



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
440 HARCOURT AVE (COUNCIL CHAMBER)
Wednesday, January 10, 2024
6:00 PM

NOTICE: *The Planning Commission will hold its public meetings in person, with options for viewing and listening virtually or telephonically, based on availability.*

1. To view this meeting: Please click on the following link to the City of Seaside YouTube Channel: <https://www.youtube.com/c/CityofSeasideCalifornia>
2. To view this meeting: Using the Zoom application on your smart phone, laptop, tablet or desktop and click on this link: <https://us02web.zoom.us/j/81555467580>
WEBINAR ID: 815 5546 7580
3. To listen by phone: Please call (669) 900-9128
Enter the **meeting ID 815 5546 7580** when prompted. There is no participate code – press the pound sign # after the recording prompts you.
4. To make 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 at least two (2) hours prior to the meeting time on the day of the meeting.

During the Meeting via Oral Comments: When the Chair calls for public comment, members of the public participating in person and wishing to address the Commission may approach the podium when the Chair calls for public comment.

1. **CALL TO ORDER**

2. **ROLL CALL**

William Silva	Chair
Keith Dodson	Commissioner
John Owens	Commissioner
Arlington La Mica	Commissioner
Dave Evans	Commissioner
Danny Huynh	Commissioner

3. **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).

4. PUBLIC COMMENT

Members of the public wishing to address the 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.

5. APPROVAL OF MINUTES

A. APPROVE MINUTES FROM DECEMBER 13, 2023

6. BUSINESS ITEMS

A. PRESENTATION ON STREET SELECTION FOR PAVEMENT REHABILITATION PROJECTS

B. ARCHITECTURAL REVIEW APPLICATION NO. AR-23-15: ECOLOGIC ARCHITECTS AND THOMAS RETTENWENDER, APPLICANT, AND ADAN MUNOZ, PROPERTY OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL OF A SECOND STORY BALCONY AND ROOF DECK ATTACHED TO AN ACCESSORY DWELLING UNIT. THE PROJECT SITE IS LOCATED AT 1204 SAN LUCAS STREET (APN 012-343-024) IN THE RS-12 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CLASS 3 SECTION 15303(E)

C. ARCHITECTURAL REVIEW APPLICATION NO. AR-23-13. THOMAS RETTENWENDER, APPLICANT, AND VI DUONG, PROPERTY OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL FOR A FIRST AND SECOND STORY ADDITION, INCLUDING A NEW TWO-CAR ATTACHED GARAGE. THE PROJECT IS LOCATED ON A 8210 SQUARE FOOT PARCEL AT 1930 LUXTON STREET (APN 011-081-008) IN THE RS-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CLASS 3, SECTION 15303(A)

D. ARCHITECTURAL REVIEW APPLICATION AR-23-16. CHARLIE HAZELBAKER OF KB BAKEWELL, APPLICANT, AND GREATER VICTORY TEMPLE CHURCH, OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL FOR A NEW THREE-STORY, 21-UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT LOCATED AT 1620 BROADWAY AVENUE (APN: 012-631-003) ON THE GREATER VICTORY TEMPLE CHURCH SITE IN THE HIGH-DENSITY RESIDENTIAL (RH) ZONING DISTRICT. THIS PROJECT IS EXEMPT CLASS 32 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15332

7. REPORTS FROM COMMISSIONERS

8. REPORTS FROM STAFF

This is a time specifically set aside for the Staff Liaison to provide updates on non-agendized requests from the Commission, and to provide brief information on topics under the purview of the Commission.

9. ADJOURNMENT

Next Regularly Scheduled Meeting:
JANUARY 24, 2024
6:00 PM

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

<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

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



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, December 13, 2023
6:00 PM

1. CALL TO ORDER

Chair Silva called the meeting to order at 5:00 p.m.

2. ROLL CALL

PRESENT: HUYNH, EVANS, SILVA, DODSON, LAMICA, OWENS

ABSENT: NONE

3. REVIEW OF AGENDA

No changes.

4. PUBLIC COMMENT

None.

5. APPROVAL OF MINUTES

A. APPROVE MINUTES FROM OCTOBER 25 AND NOVEMBER 21, 2023

On motion by Commissioner Owens and second by Commissioner Evans, and carried by the following vote, the Planning Commission moved to approve the minutes October 25 and November 21, 2023.

