU-2-7: Continue with revitalization of the Seaside Autocenter.

Evidence: The proposed project will allow for and promote new car sales through improved service capability and customer service.

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.

Design

The proposed design of the expanded service business will utilize the roll-up doors at the rear of the site to minimize visual and traffic impacts on Del Monte Boulevard.

Location

The ingress and egress to the site will function via an existing drive approach on Tioga Avenue. The site is located approximately 100 feet from the Porsche Dealership allowing for ideal integration of the vacant space with the primary business location.

Size

All service needs and refuse generated will be contained within the building. .

Operating Characteristics

The proposed hours of operation will be conducted during typical hours with existing auto dealerships and auto service businesses. There are no existing traffic or noise sensitive impacts in the area that would be created or enhanced with the operation of the proposed five service bays.

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.

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. As condition of approval, the applicant must receive clearance from the applicable public utility agency to permit the connection of standard utilities.

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.

The granting of Use Permit Application No. UP-21-04 would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other existing or future uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Use Permit Application No. 21-04 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 December 8, 2021 shown on Exhibit A.

Standard:

1. 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.

2. 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.
3. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and dining room seats.
4. 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.
5. Water conservation fixtures shall be provided in the proposed project.
6. 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.
7. Use Permit 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.
8. 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 8th day of December, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

USE PERMIT APPLICATION NO. UP-21-04
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

1845B Del Monte Blvd.
Seaside, California 93955

1845B Del Monte Blvd.

Seaside, California 93955

PROJECT INFORMATION

PROJECT:	PORSCHE DEALERSHIP SERVICE CENTER EXPANSION USE PERMIT									
LOCATION:	18459 DEL MONTE BLVD. SEASIDE, CA 93955									
APN:	011-522-004-000									
FINANCING:	CA - AUTOMOTIVE COMMERCIAL	BUILDING AREA (EXISTING)	8,418 S.F.							
OCCUPANCY:	GROUP B I-S-1	BUILDING AREA (ADDITION)	176 S.F.							
CONSTRUCTION:	TYPE VB NON-SPRINKLERED	TENANT IMPROVEMENT AREA:	4,275 S.F.							
LOT SIZE:	0.262 ACRES ± 11,397 S.F.									
APPLICABLE BUILDING CODES & STANDARDS										
CALIFORNIA CODE OF REGULATIONS (CCR):										
2019 CALIFORNIA ADMINISTRATIVE CODE (CAC), CCR TITLE 24, PART 1										
2019 CALIFORNIA BUILDING CODE (CBC), CCR TITLE 24, PART 2, <i>VOLUMES 1 AND 2</i>										
2019 CALIFORNIA RESIDENTIAL CODE (CRC), CCR TITLE 24, PART 2.5										
2019 CALIFORNIA ELECTRICAL CODE (CEC), CCR TITLE 24, PART 3										
2019 CALIFORNIA MECHANICAL CODE (CMC), CCR TITLE 24, PART 4										
2019 CALIFORNIA PLUMBING CODE (CPC), CCR TITLE 24, PART 5										
2019 CALIFORNIA ENERGY CODE (CEC), CCR TITLE 24, PART 6										
<i>PART 7 VACANT</i>										
2019 CALIFORNIA HISTORICAL BUILDING CODE (CHBC), CCR TITLE 24, PART 8										
2019 CALIFORNIA FIRE CODE (FC), CCR TITLE 24, PART 9										
2019 CALIFORNIA EXISTING BUILDING CODE (CEBC), CCR TITLE 24, PART 10										
2019 CALIF. GREEN BUILDING STANDARDS CODE (CALGreen), CCR TITLE 24, PART 11										
2019 CALIFORNIA REFERENCED STANDARDS CODE, CCR TITLE 24, PART 12										
CCR TITLE 19, PUBLIC SAFETY, DIVISION 1, STATE FIRE MARSHAL										
PARTIAL LIST OF APPLICABLE STATE STANDARDS										
2019 NFPA 13, AUTOMATIC SPRINKLER SYSTEMS (CA AMENDED)										
2019 NFPA 72, NATIONAL FIRE ALARM AND SIGNALLING CODE (CA AMENDED)										
EXISTING:										
NOTE: THIS BUILDING OR SPACE SHALL PROVIDE A READILY DISTINGUISHABLE EGRESS ROUTE COMPLIING WITH CHAPTER 10 AND CHAPTER 11 (WHERE APPLICABLE) TO THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE (CBC). THE BUILDING OR SPACE SHALL MAINTAIN A CONTINUOUS, UNOBSTRUCTED AND UNDIMINISHED EXIT TRAVEL FROM ANY OCCUPIED POINT WITHIN THE BUILDING TO A PUBLIC										

SHT. #	SHEET TITLE
<u>TITLE</u>	
A001	COVER SHEET
<u>ARCHITECTURAL</u>	
A100	SITE PLAN
D201	DEMILITION FLOOR PLAN
A201	FLOOR PLANS
A401	INTERIOR & EXTERIOR ELEVATIONS

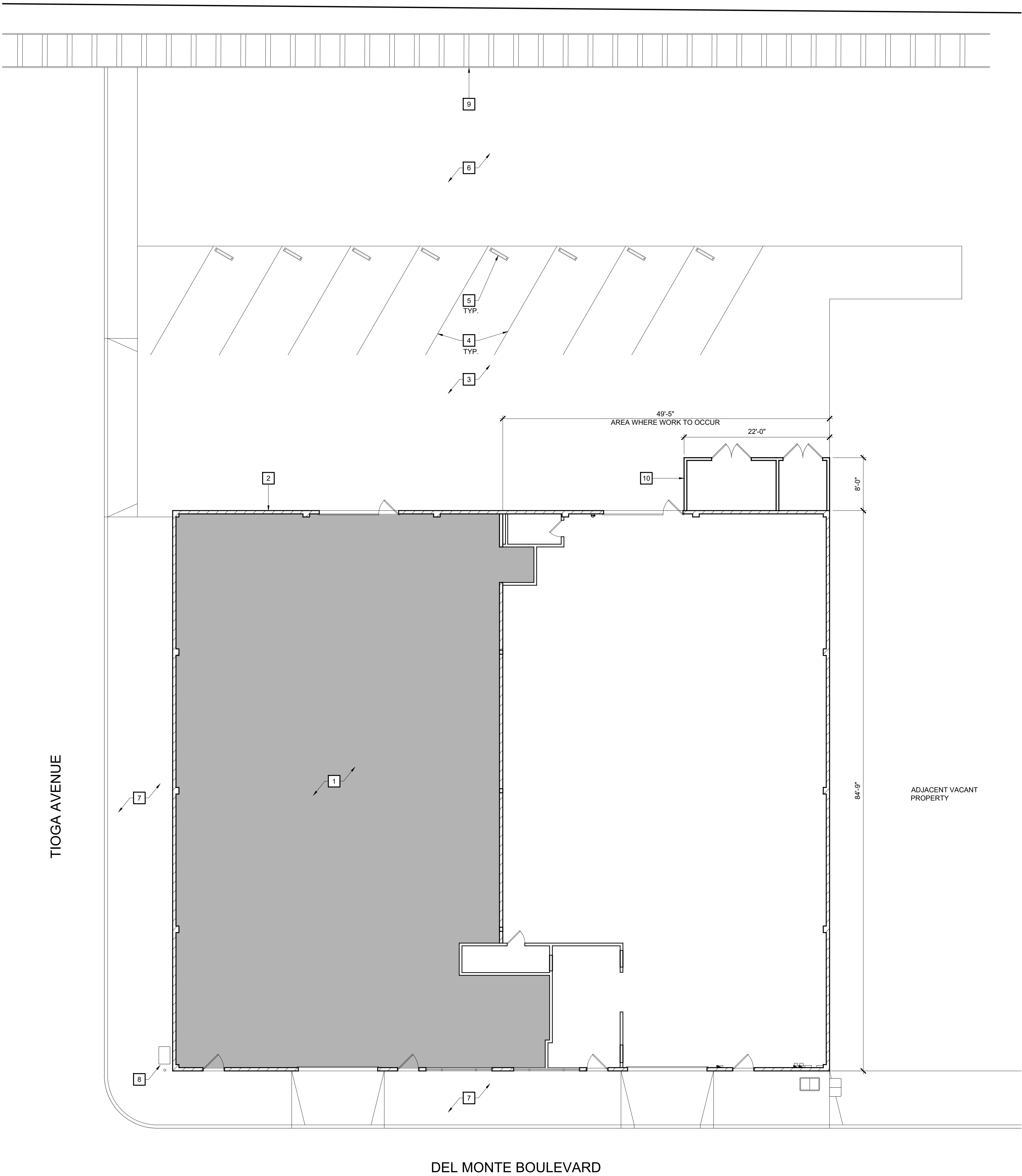
THE USE OF THE PLANS AND SPECIFICATIONS IS RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED, AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

PORSCHE SERVICE CENTER EXPANSION
USE PERMIT SUBMITTAL

PORSCHE MONTEREY
1845B DEL MONTE BLVD.
SEASIDE, CA 93955

A.P.N. NO011-522-004-000

JOB NO.	
21172	
PRINT DATE:	
PLOT DATE:	11.10.2021
DRAWN BY:	-
CHECKED BY:	-
SET ISSUED:	-
USE PERMIT SUBMITTAL 11.10.21	
SHEET NAME:	
COVER SHEET	
SHEET NO.:	
A001	21172-A001
FILE NAME :	21172-A001



TRUE NORTH
PLAN NORTH
SITE PLAN
SCALE: 1/8"=1'-0"

KEY NOTES

THE KEY NOTES THAT FOLLOW APPLY TO THE DRAWING(S) ON THIS SHEET ONLY. REFER TO FOLLOWING SHEETS FOR NOTES THAT ARE APPLICABLE TO THOSE DRAWINGS.

- 1 SHADED AREA NOT IN SCOPE OF WORK.
- 2 EXISTING CONCRETE TILT-UP BUILDING.
- 3 EXISTING AC PAVING.
- 4 EXISTING PARKING STALLS TO REMAIN.
- 5 EXISTING WHEEL STOP TO REMAIN.
- 6 EXISTING DIRT & GRAVEL.
- 7 EXISTING SIDEWALK AND CURB.
- 8 EXISTING GAS METER.
- 9 EXISTING OUT OF SERVICE RAILWAY TRACKS.
- 10 NEW EQUIPMENT ROOM - SEE SHEET A201 FOR MORE INFORMATION.

55

WR&D
WALD RUHNKE & DOST
ARCHITECTS LLP

2340 GARDEN ROAD, SUITE 100
MONTEREY, CALIFORNIA 93940
PHONE: 831.649.4642
FAX: 831.649.3530
WWW.WRDARCH.COM

THE USE OF THE PLANS AND SPECIFICATIONS IS RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED. AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT AND VISUAL CONTACT WITH THEM CONSTITUTES PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

PORSCHE SERVICE CENTER EXPANSION
USE PERMIT SUBMITTAL

JOB NO.
21172

PRINT DATE:
11.10.2021

PLOT DATE:
-

DRAWN BY:
HR

CHECKED BY:
HR

SET ISSUED:

USE PERMIT SUBMITTAL 11.10.21

SHEET NAME:

SITE PLAN

SHEET NO.

A100

FILE NAME: 21172-A100

DEMOLITION NOTES

THE DEMOLITION NOTES THAT FOLLOW APPLY TO THE DRAWING(S) ON THIS SHEET ONLY. REFER TO FOLLOWING SHEETS FOR NOTES THAT ARE APPLICABLE TO THOSE DRAWINGS.

- D1 REMOVE WALL.
- D2 REMOVE TOILET. CAP PLUMBING AT NEAREST SOURCE.
- D3 REMOVE SINK. CAP PLUMBING AT NEAREST SOURCE.
- D4 REMOVE GUARDRAIL.
- D5 REMOVE DOOR AND FRAME IN ITS ENTIRETY.
- D6 REMOVE WINDOW AND PORTION OF WALL FROM FLOOR TO WINDOW HEADER.

KEY NOTES

THE KEY NOTES THAT FOLLOW APPLY TO THE DRAWING(S) ON THIS SHEET ONLY. REFER TO FOLLOWING SHEETS FOR NOTES THAT ARE APPLICABLE TO THOSE DRAWINGS.