RESULT: 5-0-1-0

AYES: EVANS, SILVA, DODSON, LA MICA, OWENS

NOES: NONE

ABSTAIN: HUYNH

ABSENT: NONE

6. BUSINESS ITEMS

A. USE PERMIT UP-23-07 AND ARCHITECTURAL REVIEW APPLICATION AR-23-21. DARRYL CHOATES, APPLICANT AND PROPERTY OWNER, REQUESTS USE PERMIT APPROVAL FOR AN EVENT CENTER, INCLUDING A MEETING FACILITY AND RECREATIONAL FACILITY-INDOOR, AT 510 BROADWAY AVENUE (APN 011-303-014) CONNECTED TO AN EXISTING

NIGHTCLUB AT 500 BROADWAY (APN: 011-303-013), AND AN ARCHITECTURAL REVIEW FOR PROPOSED CHANGES TO THE EXTERIOR FAÇADE OF BOTH PROPERTIES, LOCATED IN THE WEST BROADWAY URBAN VILLAGE SPECIFIC PLAN AREA. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301(A) OF THE CEQA GUIDELINES

Associate Planner, Eric Azriel presented the project to open and operate a counter service restaurant, and responded to questions from the Commission.

There were no comments from the public.

On motion by Commissioner Owens, and second by Commissioner La Mica, and carried by the following vote, the Planning Commission moved to approve UP-23-07, and AR-23-21.

RESULT: 6-0-0-0

AYES: HUYNH, DODSON, EVANS, SILVA, LA MICA, OWENS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ACTION: APPROVED & ADOPTED RESOLUTIONS 23-25 AND 23-26

B. MASTER SIGN PROGRAM MSP-23-02. SIGNS BY VAN, INC., APPLICANT, AND STACEY DIAZ, PROPERTY OWNER, REQUEST APPROVAL OF A MASTER SIGN PROGRAM FOR THE TWO-TENANT SITE LOCATED AT 1020 ORD GROVE AVENUE (APN: 011-102-001) IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 11 UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15311(A)

Associate Planner, Eric Azriel presented the project to construct new signs for a commercial property, and to allow future signs conforming with the dimensions to be approved ministerially.

There were no comments from the public.

On motion by Commissioner La Mica and second by Commissioner Dodson, and carried by the following vote, the Planning Commission moved to approve MSP-23-02.

RESULT: 6-0-0-0

AYES: HUYNH, DODSON, EVANS, SILVA, LA MICA, OWENS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ACTION: APPROVED & ADOPTED RESOLUTIONS 23-27

C. ARCHITECTURAL REVIEW APPLICATION AR-23-20. SEASIDE ACQUISITION GROUP, APPLICANT, AND CITY OF SEASIDE, PROPERTY OWNER, ARE REQUESTING DESIGN REVIEW APPROVAL FOR A NEW GOLF COURSE MAINTENANCE COMPLEX ON THE BAYONET-BLACKHORSE GOLF COURSE LOCATED ON THE SOUTH SIDE OF MONTEREY ROAD APPROXIMATELY 440 FEET EAST OF LUZON ROAD (APN: 031-051-055) IN THE V-FO (FORT ORD VISITOR SERVING COMMERCIAL) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 2 UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15302

Consultant Senior Planner, Rick Medina presented the project for architectural and site design for the relocation of the existing golf course maintenance facility.

There were no comments from the public.

On motion by Commissioner Silva, and second by Commissioner Evans, and carried by the following vote, the Planning Commission moved to approve AR-23-20.

RESULT: 6-0-0-0

AYES: HUYNH, DODSON, EVANS, SILVA, LA MICA, OWENS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ACTION: APPROVED & ADOPTED RESOLUTIONS 23-28

D. ARCHITECTURAL REVIEW APPLICATION AR-23-16. CHARLIE HAZELBAKER OF KB BAKEWELL, APPLICANT, AND GREATER VICTORY TEMPLE CHURCH, OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL FOR A NEW THREE-STORY, 21-UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT LOCATED AT 1620 BROADWAY AVENUE (APN: 012-631-003) ON THE GREATER VICTORY TEMPLE CHURCH SITE IN THE HIGH-DENSITY RESIDENTIAL (RH) ZONING DISTRICT. THIS PROJECT IS EXEMPT CLASS 32 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15332

Senior Planner, Beth Rocha presented the project for a new multi-family residential construction project. The applicant and representatives (John Nash, Sr., Dexter Kennedy, Charlie Hazelbaker, Danny Bakewell, Jr.), addressed the Commission and responded to questions from the Commission.

There were no comments from the public.

The Commission asked to continue the item to a future meeting.

E. MINOR USE PERMIT MUP-15-01. A HEARING TO CONSIDER THE REVOCATION OF MINOR USE PERMIT MUP-15-01 FOR A THERAPEUTIC MASSAGE BUSINESS LOCATED AT 885 BROADWAY AVENUE (APN: 011-545-001) DUE TO VIOLATIONS OF THE CONDITIONS OF APPROVAL. THIS ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTIONS 15061(d) AND 15270 OF THE CEQA GUIDELINES

Economic Development & Community Planning Manager, Andrew Myrick presented the hearing to consider the revocation of MUP-15-01 due to a police undercover operation that resulted in credible evidence that conditions of the MUP were violated.

Public comment was received.

On motion by Commissioner Owens and second by Commissioner Dodson, and carried by the following vote, the Planning Commission moved to revoke MUP-15-01.

RESULT: 5-1-0-0

AYES: DODSON, EVANS, SILVA, LA MICA, OWENS

NOES: HUYNH

ABSTAIN: NONE

ABSENT: NONE

ACTION: ADOPTED RESOLUTION 23-29

F. MINOR USE PERMIT MUP-18-02. A HEARING TO CONSIDER THE REVOCATION OF MINOR USE PERMIT MUP-18-02 FOR A THERAPEUTIC MASSAGE BUSINESS LOCATED AT 704 BROADWAY AVENUE (APN: 011-292-020) DUE TO VIOLATIONS OF THE CONDITIONS OF APPROVAL. THIS ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTIONS 15061(d) AND 15270 OF THE CEQA GUIDELINES.

Economic Development & Community Planning Manager, Andrew Myrick presented the hearing to consider the revocation of MUP-18-02 due to a police undercover operation that resulted in credible evidence that conditions of the MUP were violated.

Public comment was received.

On motion by Commissioner La Mica and second by Commissioner Evans, and carried by the following vote, the Planning Commission moved to revoke MUP-18-02.

RESULT: 5-1-0-0

AYES: DODSON, EVANS, SILVA, LA MICA, OWENS

NOES: HUYNH

ABSTAIN: NONE

ABSENT: NONE

ACTION: ADOPTED RESOLUTION 23-30

7. REPORTS FROM COMMISSIONERS

None.

8. REPORTS FROM STAFF

The item for architectural review application AR-23-16 would be rescheduled for January 10, 2024.

9. ADJOURNMENT

With no further business, the meeting adjourned at 10:26 p.m.

Respectfully submitted,

Dominique L. Davis, City Clerk

Will Silva, Chair



CITY OF SEASIDE STAFF REPORT

Item No.: 6.B.

TO: Planning Commission

BY: Eric Azriel, Assistant Planner

DATE: January 10, 2024

**SUBJECT: ARCHITECTURAL REVIEW APPLICATION NO. AR-23-15:
ECOLOGIC ARCHITECTS AND THOMAS RETTENWENDER,
APPLICANT, AND ADAN MUNOZ, PROPERTY OWNER, REQUEST
ARCHITECTURAL REVIEW APPROVAL OF A SECOND STORY
BALCONY AND ROOF DECK ATTACHED TO AN ACCESSORY
DWELLING UNIT. THE PROJECT SITE IS LOCATED AT 1204 SAN
LUCAS STREET (APN 012-343-024) IN THE RS-12 SINGLE-
FAMILY RESIDENTIAL ZONING DISTRICT. THE PROJECT IS
CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT CLASS 3 SECTION 15303(E)**

PURPOSE & RECOMMENDATION

The purpose of this item is to consider an Architectural Review application to create a second-story balcony and roof deck. Architectural Review is required for all new second story elements per Seaside Municipal Code (SMC) 17.62.030.B.2. The balcony and roof deck are attached to an accessory dwelling unit which is not subject to this hearing.

Staff recommends the Commission approve Architectural Review AR-23-15 subject to Attachment 1: Draft Resolution and Exhibit A: Project Plans.

BACKGROUND

The existing 880 square foot (sf) single-family dwelling at 1204 San Lucas sits on a 4,300 sf key lot zoned RS-12 Single-family Residential. The dwelling fronts San Lucas Street; the sides of the lot are adjacent to an alley and a corner lot as shown in Attachment 2 Location Map. Directly adjacent lots are all single-family residential, nearby lots include a church and some multifamily residential.

Project Description

The project proposes creating a balcony and second-story roof deck that would partially be located on the roof of an existing accessory structure. Both the balcony and the roof deck would be attached to a proposed accessory dwelling unit (ADU). The proposed accessory dwelling unit converts part of the existing accessory structure; the roof deck would be constructed on the roof of that existing structure. The proposed accessory dwelling unit is not subject to review by the Commission per California Government Code Section 65852.2(a)(1)(3)(A).

California Environmental Quality Act

California Environmental Quality Act (CEQA) Guidelines Section 15303(e) exempts accessory structures including garages, carports, patios, swimming pools, and fences from the provisions of CEQA. This project proposes the creation of two accessory structures, a balcony and a roof deck. The roof deck would be built above an existing garage; the balcony would be contiguous with the roof deck and attached to the ADU. Both structures are accessory, similar to a patio.