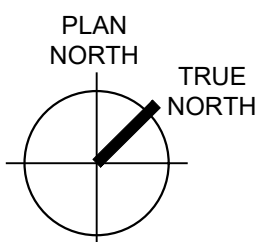
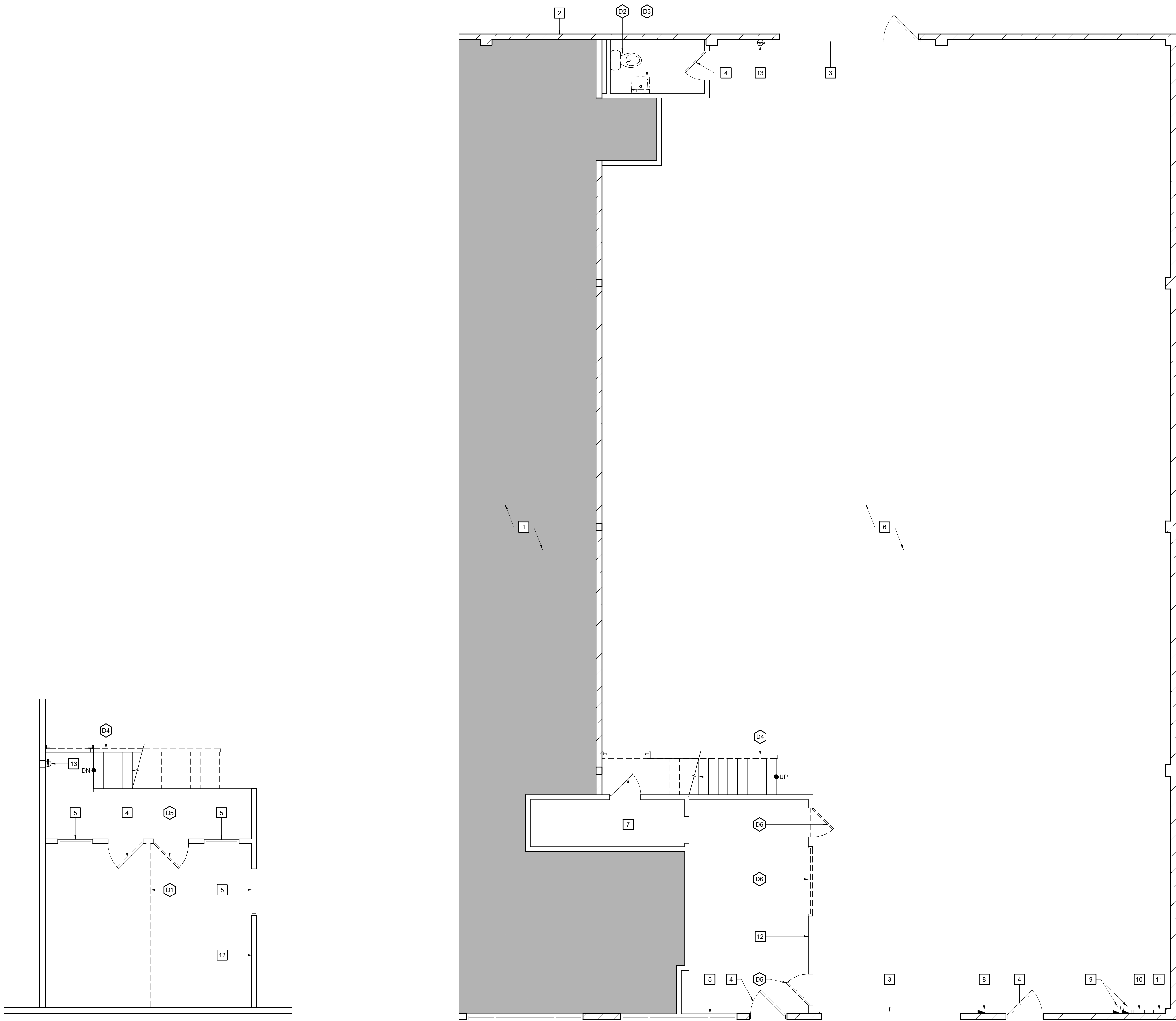
- 1 SHADED AREA NOT IN SCOPE OF WORK (ADJACENT - STORELLI BROTHERS).
- 2 EXISTING CONCRETE TILT-UP BUILDING.
- 3 EXISTING METAL ROLL-UP DOOR TO REMAIN.
- 4 EXISTING DOOR TO REMAIN.
- 5 EXISTING WINDOW TO REMAIN.
- 6 EXISTING CONCRETE SLAB FLOOR. SEE A201 FOR ANY WORK TO OCCUR.
- 7 EXISTING TO REMAIN - ADD HIGH AND LOW LOUVER VENTILATION PANELS.
- 8 EXISTING ELECTRICAL PANEL. SEE ELECTRICAL DWGS FOR ANY WORK TO OCCUR.
- 9 EXISTING PG&E SMART METERS.
- 10 EXISTING ELECTRICAL JUNCTION BOX (NEAR FLOOR).
- 11 EXISTING SECURITY SYSTEM CONTROL BOX.
- 12 EXISTING WALL TO REMAIN.
- 13 EXISTING FIRE EXTINGUISHER TO REMAIN.

GENERAL NOTES

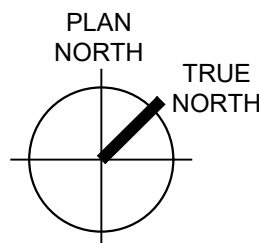
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO BEGINNING WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BETWEEN THE DOCUMENTS AND FIELD CONDITIONS PRIOR TO PROCEEDING WITH THE WORK. IF ANY QUESTIONS ARISE AS TO THE REMOVAL OF ANY MATERIAL, CLARIFY THE POINT IN QUESTION WITH THE ARCHITECT BEFORE PROCEEDING. ALL ELEMENTS NOT SHOWN TO REMAIN ARE TO BE DEMOLISHED PER ARCHITECT'S APPROVAL.
- CONTRACTOR SHALL PROTECT ALL EXISTING ITEMS THAT ARE NOT SCHEDULED FOR REMOVAL FROM DAMAGE. CONTRACTOR SHALL BE RESPONSIBLE FOR PATCHING AND/OR REPAIRING ANY DAMAGE CAUSED TO THE ITEMS TO REMAIN.
- CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT AS REQUIRED TO COMPLETE DEMOLITION AND REMOVAL OF ALL ITEMS AS INDICATED.
- PROVIDE STRICT CONTROL OF JOB CLEANING AND PREVENT DUST AND DEBRIS FROM EMANATING FROM DEMOLITION/CONSTRUCTION AREA. KEEP AREA CLEAN.
- AT COMPLETION OF DEMOLITION WORK, THE CONSTRUCTION AREA(S) SHALL BE LEFT IN "BROOM CLEAN" CONDITION. ALL DEBRIS AND MISCELLANEOUS MATERIAL SHALL BE REMOVED.
- DEMOLITION IS NOT NECESSARILY LIMITED TO WHAT IS SHOWN ON DRAWINGS. THE INTENT IS TO INDICATE THE GENERAL SCOPE OF DEMOLITION REQUIRED TO COMPLETE THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- REMOVE TO SOURCE AND CAP ALL PIPES, VENTS, APPLIANCES AND/OR DRAINS NOT BEING RE-USED.
- CONTRACTOR SHALL LEGALLY DISPOSE OF ANY MATERIALS SCHEDULED FOR DEMOLITION.

LEGEND

- | | | | |
|-----------|-------------------------|-----------|---|
| — — — — — | EXISTING WALL TO REMAIN | - - - - - | EXISTING WALL TO BE REMOVED. |
| — — — — — | EXISTING WINDOW | - - - - - | EXISTING WINDOW TO BE REMOVED. |
| — — — — — | EXISTING DOOR TO REMAIN | - - - - - | EXISTING DOOR AND DOOR FRAME TO BE REMOVED. |



EXISTING
UPPER FLOOR PLAN
SCALE: 1/4"=1'-0"



EXISTING
LOWER FLOOR PLAN
SCALE: 1/4"=1'-0"

THE KEY NOTES THAT FOLLOW APPLY TO THE DRAWING(S) ON THIS SHEET ONLY. REFER TO FOLLOWING SHEETS FOR NOTES THAT ARE APPLICABLE TO THOSE DRAWINGS.

- | | |
|----|--|
| 1 | SHADED AREA NOT IN SCOPE OF WORK. |
| 2 | EXISTING CONCRETE TILT-UP BUILDING. |
| 3 | EXISTING METAL ROLL-UP DOOR w/ MAN-DOOR TO REMAIN. |
| 4 | EXISTING STAIRS TO REMAIN. |
| 5 | EXISTING DOOR TO REMAIN. |
| 6 | EXISTING WINDOW TO REMAIN. |
| 7 | EXISTING RELOCATED FIRE EXTINGUISHER. |
| 8 | EXISTING CONCRETE SLAB FLOOR. |
| 9 | EXISTING ELECTRICAL PANEL. |
| 10 | EXISTING PG&E SMART METERS. |
| 11 | EXISTING ELECTRICAL JUNCTION BOX (NEAR FLOOR). |
| 12 | EXISTING SECURITY SYSTEM CONTROL BOX. |
| 13 | HATCHED AREA - THICKENED CONCRETE SLAB FOR LIFTS. |
| 14 | NEW 2-POST LIFT. (TBD BY OWNER) |
| 15 | NEW TOOL AIR SUPPLY DROP COIL. |
| 16 | NEW WALL, OR INFILL PORTION OF WALL. |
| 17 | NEW CASED OPENING. |
| 18 | NEW DOOR, OR MODIFY EXISTING DOOR TO HAVE HIGH-LOW LOUVERS |
| 19 | EXISTING ROLL-UP DOOR TO REMAIN. |
| 20 | NEW GUARDRAIL. |
| 21 | NEW ACCESSIBLE COMPLIANT RESTROOM. |
| 22 | NEW JANITOR SINK. |
| 23 | NEW WASH STATION. |
| 24 | NEW WASTE PUMPING STATION. |
| 25 | NEW SINGLE STATION TOOL BOX / WORK BENCH. |
| 26 | NEW DOUBLE STATION TOOL BOX / WORK BENCH. |
| 27 | NEW 650 GALLON TANK CONTAINING (3) CELLS. |
| 28 | NEW AIR COMPRESSOR DRYER. |
| 29 | NEW 7.5 hp AIR COMPRESSOR. |
| 30 | EXISTING LOW WALL TO REMAIN. |

1. ALL NEW WALLS IN TOILET ROOMS AND OTHER WET WALL LOCATIONS SHALL BE FINISHED WITH WATER RESISTANT BACKING BOARD "GREEN BOARD" COMPLYING WITH ASTM C950 AND SHALL BE FINISHED IN ACCORDANCE WITH CBC SECTION 2005 AND SECTIONS 1210.02 AND 1210.03.
2. ALL WALLS SHALL BE FINISHED WITH ½" TYPE "X" GYPSUM WALLBOARD CONFORMING TO A.S.T.M. C36 AND CBC SECTION 2508. ALL GYPSUM WALLBOARD SHALL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF CBC SECTION 2508.
3. CONTRACTOR SHALL SEAL ALL NEW GYPSUM WALLBOARD WITH PRIMER PRIOR TO APPLYING FINISH PAINT.
4. ALL WALL AND CEILING FINISH MATERIALS SHALL COMPLY WITH CBC SECTION 803 AND HAVE A FLAME SPREAD INDEX NOT GREATER THAN THAT SPECIFIED IN TABLE 803.5 FOR THE GROUP AND LOCATION DESIGNATED. ALL INSULATION TO HAVE FLAME SPREAD RATING OF LESS THAN 25.
5. FIRE BLOCKING SHALL BE PROVIDED AS REQUIRED AND IN ACCORDANCE WITH CBC SECTION 717.
6. CONTRACTOR SHALL FIELD VERIFY AND COORDINATE (E) WALL TYPES/THICKNESS WITH (N) WALL TYPES, (N) WALL TYPES SHALL MATCH (E) WALL TYPES AND HAVE FINISHES THAT ALIGN AT INFILL LOCATIONS OR NOTED ON PLAN.
7. REFER TO THE ROOM FINISH SCHEDULE AND RELATED DETAILS FOR FINISHES REQUIRED AND TO THE MANUFACTURER FOR SURFACE PREP. REQUIREMENTS.
8. REFER TO THE FLOOR PLAN, INTERIOR ELEVATIONS, DETAILS, MECH., PLUMBING & ELECTRICAL PLANS FOR WALL BACKING REQUIREMENTS & IN-WALL UTILITIES.
9. PROVIDE #6 METAL STUDS AT ALL PLUMBING WALLS / OR WALLS WHERE RECESSED ELECTRICAL PANELS ARE LOCATED V.Y.O., COORDINATE WITH RATED SUB-CONTRACTORS.
10. PROVIDE 1/8" MIN. CONTRAST BETWEEN ELECTRICAL BOXES AND GYP. BOARD. FILL GAP WITH ACOUSTIC SEALANT. DO NOT ALLOW OUTLETS ON EITHER SIDE OF PARTITION TO BE IN THE SAME CAVITY.
11. ALL CONTROLS, SWITCHES, FIRE ALARM PULL STATIONS, ELECTRICAL RECEPTACLE OUTLETS TO BE NOT MORE THAN 48 INCHES MEASURED FROM THE TOP OF THE PARTITION OR NOT MORE THAN 48 INCHES MEASURED FROM THE BOTTOM OF THE OUTLET BOX TO THE LEVEL OF THE FINISH FLOOR OR WORKING PLATFORM PER CBC 11B-308.1; ALTERNATIVELY, CONTROLS, SWITCHES; FIRE ALARM PULL STATIONS, ELECTRICAL RECEPTACLE OUTLETS SHALL BE MOUNTED WITHIN ONE OF THE ACCESSIBLE REACH RANGES PER CBC 11B-308 WHEN MOUNTED ABOVE AN OBSTRUCTION.
12. EXTERIOR DOORS THRESHOLD ELEVATION BETWEEN INTERIOR FINISH FLOOR AND EXTERIOR LANDING: IF THE DOOR SWINGS OUTWARD, THE CHANGE IN ELEVATION IS LIMITED TO 1/4" MAXIMUM. RAISED THRESHOLD AND FLOOR LEVEL CHANGES GREATER THAN 7/8" SHALL BE CONSIDERED SHALL BE BEVELED WITH A SLOPE NOT GREATER THAN 1:2. (CBC 110.10.1.7)
13. ON THE PUSH SIDE OF SWING DOORS, THE BOTTOM SURFACE OF THE DOOR SHALL BE SMOOTH FOR THE FULL WIDTH (KICK PLATE), SWINGING DOOR SURFACES WITHIN 10 INCHES OF THE FINISH FLOOR OR GROUND MEASURED VERTICALLY SHALL BE SMOOTH AND FLAT. ON THE PUSH SIDE EXTENDING THE FULL WIDTH OF THE DOOR. (CBC 11B-404.2.10)

EXISTING NON-RATED WALL TO REMAIN INTACT
 NEW NON-RATED WALL
 EXISTING WINDOW
 NEW DOOR
 EXISTING DOOR TO REMAIN INTACT

PORSCHE SERVICE CENTER EXPANSION
USE PERMIT SUBMITTAL

A.P.N. NO011-522-004-000

PORSCHE MONTEREY
1845B DEL MONTE BLVD.
SEASIDE, CA 93955

JOB NO.