Analysis

The existing accessory structure is legal nonconforming. A review of the aerial photography shows that it was constructed at the same time as the primary dwelling, circa 1953 and prior to the incorporation of the City of Seaside. The project proposes maintaining the existing walls except where the accessory dwelling unit will require new walls.

The existing structure is allowed to remain and be partially converted into an accessory dwelling unit, but the proposed roof deck must meet current accessory structure standards. The proposed roof deck would be separated from the primary structure by 5 feet as per SMC 17.52.220.E.3 and setback from the side property line by 5 feet as per SMC 17.52.220.J.2.a. Accessory structures are permitted to be a maximum of 15 feet in height per SMC 17.52.220.F. The floor height of the roof deck would be 9 feet and the height of the guard would be 12.5 feet.

The roof deck and balcony are relatively far from any neighbors. Although the roof deck approaches to 5 feet from the side setback, that setback is along an alley which is 16 feet wide. Therefore, it is 21 feet from any neighbor's property line. Both the roof deck and the alley have the body of the accessory dwelling unit to the rear blocking direct visual contact to the rear (eastern) neighbor. The closest approach to a neighbor is on the interior (southern) side, where the balcony would be 7 feet 1 inch from the property line, abutting the neighbor's side property line.

The roof of the existing structure extends into the side setbacks farther than the roof deck is allowed to; that portion of the roof would be changed into a green roof built as a parapet, providing a 3.5 foot tall guard for the roof deck on that side as conditioned per the Building Department.

Appearance

Per a December 28th email from the applicant, the project proposes Trex Enhance ® in Clam Shell for flooring on both the balcony and the roof deck. The guard rail would be constructed of black metal. Exterior lights will match the existing lights.

The balcony and supporting columns grant a more interesting appearance to the front of the accessory dwelling unit.

The green roof would be planted with mixed succulents watered by hand. Green roofs can provide multiple benefits, including rainwater cleaning and retention, habitat, and natural cooling.

For context, the the accessory dwelling unit's colors and materials will match the existing dwelling's. White stucco siding, gray asphalt shingles, and white vinyl windows will be accented by 6"x6" wood columns stained black.

Considerations

Architectural Review requires the following considerations for single family projects, but no findings:

Architecture

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

The white stucco siding will contrast with the black metal railing. The Trex Enhance ® Clam Shell decking will be a pleasing additional color to mellow the contrast.

Lighting

17.62.030.E.3. Lighting considerations. Proposed outdoor lighting, including the proposed placement of fixtures, type of fixtures, and illumination levels.

Proposed lighting will match existing.

FINDINGS

1. The project is Categorically Exempt, Class 3, under the California Environmental Quality Act (CEQA) Guidelines Section 15303(e):

Evidence: The project proposes the creation of a balcony and a roof deck as accessory structures to an Accessory Dwelling Unit.

ATTACHMENTS

1. Attachment 1 Draft Resolution

2. Exhibit A Project Plans
 3. Attachment 2 Location Map
 4. Attachment 3 Site Photographs
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**PLANNING COMMISSION
RESOLUTION NO. XX-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
SEASIDE, STATE OF CALIFORNIA, APPROVING ARCHITECTURAL
REVIEW APPLICATION NO. AR-23-15 FOR A SECOND-STORY
BALCONY AND ROOF DECK ATTACHED TO AN ACCESSORY
DWELLING UNIT AT 1204 SAN LUCAS STREET (APN 012-343-024)
IN THE RS-12 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT.**

WHEREAS, Ecologic Architects and Thomas Rettenwender, applicant, and Adan Munoz, owner, applied for Architectural Review No. AR-23-15; and

WHEREAS, the proposed project requires approval by the Planning Commission, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Planning Commission considered oral comments and written information concerning the Architectural Review application No. AR-23-15 at a duly noticed public hearing that the Planning Commission held on January 10, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following finding:

1. The project is Categorically Exempt, Class 3, under the California Environmental Quality Act (CEQA) Guidelines Section 15303(e):

Evidence: The project proposes the creation of a balcony and a roof deck as accessory structures to an Accessory Dwelling Unit.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Planning Commission approves AR-23-15 subject to the following Conditions of Approval:

Building:

1. Construction must comply with all requirements of the California Building Code, as amended by the City of Seaside and in effect at the time of Building Permit submittal.
2. Construction must comply with height requirements for guards of the California Building Code as amended by the City of Seaside and in effect at the time of Building Permit submittal.

Fire Department:

3. Construction must comply with all requirements of the California Fire Code, as amended by the City of Seaside and in effect at the time of Building Permit submittal.

Planning:

4. Vegetation planted on the green roof shall be drought tolerant and/or water efficient.
5. All plantings shall be adequately watered during the establishment period of one year. Unsuccessful establishment: plants not thriving, dying, or being damaged shall be replaced at a 1:1 basis.
6. Landscaped areas, including trees and other plantings, as well as paving, walls, and fences, shall be regularly maintained.
7. The Zoning Administrator has the authority to approve minor changes to the landscaping, lighting, and architectural finishes of this project, given changes are kept in a similar design style, the colors and materials are within the same design family (metal, wood, composite siding), and the juxtaposition of the materials and colors achieves a similar design balance and aesthetic.
8. This approval does not include the conceptual Accessory Dwelling Unit shown on the attached plans.

Engineering and Public Works:

9. The project must implement storm water best management practices (BMPs) during construction. (SMC 8.46)
 - a. Complete and submit the Storm Water Compliance Tracking Form, with signature with building permit application.
 - b. A project specific Erosion and Sediment Control Plan (ESCP) is required of the applicant as part of building permit application. Show location of material storage and handling on required (ESCP).
10. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and

upon the prior issuance of an Encroachment Permit from the Public Work Department.

Standard:

11. Except as modified by the conditions of approval, plans submitted for Building Permits must be in compliance with Exhibit A: Project Plans.
12. The applicant agrees as a condition and in consideration of the approval of this 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.
13. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
14. 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 15 days from the date of its approval.
15. This approval shall become null and void unless a Building Permit application is submitted within twelve (12) months of January 17, 2024. Time extensions may be granted by the original approval body if a written request and associated fee are received by the Community Development Department within 30 days prior to the expiration. This approval shall also become null and void if the implementing Building Permit application expires.
16. 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 a regular meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of January 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Will Silva, Chairperson

ATTEST:

Planning Commission Secretary

Exhibits:

Exhibit A Project Plans

ARCHITECTURAL REVIEW APPLICATION No. AR-23-15
RESOLUTION No. XX-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 Planning Commission.