21172

PRINT DATE:

DRAWN BY:

CHECKED BY: _____ HF
SET ISSUED: _____

USE PERMIT SUBMITTAL 11.10.21

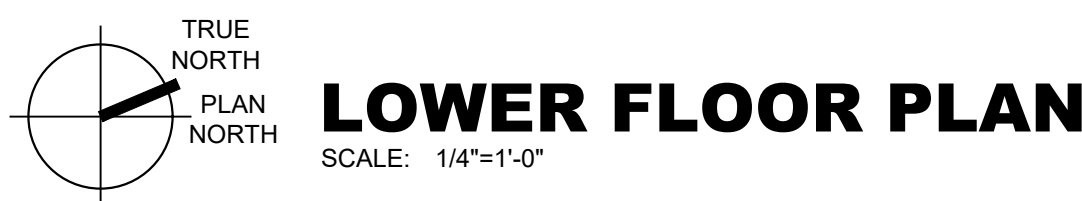
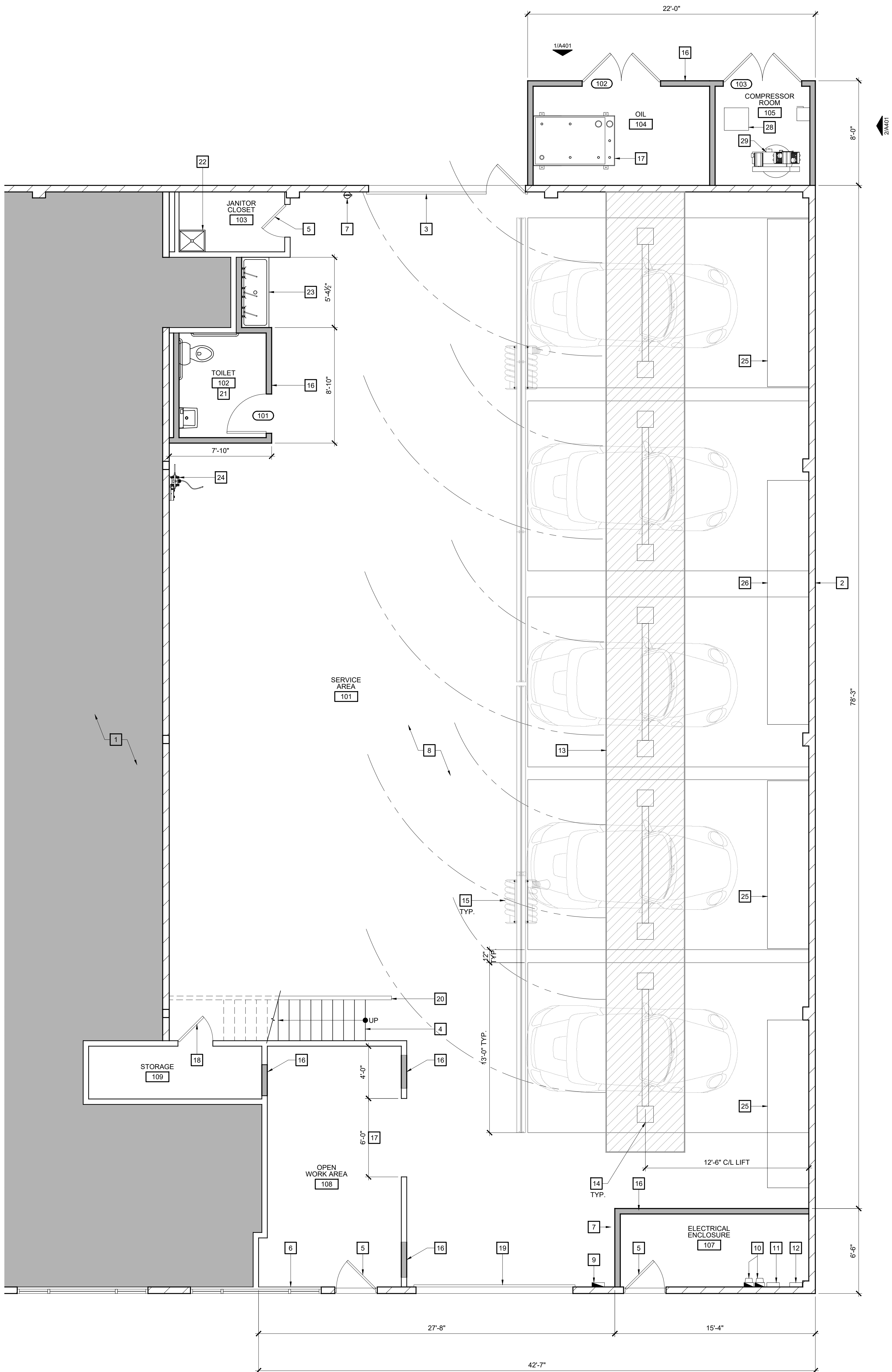
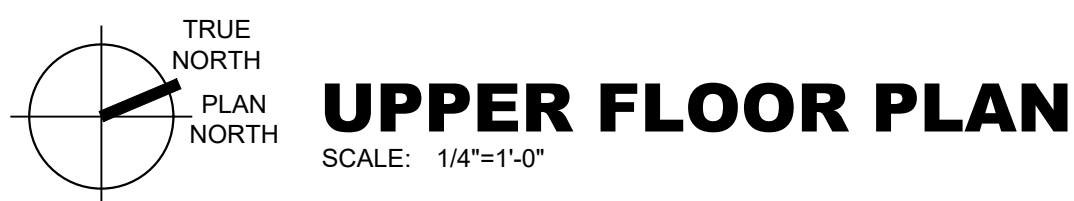
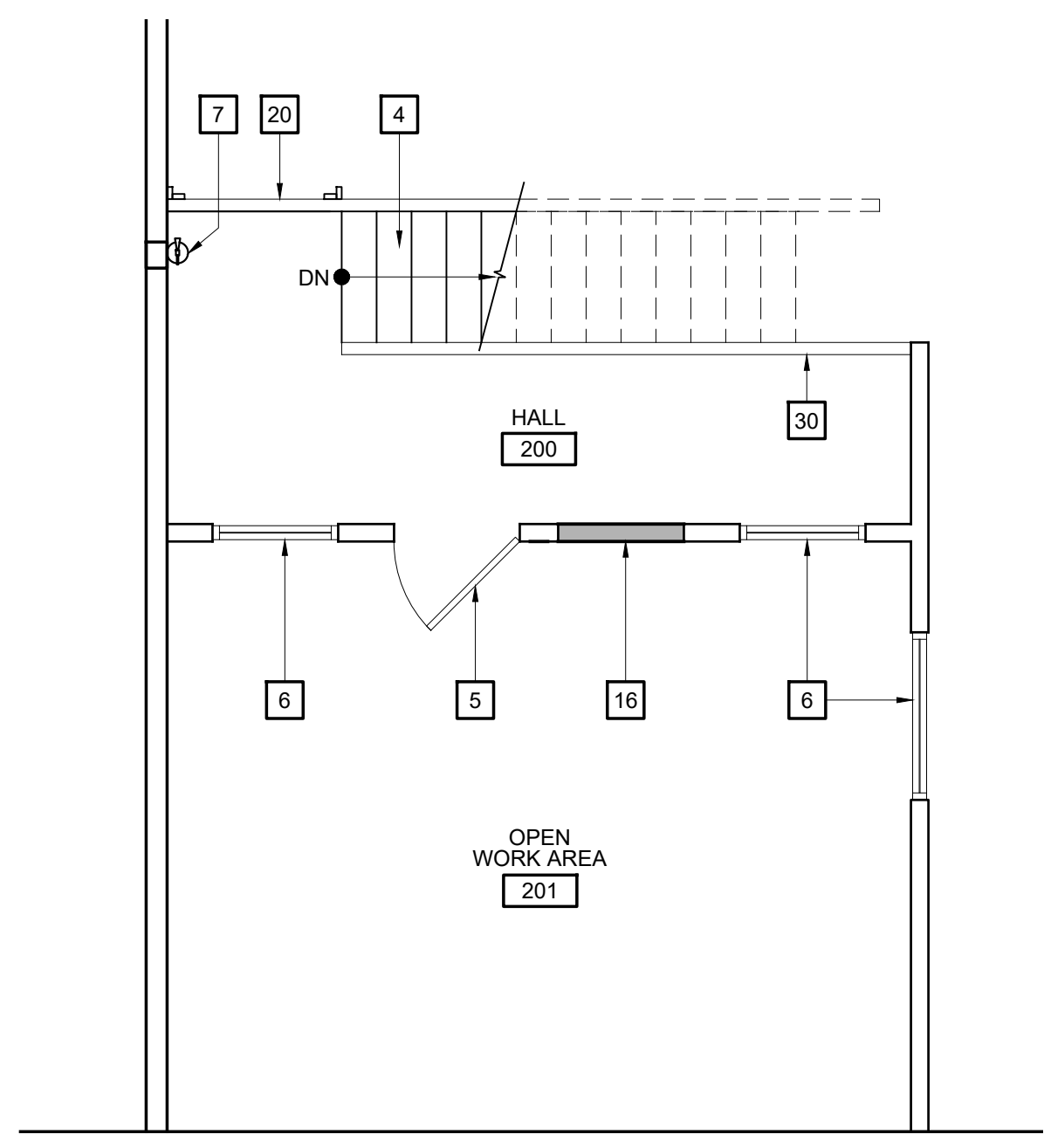
SHEET NAME

PROPOSED FLOOR PLANS

SHEET NO.

A201

FILE NAME.: 21172-A201



55

55

WR&D
WALD RUHNKE & DOST
ARCHITECTS LLP

2340 GARDEN ROAD, SUITE 100
MONTEREY, CALIFORNIA 93940
PHONE: 831.649.4642
FAX: 831.649.3530
WWW.WRDARCH.COM

THE USE OF THE PLANS AND SPECIFICATIONS IS RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED, AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.



PORSCHE SERVICE CENTER EXPANSION
USE PERMIT SUBMITTAL

PORSCHE MONTEREY
1845B DEL MONTE BLVD.
SEASIDE, CA 93955

A.P.N. 00011-522-004-000

JOB NO.
21172

PRINT DATE:

PLOT DATE: 11.10.2021

DRAWN BY:

CHECKED BY: HR

SET ISSUED:

USE PERMIT SUBMITTAL 11.10.21

SHEET NAME:

**INTERIOR &
EXTERIOR
ELEVATIONS**

SHEET NO.:

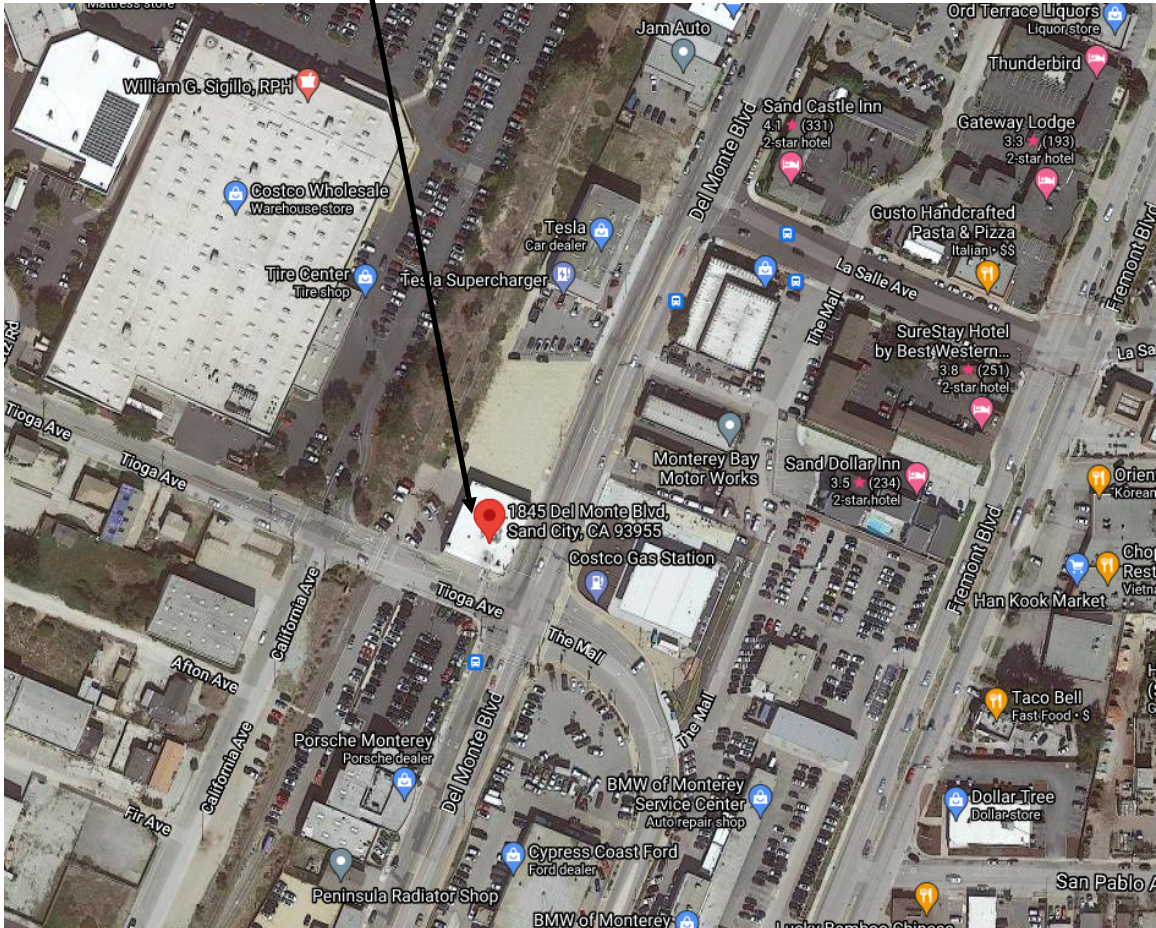
A401

FILE NAME.: 21172-A40

Attachment 2

Location Map

Project Site: 1845 Del Monte Boulevard



Attachment 3

Site Photos



View of Front façade facing Del Monte Boulevard



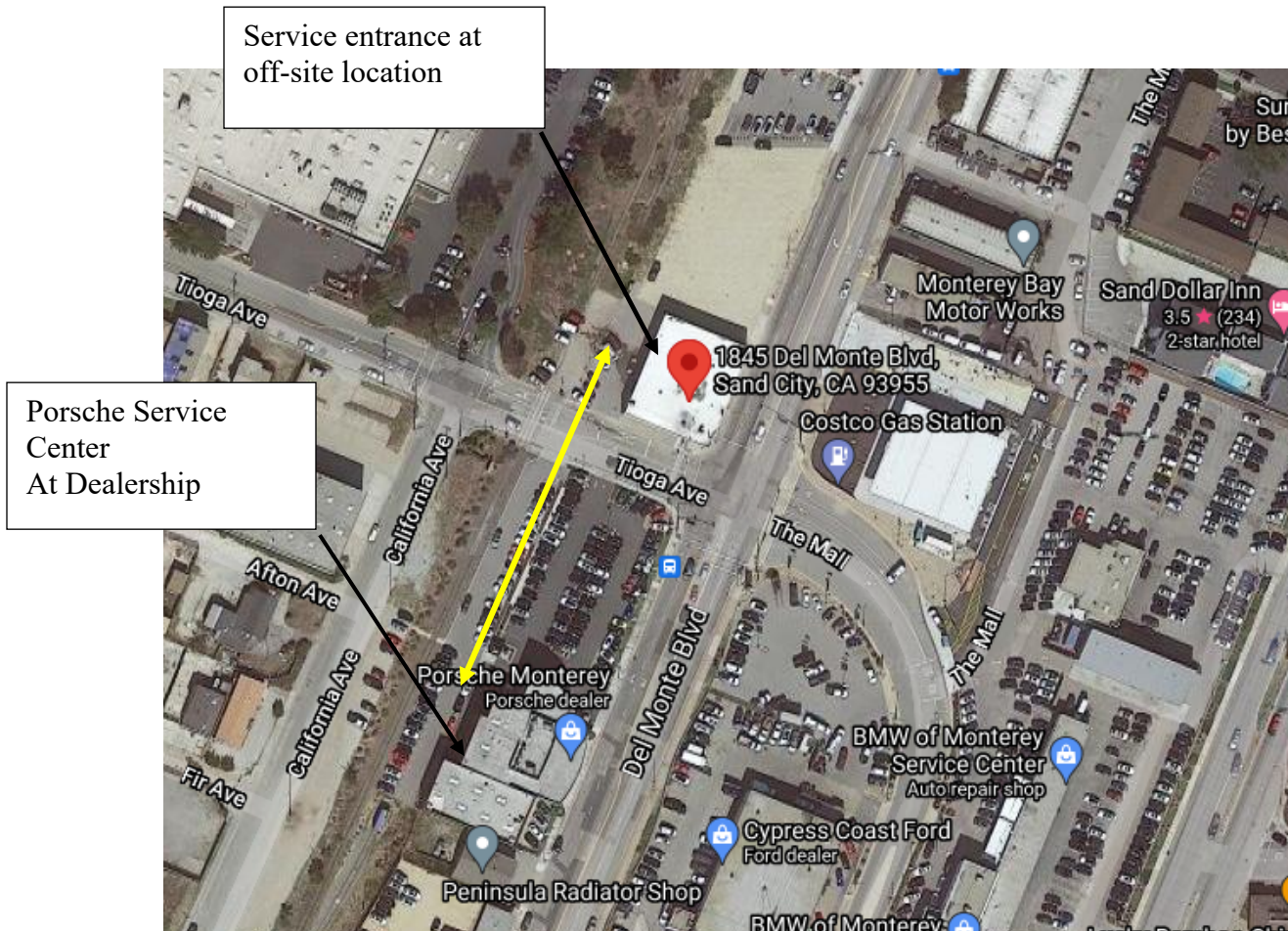
View of rear façade



View of rear parking lot

Attachment 4

Aerial Layout





CITY OF SEASIDE STAFF REPORT

Item No.: 6.C.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: December 8, 2021

SUBJECT: BOARD OF ARCHITECTURAL REVIEW NO. BAR-21-11: BRINKER AND ASSOCIATES APPLICANT AND PROPERTY OWNERS, ARE REQUESTING DESIGN REVIEW APPROVAL FOR A NEW COLOR SCHEME ON THE EXTERIOR FACADE OF A CHILI'S RESTAURANT LOCATED AT 1349 CANYON DEL REY BOULEVARD IN THE COASTAL VISITOR SERVING COMMERCIAL (CVSC) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

In accordance with Section 17.62.030.B.8, changes to approved projects that were a specific condition of approval for the subject development shall be reviewed and approved by the original approval body.

BACKGROUND

The project site is located at 1349 Canyon Del Rey Boulevard and is developed with 6,800 square-foot Chili's restaurant on a 1.14 act. Parcel. See Attachment 2 for Location Map. The project site is bordered to the west by an Embassy Suites Hotel, to the east and south by Laguna Grande Regional Park, and to the north by multi-family and single family dwellings.

Since the restaurant was constructed in 2004, the requested façade change will represent the second significant update to the exterior colors and awnings. The first change took place in May 2013. The proposed exterior renovation is being proposed as part of a corporate reimagining for Chili's restaurants.

PROJECT DESCRIPTION

The existing and proposed colors/materials for the Chili's restaurant are listed in Table 1 below:

Location	Existing Color	Proposed Color
Stucco Wall	Deep Red	Sherwin Williams (SW) "Half Caff"
Dry stack Stone Column	Tan	Existing stone to remain the same.
Window Trim	Dark Brown	SW "Tricorn Black" on Aluminum frame with SW on wood trim around frame.
Stucco Wainscot below window	Tan	SW "Smoky Beige"
Cornice Detail	Charcoal Black	SW "Iron Ore"
Front Entry	Dark Brown	SW "Half Caff"
Awnings	Vinyl with a half and half red and green stripe	Replace fabric awning with metal Berridge Sanding Seam awning SW "Tricorn Black"
Door Frame	Deep Red	SW "Salute Acrolon 218"
Exterior Lights	Bronze projecting down lit wall scone.	Same style projecting down lit wall scone painted SW Tricorn.

See site photos provided as Attachment 3 for the existing color scheme. A proposed color scheme and color chips are included on an elevation drawing included as Attachment 1 – Exhibit A of the Resolution.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(a) (Existing Facilities). Class 1 exemptions consist of minor alterations to the exterior of a private building.

Evidence: The proposed project is for the change in the exterior building colors and installation of new metal awnings to replace fabric awnings.

STAFF ANALYSIS AND FINDINGS

Per SMC 17.62.030 Architectural Review, the following review considerations apply:

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.

Evidence: The proposed improvements (colors and metal awnings) will blend with the characteristics of the original masonry materials and plaster finish. The color palette is integrated into all architectural elements of the building and will highlight the building articulations.

1. Lighting considerations. Proposed outdoor lighting, including the proposed placement of fixtures, type of fixtures, and illumination levels.

Evidence: The existing lighting plan is consistent with the following requirements:

- *The outdoor lighting included as part of the proposed project will be consistent with Title 24, Building Energy Efficiency Standards.*
- *Zoning Code Section 17.30.070.B: Energy Efficiency requires outdoor lighting utilize energy-efficient fixtures and lamps*
- *Zoning Code Section 17.30.070.C: Fixture Position requires all lighting fixtures be directed downward to reduce light bleed onto adjacent properties or public rights-of-way*
- *Zoning Code Section 17.30.070.E: Lighting Effects, which prohibits lights from blinking, flashing or having high intensity or brightness.*

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

Land Use Element Goal LU-2: Revitalize existing commercial areas.

Policy LU-2.4: During redevelopment and revitalization activities, ensure quality architectural and design themes

Evidence: The proposed project would be consistent with the City's development standards, including obtaining the required Board of Architectural review to ensure compatibility with the land use characteristics of the local area and the adjacent existing development.

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

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

Evidence: *The proposed project will provide an update to the appearance of an existing restaurant which will enhance its appearance and provide an appropriate brand recognition to an e franchise business.*

Goal UD-1: Create and maintain a positive image that also provides a clear identity for the community within the region

Policy UD-1.1: Enhance the City's image and identity within the regions setting.

Evidence: The updated color scheme and new awnings will enhance the appearance of a restaurant located along the Canyon Del Rey Boulevard gateway.

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Exhibit A to Attachment 1: 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 BOARD OF ARCHITECTURAL REVIEW NO. BAR-21-11 FOR MODIFICATION TO THE EXTERIOR FAÇADE AT 1349 CANYON DEL REY BOULEVARD IN THE COASTAL VISITOR SERVING COMMERCIAL (CVSC) ZONING DISTRICT.

WHEREAS, Brinker and Associates, property owner and applicant, are requesting approval of a Design Review approval to allow for exterior color changes and new awnings for a Chili's restaurant located at 1349 Canyon Del Rey Boulevard in the Coastal Visitor Serving Commercial (CVSC) zoning district; and

WHEREAS, a duly notice public hearing has been held on December 8, 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 Board of Architectural Review Application No. 21-11 in accordance with Section 17.62.030 of the Seaside Municipal Code.

WHEREAS, the proposed use is Categorically Exempt Class 1, Section 15301 from the California Environmental Quality Act (CEQA); therefore,

Evidence: The proposed project consists of the painting of the exterior of the building and the installation of new awnings which consist of minor improvements that whereby it can be seen with certainty would not result in any impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Board of Architectural Review Application No. BAR- 21-11:

Design Review Findings

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.

Evidence: The proposed improvements (Colors and metal awnings) will blend with the characteristics of the original masonry materials and plaster finish. The color palette is integrated into all architectural elements of the building and will highlight the building articulations.

2. Lighting considerations. Proposed outdoor lighting, including the proposed placement of fixtures, type of fixtures, and illumination levels.

Evidence: The existing lighting plan is consistent with the following requirements:

- *The outdoor lighting included as part of the proposed project will be consistent with Title 24, Building Energy Efficiency Standards*
- *Zoning Code Section 17.30.070.B: Energy Efficiency requires outdoor lighting utilize energy-efficient fixtures and lamps*
- *Zoning Code Section 17.30.070.C: Fixture Position requires all lighting fixtures be directed downward to reduce light bleed onto adjacent properties or public rights-of-way*
- *Zoning Code Section 17.30.070.E: Lighting Effects, which prohibits lights from blinking, flashing or having high intensity or brightness.*

3. The proposed improvements would be consistent with the following General Plan Goals and Policies:

Land Use Element Goal LU-2: Revitalize existing commercial areas.

Policy LU-2.4: During redevelopment and revitalization activities, ensure quality architectural and design themes

Evidence: The proposed project would be consistent with the City's development standards, including obtaining the required Board of Architectural review to ensure compatibility with the land use characteristics of the local area and the adjacent existing development.

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

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

Evidence: The proposed project will provide an update to the appearance of an existing restaurant which will enhance its appearance and provide an appropriate brand recognition to an e franchise business.

Goal UD-1: Create and maintain a positive image that also provides a clear identity for the community within the region

Policy UD-1.1: Enhance the City's image and identity within the regions setting.

Evidence: The updated color scheme and new awnings will enhance the appearance of a restaurant located along the Canyon Del Rey Boulevard gateway.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Board of Architectural Review Application No. 21-11 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 December 8, 2021 shown on Exhibit A.

Standard:

1. 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.
2. 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.
3. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and dining room seats.
4. 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.
5. Water conservation fixtures shall be provided in the proposed project.
6. 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.

7. Use Permit 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.
8. 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 8th day of September, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

BOARD OF ARCHITECTURAL REVIEW APPLICATION No. BAR-21-11
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

TOP OF FR
EL 127'-3 1/2"

TOP OF FR
EL 118'-3"

BOT OF AWNING
EL 106'-8"

TSL
EL 100'-0"

NOTE:

- EXISTING STONE FINISH TO REMAIN AS IS.