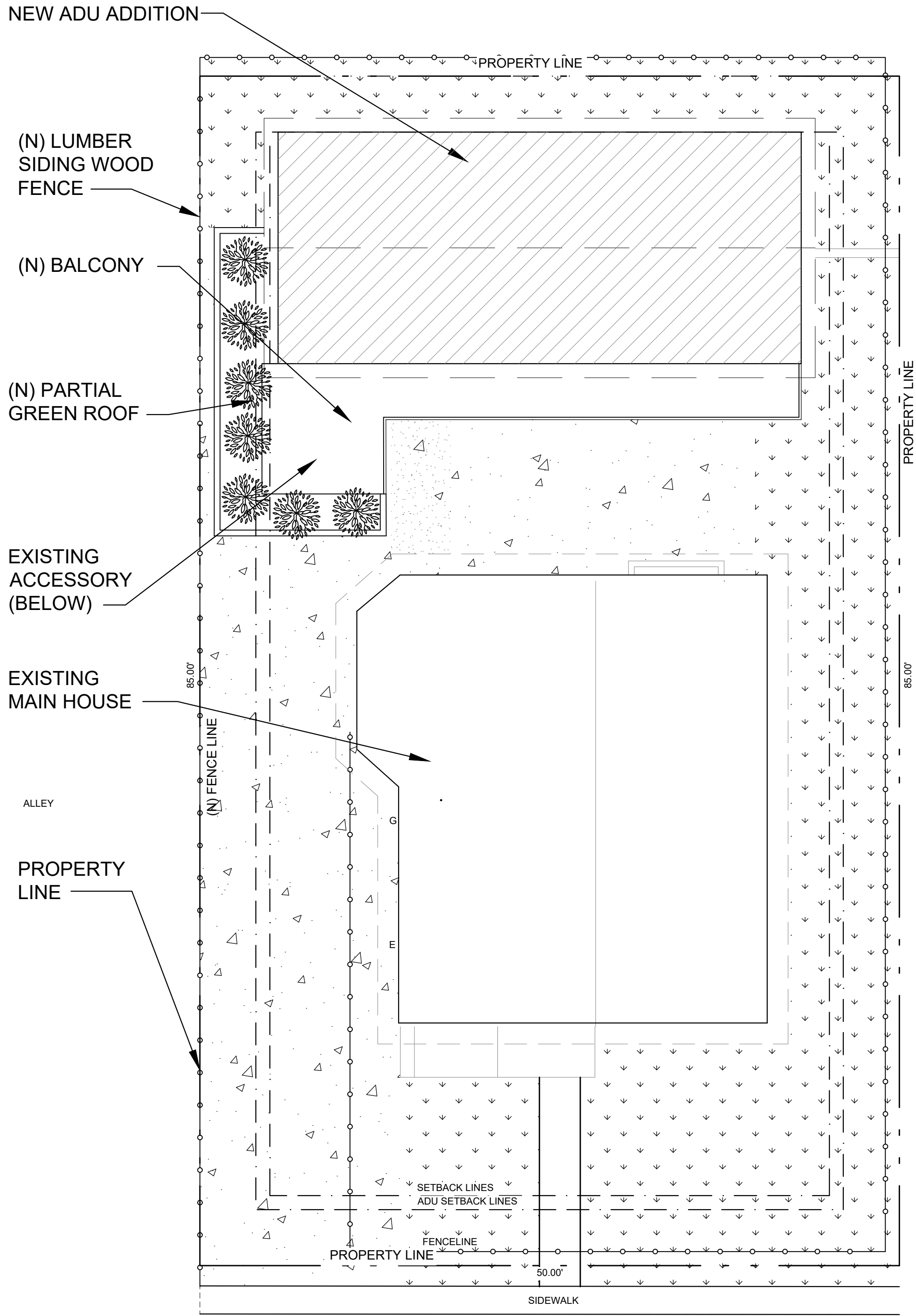
Applicant's Signature

Date

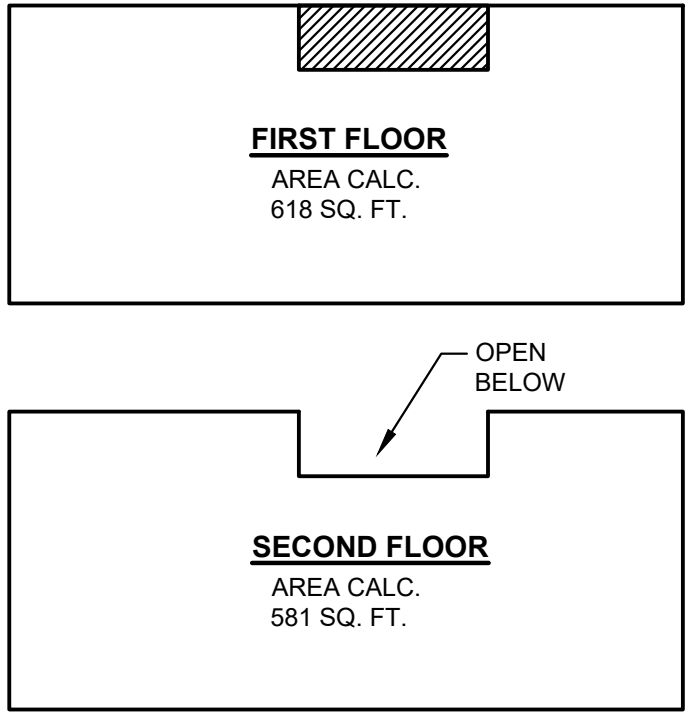
Property Owner's Signature

Date

Use of these plans and specifications shall be restricted to the original use for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication by any method, in whole or in part, is prohibited. Title to the plans and specifications remains with the architect without prejudice. Visual contact with these plans and specifications shall constitute actual notice of the acceptance of these restrictions.



SCHEMATIC SITE PLAN

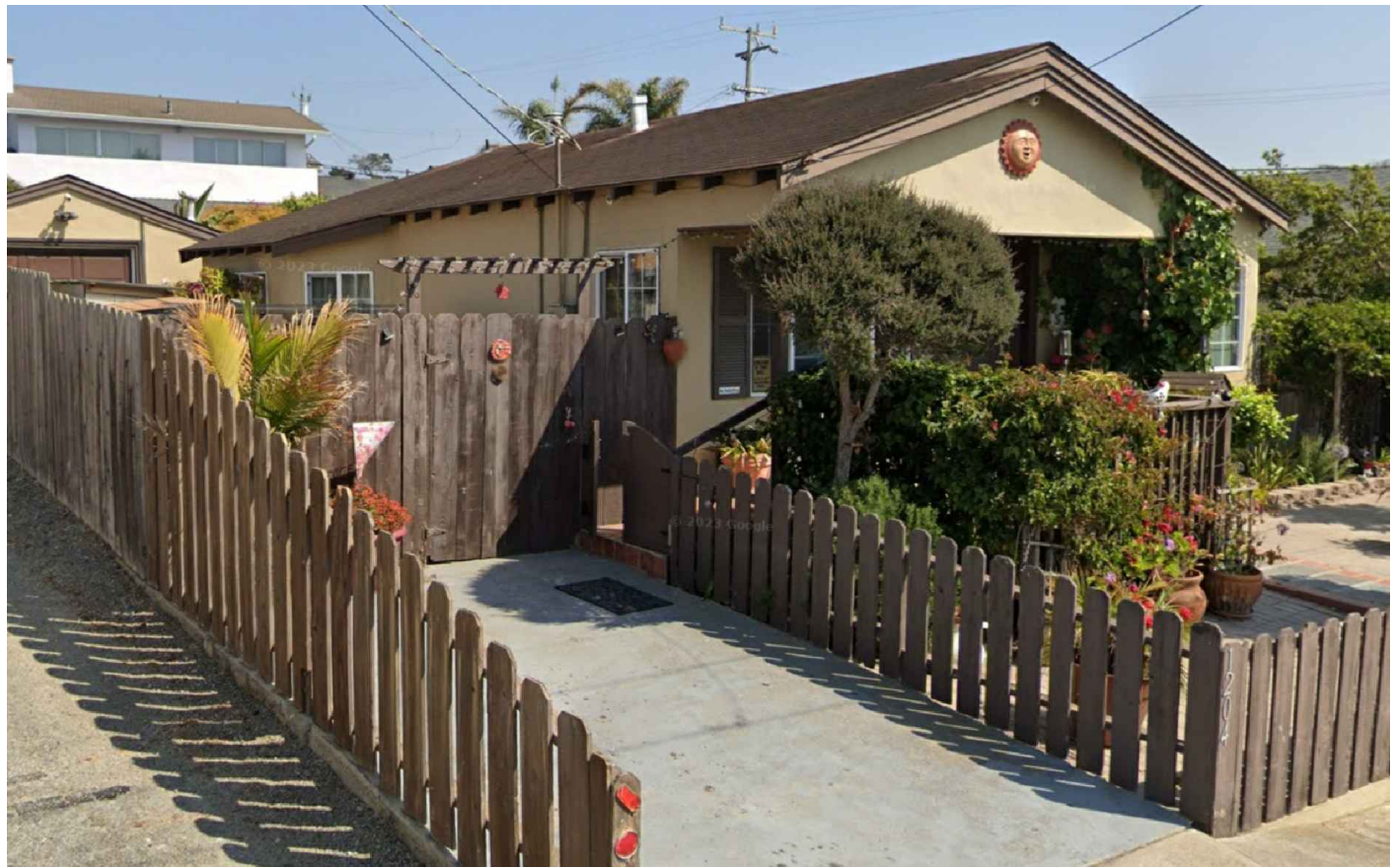


SCOPE OF WORK

PLANNING APPLICATION FOR BALCONY AND ROOF DECK.
SCOPE OF WORK NOT REQUIRING ARB
APPROVAL : NEW 1199 SF 2-STORY ADU

DRAWING LIST

- A-0 COVER SHEET
- SHT 1 OF 1 TOPOGRAPHICAL MAP
- A-1 SITE PLAN
- A-2 PROPOSED FLOOR PLAN - ANNOTATED
- A-3 PROPOSED FLOOR PLAN - DIMENSIONS
- A-4 PROPOSED ELEVATIONS