- SHERWIN WILLIAMS "HALF-CAFF"
- SHERWIN WILLIAMS "SMOKY BEIGE"
- SHERWIN WILLIAMS "IRON ORE"
- SHERWIN WILLIAMS "TRICORN BLACK"
- SHERWIN WILLIAMS "SALUTE - ACROLON 218" (DOORS & FRAMES)

BOT OF AWNING
EL 106'-8"

TSL
EL 100'-0"

FRONT ELEVATION

TOP OF FR
EL 118'-3"

TOP OF FR
EL 127'-3 1/2"

TOP OF FR
EL 125'-9 1/2"

TOP OF FR
EL 118'-3"

BOT OF AWNING
EL 106'-8"

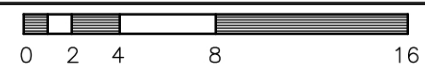
TSL
EL 100'-0"

LEFT ELEVATION

NOTE:
EXISTING SIGNAGE TO REMAIN UNLESS NOTED OTHERWISE.
SIGNAGE IS NOT PART OF THIS APPLICATION. SIGNAGE PERMIT APPLICATION
TO BE SUBMITTED BY SIGNAGE CONTRACTOR.

chili's

SEASIDE, CA - EXTERIOR ELEVATIONS
PROTOTYPE 10.8

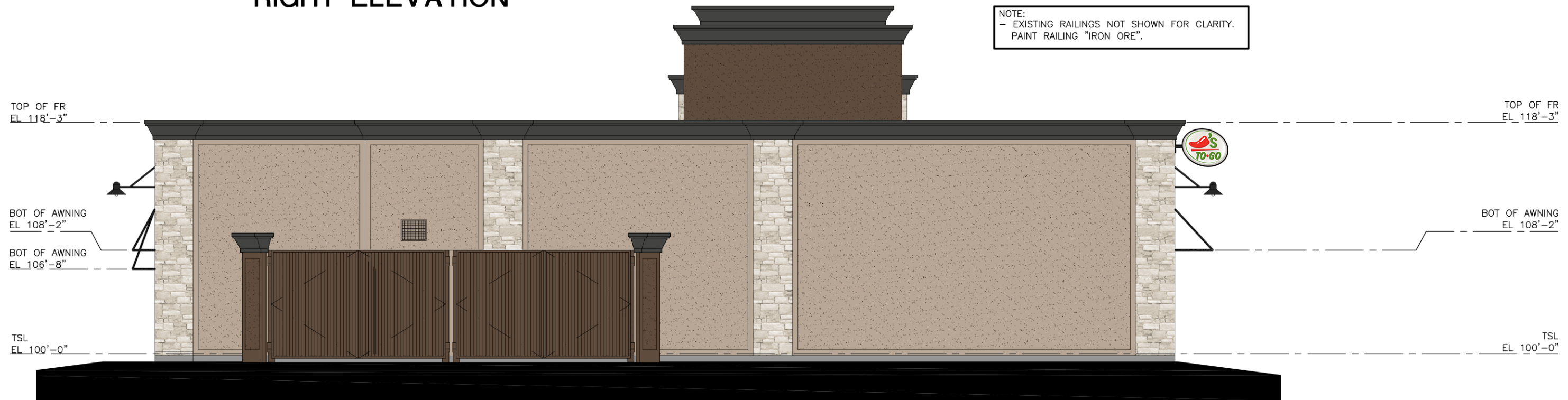


190176	
GHA	
DATE	DESCRIPTION
07.21.21	COLOR ELEVATIONS





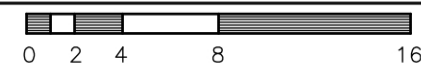
RIGHT ELEVATION



REAR ELEVATION

chili's

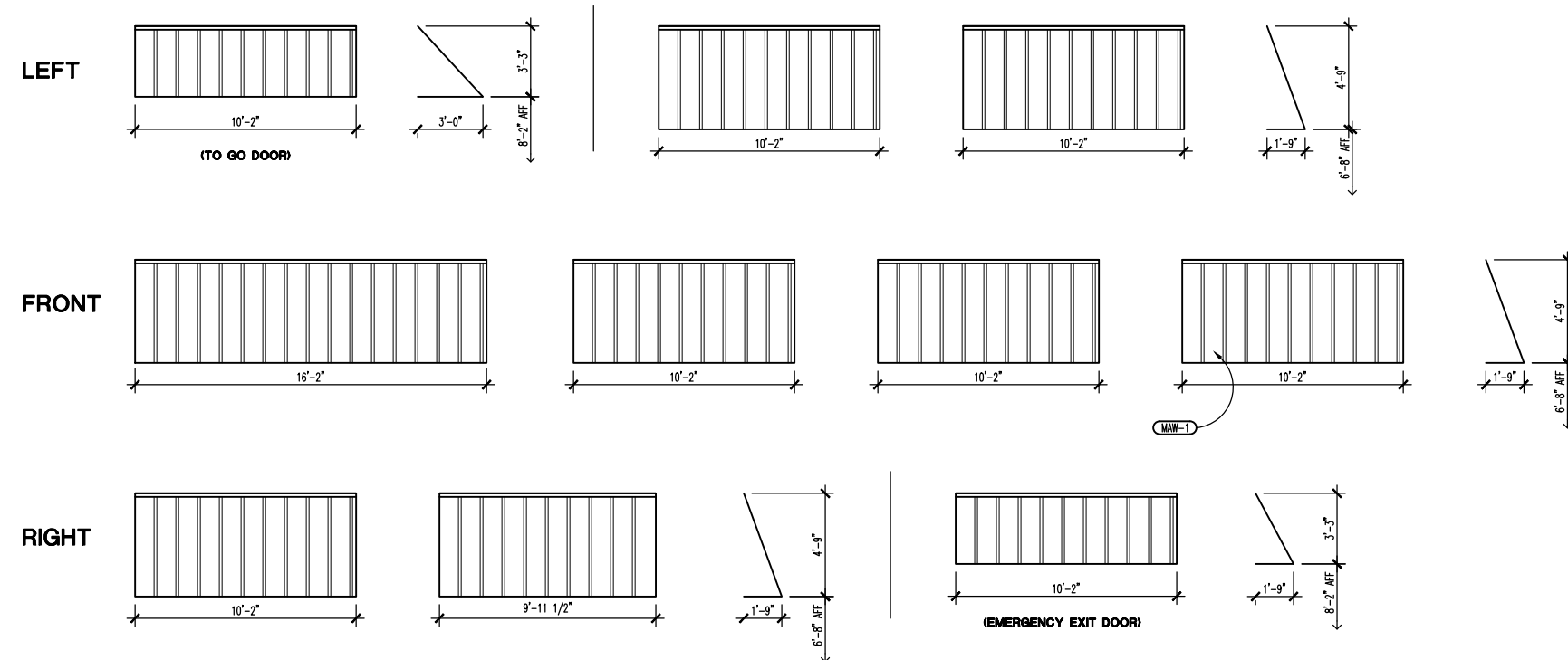
SEASIDE, CA - EXTERIOR ELEVATIONS
PROTOTYPE 10.8



NOTE: EXISTING SIGNAGE TO REMAIN UNLESS NOTED OTHERWISE. SIGNAGE IS NOT PART OF THIS APPLICATION. SIGNAGE PERMIT APPLICATION TO BE SUBMITTED BY SIGNAGE CONTRACTOR.	
DATE 07.21.21	DESCRIPTION COLOR ELEVATIONS

190176 GHA





•• DIMENSIONS ARE PROVIDED FOR ESTIMATING PURPOSES ONLY ••
 •• FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION ••
 ALL EXISTING AWNING FRAMEWORK TO REMAIN UNLESS OTHERWISE NOTED.
 PAINT FRAMES 'TRICORN BLACK'.
 REPLACE ALL EXISTING AWNING FABRIC WITH NEW METAL AWNING (MAW-1):
 BERRIDGE STANDING SEAM , COLOR 'MATTE BLACK'.

01 AWNING PROFILE
 SCALE: 1/4"=1'-0"



SEASIDE, CA - EXTERIOR ELEVATIONS
 PROTOTYPE 10.8



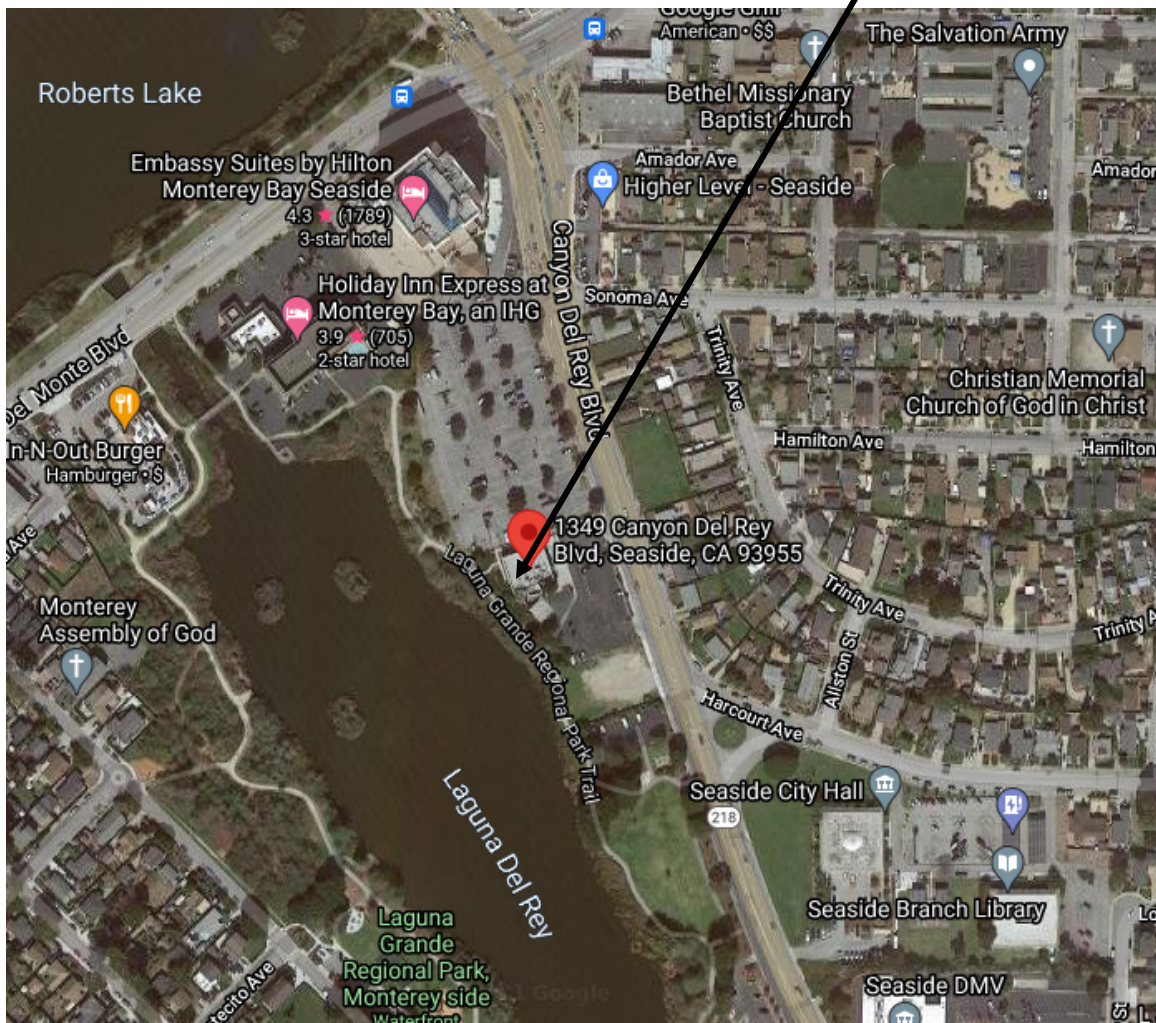
DATE	DESCRIPTION
07.21.21	COLOR ELEVATIONS



Attachment 2

Location Map

Project Site: 1349 Canyon Del Rey Boulevard





Façade facing Canyon Del Rey Blvd.



Front façade facing Embassy Suites Parking lot



Rear façade facing Laguna Grande lake and trail



CITY OF SEASIDE STAFF REPORT

Item No.: 6.D.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: December 8, 2021

SUBJECT: FENCE EXCEPTION APPLICATION NO. FE-21-03: BARBARA DIEDWARD, APPLICANT AND PROPERTY OWNER, IS REQUESTING A FENCE EXCEPTION TO ALLOW A SECTION OF THE FRONT YARD FENCE TO EXCEED THE MAXIMUM FOUR FOOT HEIGHT LIMIT IN THE FRONT SETBACK. THE PROJECT SITE IS LOCATED AT 1512 WANDA AVENUE IN THE RS-12 ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT, CLASS 5, SECTION 15305 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

BACKGROUND

The subject property is developed with a one-story, 761 square foot one-story dwelling house with an attached one-car garage that was constructed in the 1954.

SITE LOCATION AND DESCRIPTION

The project site is a 3,750 square-foot parcel and is located on the south side of the Wanda Avenue between Vallejo Street to the east and Darwin Street to the west. The adjacent properties are developed with single family dwellings to 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 fence within the 15-foot front yard setback. The site photos provided as Attachment 3 demonstrate the horizontal redwood fence construction with 8-inch gaps between the six horizontal 2x boards.

The fence has been placed atop on concrete retaining wall that varies in height from 2-inches at east side adjoining driveway to 24-inches at west end adjoining the western side property line. The fence is four feet in height at east end and five-foot six-inches at west end.

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

STAFF ANALYSIS

The existence of the fence was discovered during the escrow process on recent purchase of the dwelling. City staff has determined that the fence and retaining wall was constructed in 2016. The applicant informed City staff that the retaining wall was necessary to minimize erosions and drainage issues at the northwest corner of the site.

FINDINGS

1. A general safety hazard to City residents and/or the general public would not be created.

Evidence: City staff finds that the purpose of the fence and retaining wall is to address a certain degree of privacy between parcels and safety standards. City staff has taken into account the differentiation in topography along Wanda Avenue. City staff finds that the fence and retaining wall will not pose any significant impacts on the enjoyment of other properties.

2. A traffic-related safety hazard would not be created.

Evidence: The project site is an interior lot that will not create a new or add to an existing traffic safety hazard.

3. The fence will not impair visibility at an intersection or traffic safety visibility area.

Evidence: The project site is an interior lot. No impact at an intersection will occur. The height of the fence is at four feet adjacent to the driveway on project site which is in compliance with the 15-foot traffic safety visibility area for a driveway.

4. The fence will not obstruct vision from an adjoining driveway.

Evidence: The adjoining properties to the east and west do not have a driveway which abuts the project fence or is within 15 feet of the project fence.

5. The fence is compatible with the surrounding neighborhood.

Evidence: The fence is compatible with surrounding neighbors who have similarly configured retaining walls with a level fence on top of retaining walls. Furthermore, the transparency created by the spacing of the horizontal boards reduces the mass of the fence and the horizontal lounge and groove siding on the dwelling.

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 minor exception to the height of a residential fence.

ATTACHMENTS

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

RESOLUTION NO. 21-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING FENCE EXCEPTION No. FE-21-03 FOR AN AS BUILT FENCE EXCEEDING MAXIMUM HEIGHT IN A REQUIRED FRONT YARD FOR A SINGLE FAMILY DWELLING AT 1512 WANDA AVENUE IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT.

WHEREAS, Barbara Diedwardo, property owner, and applicant, is requesting approval of a Fence Exception application to allow for a front yard fence to exceed four-foot height limit in the required front yard setback located at 1512 Wanda Avenue in the RS-12 zoning district; and,

WHEREAS, a duly noticed public hearing has been held on December 8, 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 Fence Exception Application FE-21-03 in accordance with Section 17.30.020 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 variance will result in a minor adjustment to City standards for height of fence.*

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Fence Exception Application No. FE-21-03:

Fence Exception Finding

1. A general safety hazard to City residents and/or the general public would not be created.

Evidence: City staff finds that the purpose of the fence and retaining wall is to address a certain degree of privacy between parcels and safety standards. City staff has taken into account the differentiation in topography along Wanda Avenue. City staff finds that the fence and retaining wall will not pose any significant impacts on the enjoyment of other properties.

2. A traffic-related safety hazard would not be created.

Evidence: The project site is an interior lot that will not create a new or add to an existing traffic safety hazard.

3. The fence will not impair visibility at an intersection or traffic safety visibility area.

Evidence: The project site is an interior lot. No impact to an intersection will occur. The height of the fence is at four feet adjacent to the driveway on project site which is in compliance with the 15-foot traffic safety visibility area for a driveway.

4. The fence will not obstruct vision from an adjoining driveway

Evidence: The adjoining properties to the east and west do not have a driveway which abuts the project fence or is within 15 feet of the project fence.

5. The fence is compatible with the surrounding neighborhood.

Evidence: The fence is compatible with surrounding neighbors who have similarly configured retaining walls with a level fence on top of retaining walls. Furthermore, the transparency created by the spacing of the horizontal boards reduces the mass of the fence and the horizontal lounge and groove siding on the dwelling.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Variance application No. FE-21-03 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 December 8, 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 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.
6. 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.
7. 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 8th day of December, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

FENCE EXCEPTOION APPLICATION No. FE-21-03

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

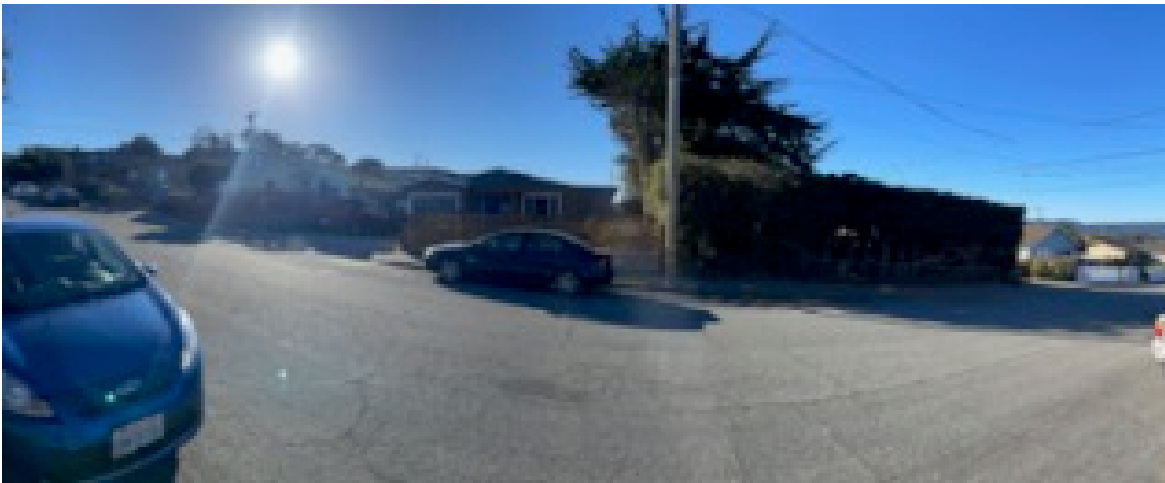
Attachment 1 – Exhibit A

Project Plans





View of East side of fence adjoining driveway

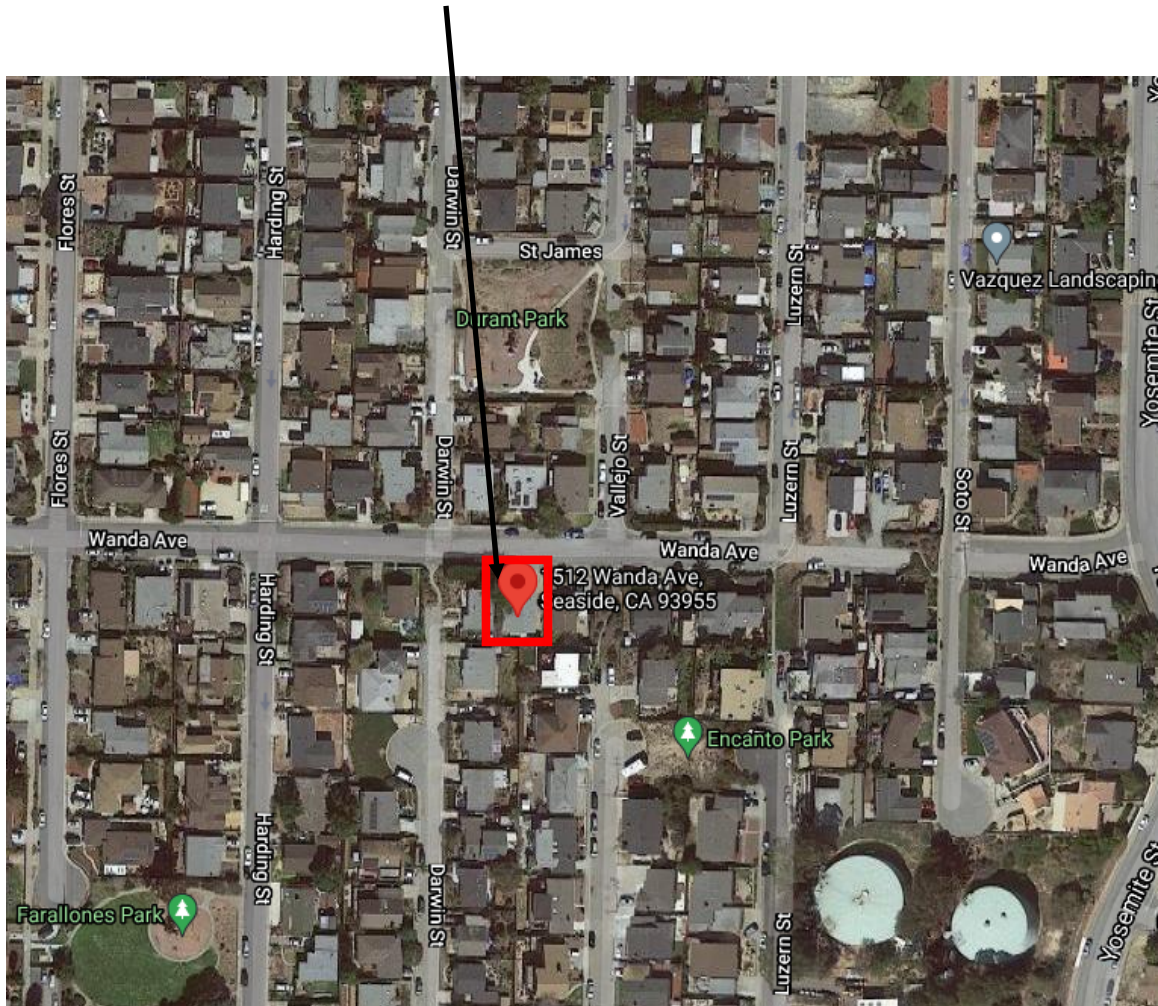


View of front face with adjoining properties to the east and west

Attachment 2

Location Map

Project Site: 1512 Wanda Avenue





CITY OF SEASIDE STAFF REPORT

Item No.: 6.E.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: December 8, 2021

SUBJECT: VARIANCE APPLICATION NO. V-21-03: EDGAR MENDOZA, APPLICANT AND PROPERTY OWNER, IS REQUESTING A VARIANCE TO ALLOW AN AS-BUILT ABOVEGROUND DECK TO ENCORACH INTO THE REQUIRED REAR YARD FOR A SINGLE FAMILY DWELLING SITE LOCATED AT 1753 MENDOCINO STREET IN THE RS-12 (SINGLE FAMILY) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT, CLASS 5, SECTION 15305 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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.

BACKGROUND

The subject property is developed with a one-story, 1,564 square foot one-story dwelling house consisting of three bedrooms and two bath with an attached two car garage that was constructed in the 1972. An attached 48 foot by nine foot aboveground deck exists within the rear yard.

SITE LOCATION AND DESCRIPTION

The project site is a 7,250 square-foot parcel and is located on the west side of the Mendocino Street between San Pablo Avenue to the north and Highland Street to the

south. The adjacent properties are developed with single family dwellings to 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 deck attached to the rear of the dwelling. The aboveground deck is 48 feet in length by nine feet in width. The aboveground deck is 4'-11" above the grade and 5'-0" from the rear yard. The aboveground deck has stairway access to the rear yard from the as-built stairway located in the middle of the deck. The as-built stairway maintains a zero setback from the rear property line. The applicant is proposing to remove the existing stairway and relocate stairway to north side of deck to hold the required 9'-0" setback from the rear property line.

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	NA	15'
Side	13' on both sides	5'
Rear	5'-0"	9'-0"

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

STAFF ANALYSIS

The existence of the deck was discovered during the escrow process on of the recent purchase of the dwelling in 2021. It was disclosed by the City that there was evidence from aerial photos that the aboveground deck has existed from at least 2010. 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:

1. Unenclosed aboveground decks attached to a structure may encroach 6 feet into the 15-foot rear setback. The existing deck is setback 5'-0" from rear property line which is four feet greater than the maximum encroachment.

Variance Findings

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. No comments have been received from the adjoining property owners. The removal of the existing stairway and relocation of a stairway to the north side of the deck will mitigate privacy concerns and fire safety regulations.

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 allow for the relocation of the stairway leading from the deck to the rear yard below. 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. 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.

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 four feet for an aboveground deck approximately four feet 11-inches above grade in the rear yard.

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-21-03 FOR AN AS BUILT DECK PROJECTION INTO A REQUIRED REAR YARD FOR A SINGLE FAMILY DWELLING AT 1753 MENDOCINO STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT.

WHEREAS, Edgar Mendoza, property owner, and applicant, is requesting approval of a Variance application to allow for a deck to attached to a single family dwelling to project into rear yard setback located at 1889 Highland Street in the RS-12 zoning district; and,

WHEREAS, a duly noticed public hearing has been held on December 8, 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-21-03 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 variance will result in a minor adjustment to City standards.*

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Variance Application No. V-21-03:

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 are to address a certain degree of privacy between parcels and fire safety standards. No comments have been received from the adjoining property owners. The removal of the existing stairway and

relocation of stairway to the north side of the deck will mitigate privacy concerns and fire safety regulations.

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

The approval of the Variance would allow for the relocation of the stairway leading from the deck to the rear yard below. 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.

2. 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. V-21-03 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 December 8, 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 8th day of December, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

VARIANCE APPLICATION No. V-21-03

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).

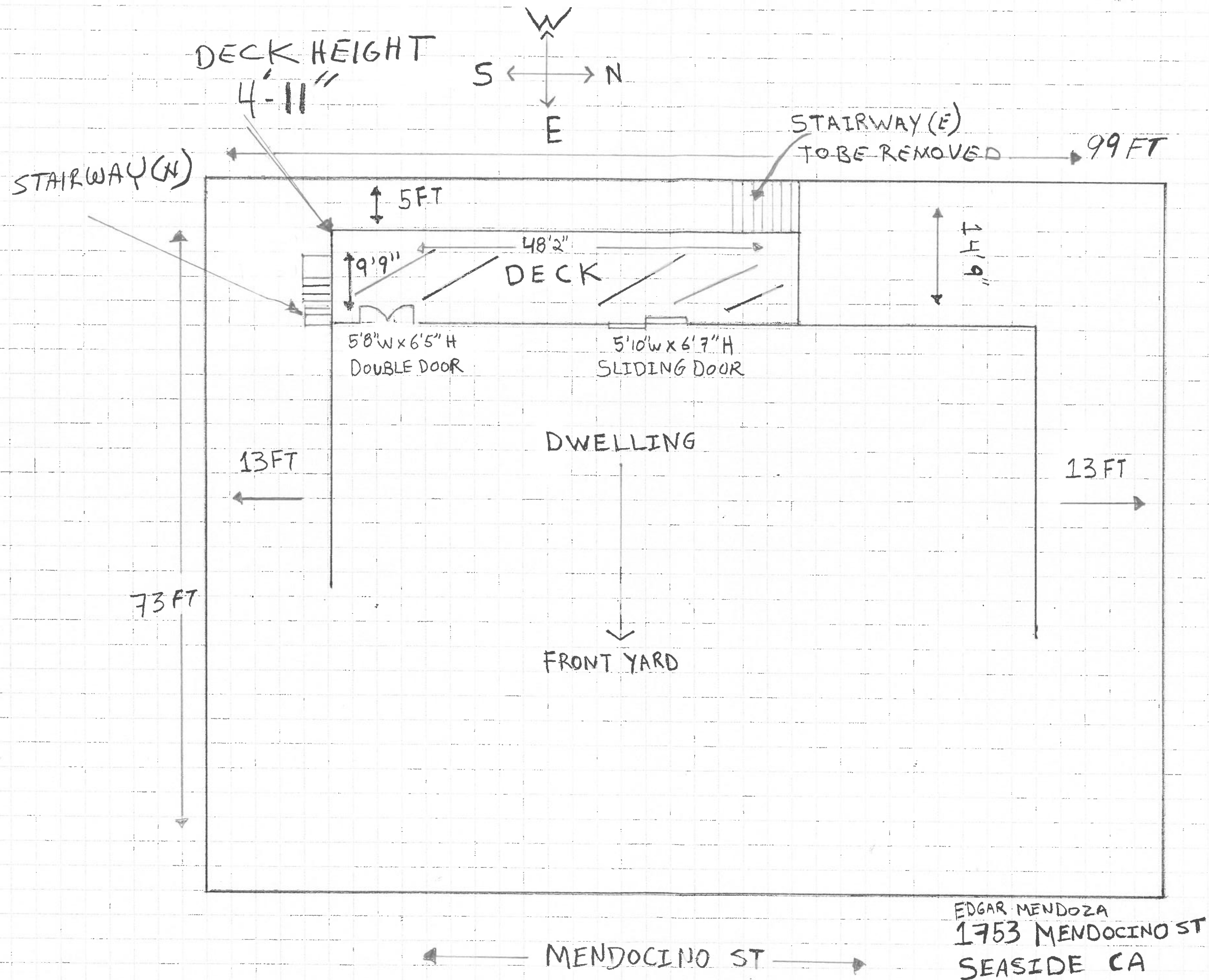
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Water Allocation Committee.

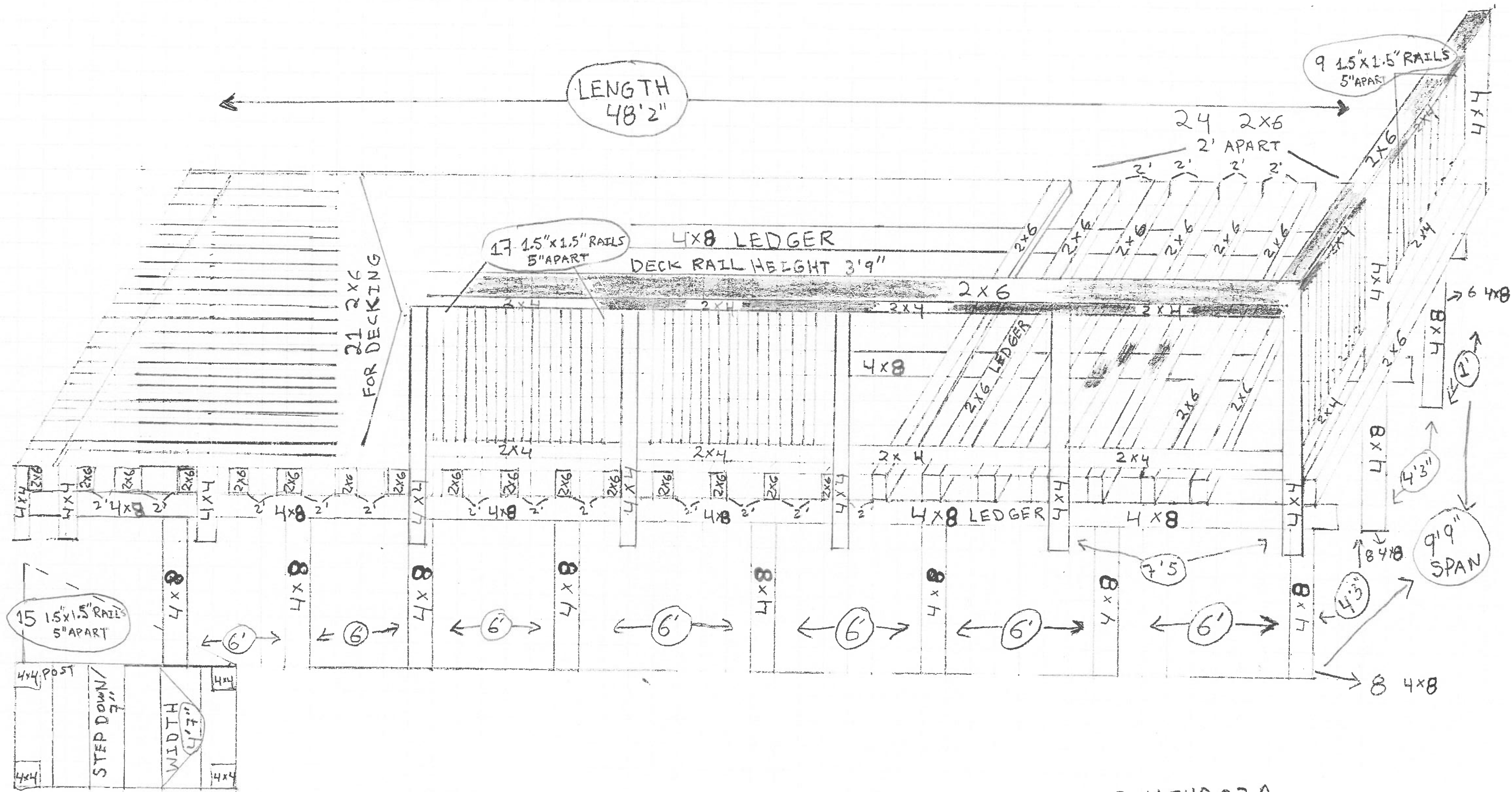
Applicant's Signature

Date

Property Owner's Signature

Date



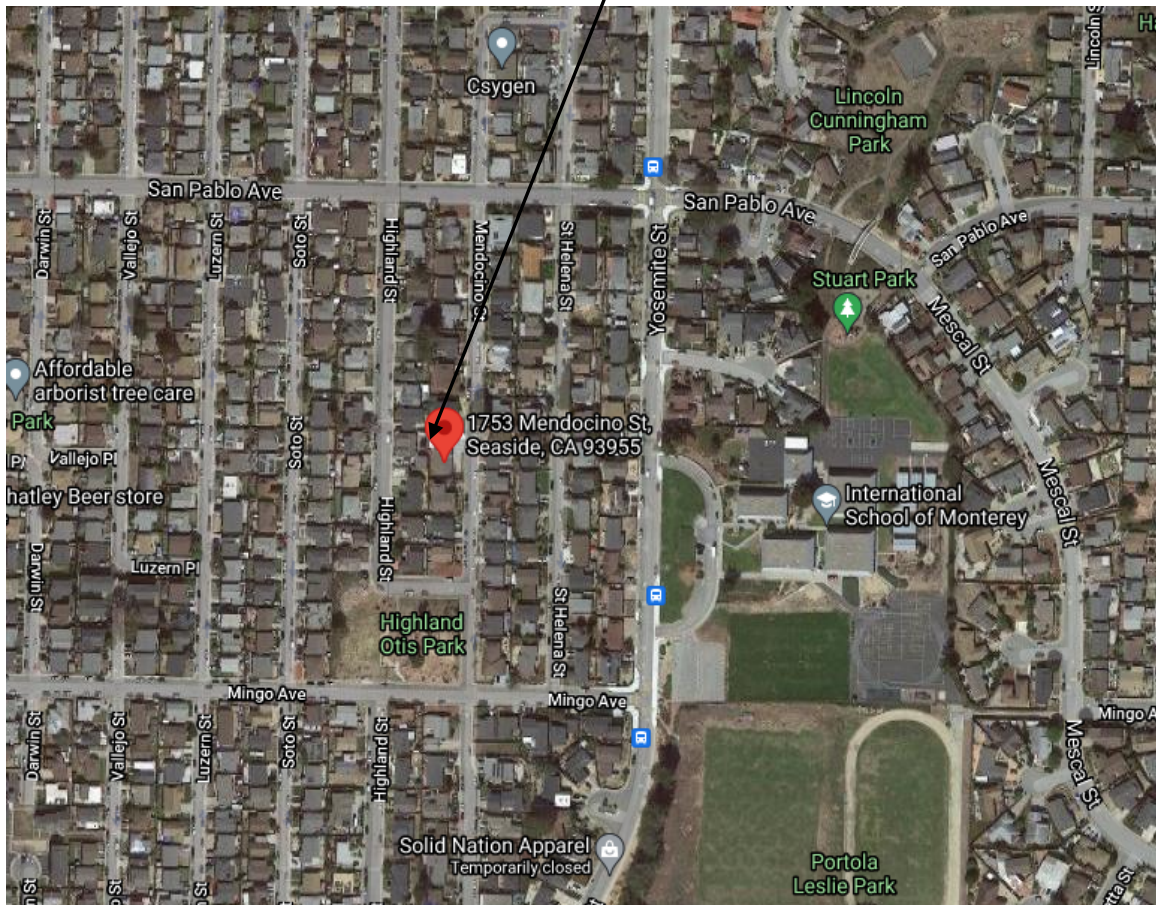


EDGAR MENDOZA
1753 MENDOCINO ST
SEASIDE CA

Attachment 2

Location Map

Project Site: 1753 Mendocino Street



Attachment 3

Site Photos



View of Deck looking north



View of deck from south side yard



View of deck looking south



CITY OF SEASIDE STAFF REPORT

Item No.: 6.F.

TO: Planning Commission

BY: David Little, Building Official

DATE: December 8, 2021

SUBJECT: SEASIDE MUNICIPAL CODE AMENDMENT THE CITY OF SEASIDE IS REQUESTING A RECOMMENDATION FROM THE PLANNING COMMISSION ON PROPOSED TEXT AMENDMENTS REPEALING AND AMENDING CHAPTER 17.52, SECTION 17.52.230 (RESIDENTIAL SECOND UNITS) OF THE SEASIDE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS. THIS PROJECT IS CATEGORICALLY EXEMPT SECTION 15061(B)(3) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

PURPOSE & RECOMMENDATION

The purpose is to seek input from the Planning Commission on amending the existing Seaside Municipal Code in regards to Accessory Dwelling Units (ADUs) to comply with state law.

BACKGROUND

Accessory Dwelling Units (ADUs) are smaller, independent residential dwelling units located on the same lot as a primary residential dwelling. Junior ADUs (JADUs) are even smaller living units (ranging in size from 150 to 500 square feet) and created through the conversion of space within, or attached to, an existing single family home. For many years, the California legislature has identified the production of ADUs and JADUs as an important strategy to increase housing production statewide.

The City of Seaside adopted an ADU ordinance in 1983, formerly known as the "Second Dwelling Units." However, as the State has made significant changes to increase ADU production, the repealing and amending of Seaside's existing ordinance is required to align with state law. City staff is therefore seeking input from the Planning Commission before proceeding.

ATTACHMENTS

1. Attachment 1: Draft ADU Ordinance
 2. Attachment 2: Summary of State ADU Legislation
-

17.52.230 Accessory Dwelling Units

Sections:

- A. Purpose and intent.
- B. Definitions.
- C. Locations permitted.
- D. Effect of nonconforming.
- E. ADU and JADU design standards.
- F. Legal use requirements.
- G. Off-street parking requirements.
- H. Processing.
- I. Contents of applications.

A. Purpose and intent. The purpose of this Chapter is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22, as may be amended.

B. Definitions. As used in this section, terms are defined as follows:

“Accessory dwelling unit” or “ADU” means an attached or a detached residential dwelling unit located on a parcel with a proposed or existing primary residence or existing multifamily dwelling that provides a complete independent living facility containing separate kitchen, bath, sleeping, or living facilities. The term “attached accessory dwelling unit” means an accessory dwelling unit that is structurally attached to the main residence but which has independent, direct access from the exterior. The term “detached accessory dwelling unit” means an accessory dwelling unit that is not structurally attached to the main residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code, as may be amended; and
2. A manufactured home, as defined by Section 18007 of the California

Health and Safety Code, as may be amended.

3. "Accessory structure" means a building or structure that is incidental to that of the main building on the same parcel.

"Complete independent living facilities" means permanent provisions for cooking, eating, sleeping living, and sanitation on the same parcel as the single-family or multifamily dwelling is, or will be, situated.

"Efficiency kitchen" means a kitchen that includes each of the following:

1. A cooking facility with appliances;
2. A food preparation counter or counters that are adequate for the size of the unit;
3. Food storage cabinets adequate for the size of the unit.

"Junior accessory dwelling unit" or "JADU" means a residential unit that:

1. Is no more than 500 square feet in size;
2. Is contained entirely within an existing or proposed single-family structure;
3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure; and
4. Includes an efficiency kitchen, as defined in this Chapter.

"Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any other accessory structure, other than ADUs and JADUs.

"Multi-family residential ADU" means an ADU designed for one family and allowed under Government Code Section 65852.2(e)(1)(C), as referenced in this chapter.

"Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from

a street to one exterior entrance of the ADU or JADU.

"Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

"Public transit" means a location, including, but not limited to, any fixed-route bus stop or other transit stop with transportation that runs on fixed routes, and is available to the public.

"Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a parcel, lined up behind one another.

"Tract housing" is a type of housing development in which multiple similar houses are built on a tract (area) that is subdivided into smaller lots."

C. Locations Permitted. Accessory dwelling units are permitted on parcels of any size in conjunction with a proposed or existing residential use in any zone that allows residential uses.

D. Effect of Conforming. An ADU or JADU that conforms to the requirements in this section shall not be:

1. Deemed to be inconsistent with the General Plan and zoning designation for the parcel on which the ADU or JADU is located;
 2. Deemed to exceed the allowable density for the parcel on which the ADU or JADU is located;
 3. Considered in the application of any ordinance, policy, or program to limit residential growth; or
 4. Required to correct a legally established nonconforming zoning condition.
- This does not prevent the City from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.

E. ADU and JADU design standards. ADUs and JADUs shall comply with the following standards:

1. Maximum Number. Only one ADU and one JADU shall be allowed on each lot or parcel with a zoning designation of single-family residential. Multifamily ADUs shall comply with Government Code Section 65852.2.

2. Height limit.

a. A detached ADU, accessory to a single-family dwelling, shall be limited to one story and shall not exceed a maximum overall height of sixteen feet (16') to the highest ridgeline.

b. An attached ADU, accessory to a single-family dwelling, shall have the same height limitations that apply to the main dwelling.

c. A detached ADU, accessory to a duplex or multifamily, shall be limited to one story and shall not exceed a maximum overall height of sixteen feet (16') to the highest ridgeline.

d. An attached ADU, accessory to a duplex or multifamily, shall be limited to a conversion of existing non-livable space and must maintain existing height.

e. An ADU located over a garage may be allowed to exceed the height limitations of sixteen feet (16') to a maximum height of twenty-two feet (22') with Minor Use Permit approval.

3. Setbacks. ADUs and JADUs shall comply with the following setback standards:

a. Site planning. A detached ADU shall be located behind the rear building line of the primary residence, and be clearly subordinate by location and size.

b. Rear and/or side setbacks. A minimum of four feet (4') shall be required.

- c. Building separation. A minimum building separation of six feet (6') shall be maintained (wall to wall) between the primary residence and a detached ADU.
- d. Fire-resistance. Exterior walls shall comply with the minimum fire-resistance ratings in relation to proximity to property lines, and building separation distance, as required by the California Building Code, and/or California Residential Code, in effect when a completed permit application has been submitted the City.
- e. Existing Garage. No setback shall be required for an existing, legal, attached or detached garage and/or other existing structure that is converted to an ADU or JADU.

4. Maximum floor area.

- a. The floor area of a newly constructed detached ADU shall not exceed 640 square feet on parcels or lots 5,999 square feet or less; and shall not exceed 1000 square feet on parcels or lots of 6,000 square feet or more. In no case shall a detached ADU exceed 40 percent of the floor area of the living area of the primary dwelling, whichever is less.
- b. The floor area of a newly constructed attached ADU shall not exceed 50% of the floor area of the proposed or existing single-family dwelling.
- c. The floor area of a JADU shall be a maximum of 500 square feet, and shall be contained within a proposed, existing single-family dwelling, or converted garage, carport or patio.
- d. The conversion of an existing detached accessory structure to an ADU shall not be subject to the floor area square footage requirements of this section, except that no such conversion shall exceed 1200 square feet.

e. The floor area for multifamily ADUs shall comply with Government Code Section 65852.2.

5. Separate entrance required. An ADU and JADU shall provide a separate exterior access from the existing primary residence. Entry doors cannot be on the same facade as the entry door of the primary residence, unless this requirement prevents creation of the accessory dwelling unit.

6. Addressing. ADUs or JADUs constructed or established on the same parcel or lot as an existing or proposed single-family dwelling shall be distinguished by utilizing the same address numbers as the primary dwelling followed by the letter “B”, then “C”, and so forth.

7. Window placement. Windows facing an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping may be required to provide screening.

8. Exterior. ADUs or JADUs proposed in Master Planned Communities, areas regulated by Specific Plans, and any tract housing that obtained approval by the Board of Architectural Review shall substantially conform to the originally approved design elements, such as building materials, architectural style, roof pitch, height, scale, exterior colors and finishes.

9. Lighting Restrictions. Any lighting associated with an ADU or JADU shall be shielded or down-lit and shall not shine onto adjoining properties, while meeting the minimum building code.

10. Landscaping. No less than 20 percent of the lot shall be landscaped. All areas of the site that are not utilized for buildings, patios, parking, pedestrian or vehicular access shall be landscaped and provided with a permanent irrigation system. The front yard shall be landscaped, exclusive of walkways and driveways. As site conditions allow, and concurrent with each newly established ADU or JADU, a minimum of one (1) tree of not less than (5) gallon size stock,

shall be planted upon the same parcel or lot as the ADU or JADU. Upon request, the Zoning Administrator shall provide property owners with a pre-approved list of acceptable tree species. The removal or loss of any tree in conjunction with an ADU or JADU shall be replaced with three (3) or more trees of the same species using at least (5) gallon size stock, as determined by the Zoning Administrator, and comply with the requirements of Chapter 8.54.040.

11. Private Open Space/Patios and Decks. Each ADU or JADU shall have a deck or a patio, directly adjoining individual units. The minimum private open space required for each unit shall be no less than 96 square feet with a minimum width of six feet (6') for a deck/patio and eight feet (8') for landscaped area.

F. Use requirements. ADUs and JADUs shall comply with the following:

- 1. Short-term rental prohibited.** Any rental term of an ADU or JADU that was legally created on or after January 1, 2017 shall be longer than 30 days.
- 2. Sale of units.** The accessory dwelling unit may not be sold separately from the existing single-family home or multifamily dwelling.
- 3. Driveway.** A new driveway approach or curb cut, if needed, for an ADU or JADU, may require a separate encroachment permit from the Engineering Dept.

G. Off-street parking requirements. At least one off-street paved parking space shall be provided for an accessory dwelling unit in addition to the parking required for the primary dwelling by Chapter 17.34 (Parking and Loading). The parking space shall comply with the location and design requirements of Chapter 17.34, except that off-street parking spaces designated for residential second units may be located within the required interior side or rear property setback areas or in a tandem parking configuration in compliance with Chapter 17.34 (Off-Street Parking).

No additional parking shall be required if one of the following conditions applies to the ADU:

1. ADU is located within one-half mile walking distance of public transit.
2. The accessory dwelling unit is located within an architecturally and historically significant historic district.
3. The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
5. When there is a car share vehicle located within one block of the accessory dwelling unit.
6. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

H. Processing. The City shall provide an approval or denial of ADU and/or JADU applications within (60) sixty-days from the date such application is deemed complete. The City shall deem ADU applications complete that include all of the information and materials required in the application submittal checklist, comply with the provisions of this chapter, and include full payment of applicable review fees. Complete applications shall be considered ministerial, without discretionary review or a hearing, unless:

1. The applicant requests a processing delay, in which case the (60) sixty-day time period is tolled for the period of the requested delay; or
2. The permit application for an ADU or JADU is submitted along with a permit application to create a new primary dwelling on the same parcel or lot, the City may delay acting on the ADU or JADU application until the City permits the new primary dwelling.

I. Contents of Applications. An ADU and/or JADU application shall include the following:

1. Completed Residential Building Permit Application;
2. Completed Monterey Peninsula Water Management District (MPWMD) residential water release form and permit application.

3. Plan Set - Signed and Dated (If Required). A Single PDF file containing all plan sheets, 24"x 36" minimum size, to include:
- a. COVER SHEET: Project address; assessor parcel number; legal property owner's name, address, phone Number; plan preparer's title and license number (If Applicable), address, phone number; scope of work identifying all work proposed, clearly showing existing and proposed work and descriptions; applicable CA codes and regulations, California Building or Residential Code, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building Codes and City of Seaside Municipal Code; project data, property type, type of construction, occupancy classification, square footage of existing/remodeled/new proposed structure(s) and addition(s), overall building height, fire sprinkler (Yes / No), number of stories; sheet index; deferred submittal list – trusses, sprinklers, etc. (If Applicable); special inspections noted (If Required);
 - b. SITE PLAN: North arrow; scale; setbacks; lot dimensions; property boundaries; street names; new and existing structures; building footprint and roofline with all projections dimensioned to property lines; gates; walls; fences; driveways; walks; easements; utilities; meter locations; Cal Green Mandatory Measures Checklist legibly reproduced on the plans; site improvements, including grading, drainage, and landscape irrigation;
 - c. DEMOLITION PLAN (if Applicable): Showing any existing structure(s), or portion(s) of a structure to be removed with floor plan(s) and framing details;
 - d. FLOOR PLAN (Existing/Proposed): Drawn to scale, dimensioned, rooms labeled, doors and window types, sizes, schedules; framing details;
 - e. EXTERIOR ELEVATIONS: All sides of the exterior of the building; existing & proposed exterior wall finishes and special finishes; roof materials and roof pitches; door, window, skylight, and other openings, locations, materials, and configurations; vertical dimensions showing the height of structure(s) and heights of finished floors;

locations and extent of shear walls, let-in bracing, or other methods of shear transfer;

- f. FOUNDATION PLAN: Detailed and dimensioned, slabs and foundations for garages, patios, breezeways, driveways, walks; footings, piers, slabs, grade beams, retaining walls (sizes and locations); hold-downs, connections of new foundations to existing foundations; any special construction required by structure, site conditions, or expansive soils; required compressive strength of concrete; crawl access openings and screened vents under raised wood floors; North arrow;
- g. ROOF FRAMING PLAN: Size and spacing of beams, rafters, headers, trusses, roof openings; layout of roof sheathing; nailing; North arrow;
- h. STRUCTURAL CALCULATIONS: Signed and dated; CRC Braced Walls or CBC Shear Walls; schedule (If Modified); Soils Report (If Applicable), signed and dated;
- i. PLUMBING, MECHANICAL, ELECTRICAL PLANS: Location of new or existing mechanical equipment serving the added or altered area; electrical plan with receptacles, lighting and panel schedule (If Modified); gas line diagram and calculations (If Modified); Energy Certificate of Compliance Forms reproduced on plan sheets; and
- j. MPUSD release for any payment of school district fees.

SECTION 3.

The City Manager is directed to execute all documents and to perform all other necessary City acts to implement effect this Ordinance.

SECTION 4. SEVERABILITY.

- A. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable.
- B. The City Council hereby declares that it would have each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences,

clauses or phrases be held unconstitutional, invalid or unenforceable.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Seaside duly held on the ____ day of ____ 2021 and passed to print.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the ____ day of ____ 2021 by the following roll call vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk

APPROVED AS TO FORM:

Sheri L. Damon,
City Attorney

Summary of State ADU Legislation

Accessory Dwelling Unit Legislation 2016-2020		
Bill Number	Date Enacted	Summary of ADU Changes
SB 1069	01/01/2017	• Reduced parking to once space per bedroom or unit • Allowed off-street parking to be tandem or in setback areas • Eliminate Parking requirements if ADU meets the following: ○ 1/2 mile from public transit ○ part of an existing residence or existing accessory structure ○ within one block of a car share ○ in an area where on-street permits are required but not offered to the ADU • Prohibits agencies from requiring new or separate utility connections • Prohibits agencies from charging new connection fees when located within an existing residence or accessory structure • Requires agencies to charge fees must be proportionate to the burden of services • Fire sprinklers not required if they are not required in the primary residence. • Total prohibition not permitted unless jurisdiction extreme hardship (i.e. lack of water, sewer capacity)
AB 2299	01/01/2017	• A municipality must approve an ADU through a building permit if comply with the following: ○ lot is zoned for SFR or MFR uses and contains and existing SFR ○ ADU is either attached to the existing unit, or located within the living area of the existing unit or detached on the same lot ○ increased floor area of an ADU does not exceed 50% of the existing living area of an SFR with a max. 1,200 sf • Elimination of setback requirements for an existing garage that is converted into an ADU
AB 2406	01/01/2017	• Allows for Junior ADUs to be developed, when an ordinance is adopted that are under 500 square feet in size and completely contained within an existing residential unit with the following requirements: ○ 1 JADU per SFR zoned lot with an existing residence ○ Primary unit or JADU must be owner occupied ○ Entirely within residential structure and have its own separate entrance ○ May share bath with primary unit or have its own bath ○ Prohibits parking as a condition of a permit ○ Prohibits connection fees from being charged
SB 229	01/01/2018	• Allows for ADUS in single family and multi-family residential zones that allow residential uses • Allows for replacement parking anyone on the lot where a garage, carport, or covered parking structure is converted into an ADU • Requires municipalities to submit ADU regulations to HCD for review and approval
AB 494	01/01/2018	• ADUs may not be sold separately, but can be rented • No setback is required if a portion of a garage is converted into an ADU

Accessory Dwelling Unit Legislation 2016-2020		
Bill Number	Date Enacted	Summary of ADU Changes
		• One parking space per bedroom or unit, whichever is less • An accessory structure is defined as a studio, pool house, or other similar structure • Owner occupancy required for either the primary dwelling or ADU
AB 68	01/01/2020	• Eliminates lot size minimums, lot coverages • ADUs may be attached to, located within, an attached garage, storage area, accessory structures. • 60 Days to complete and issue a building permit with an existing structure • Eliminates Floor Area Ratio, open space requirements if they prohibit ADU construction • At minimum must allow at least 800 sf ADU • At minimum allow 16-ft height for an ADU • reduce side and rear yard setbacks to 4-feet • Junior ADU standards the same as ADU standards • Prohibits the outlawing of efficacy units
SB 13	01/01/2020	• Municipalities may not require owner occupation of either the primary dwelling or the ADU until 01/01/2025. • Additionally, agencies cannot impose impact fees on ADUs under 750 square feet.
AB 670	01/01/2020	• Repeals any HOA condition that "prohibits or unreasonably restricts" the construction of ADUs on single-family residential lots.
AB 671	01/01/2020	• Incentivize and promote the creation of affordable ADUs. The law also requires HCD to develop, by Dec. 31, 2020, a list of state grants and financial incentives for ADU development