EXISTING FRONT VIEW ELEVATION



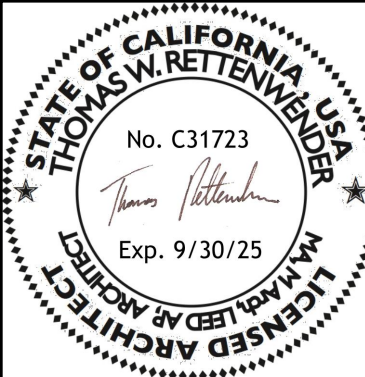
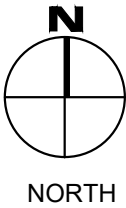
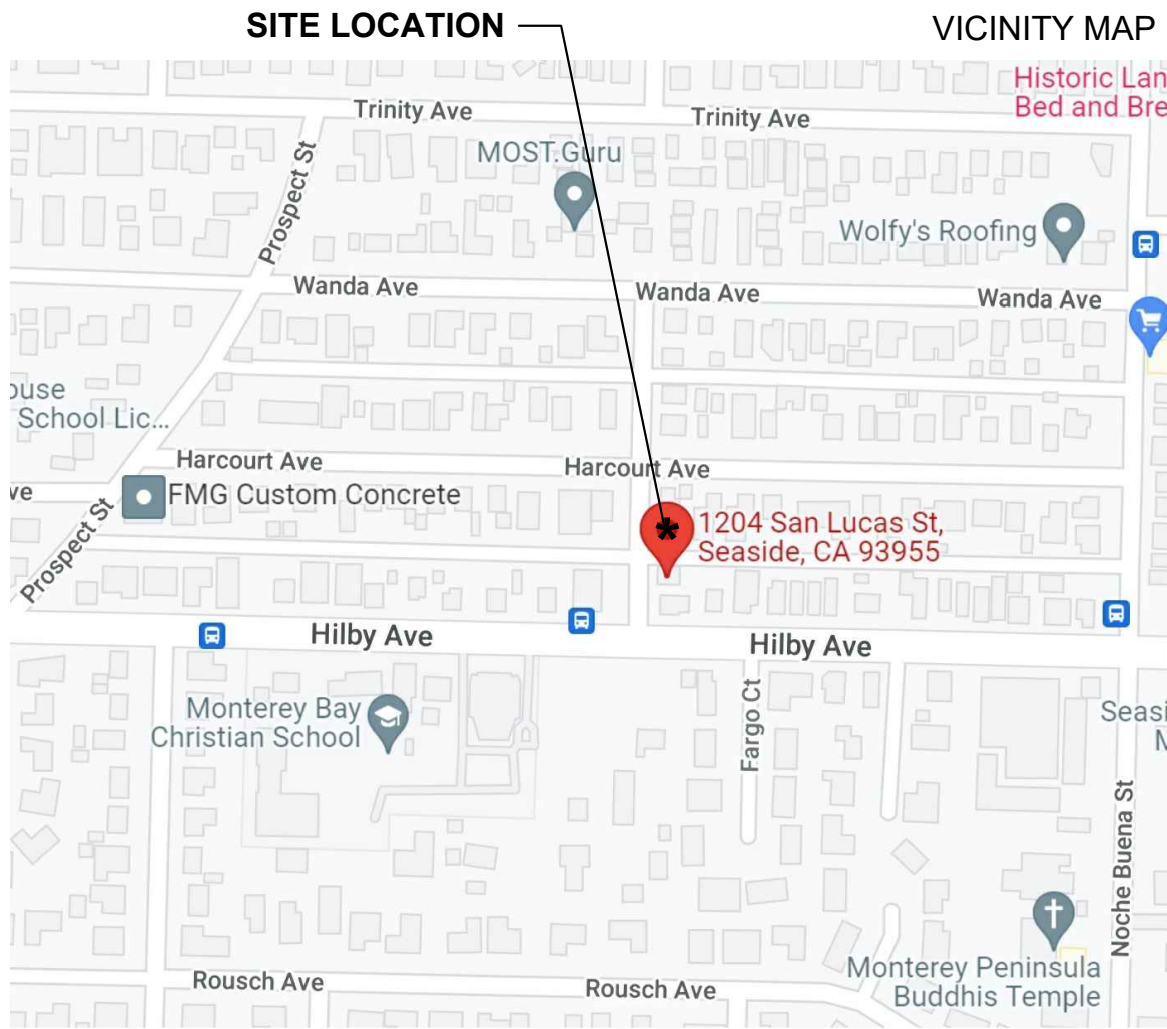
PROPOSED FRONT VIEW ELEVATION
(FOR MORE INFORMATION SEE A-4)

PROJECT DATA

OWNER	Adan Muñoz 1204 San Lucas Street Seaside, CA 93955
ARCHITECT	Thomas Rettenwender, Architect PO Box 6451 Carmel-by-the-sea, CA 93921 thomas@ecologicdesignlab.com
PROPERTY ADDRESS	1204 San Lucas Street Seaside, CA 93955
APN	012-343-024
ZONING USE	RESIDENTIAL RESIDENTIAL MULTIPLE FAMILY
LOT SIZE	4,300 SF +/-
(E) MAIN HOUSE	880 SQ. FT +/-
(E) ACCESSORY	203 SQ. FT.
(N) ACCESSORY	170 SQ. FT.
(N) ADU Total	1199 SQ. FT.
FIRST FLOOR	618 SQ. FT.
SECOND FLOOR	581 SQ. FT.
WATER SOURCE	CAL-AM
SEWER SYSTEM	CITY SEWER
SOLAR	DEFERRED SUBMITTAL
EXISTING IMPERMEABLE SITE COVERAGE	2,374 SQ. FT.
PROPOSED PERMEABLE SITE COVERAGE	1,907 SQ. FT.

PROPOSED COLORS AND MATERIALS

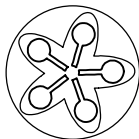
PROPOSED COLOR AND MATERIALS WILL MATCH EXISTING MAIN RESIDENCE. PARTIAL GREEN (CONSIST OF MIXED SUCCULENTS WILL BE HAND WATERED) ROOF W/ TREX GRAY ASPHALT SHINGLES ROOFING. NATURAL WHITE STUCCO EXTERIOR SIDING, WHITE VINYL WINDOWS FRAMES TO MATCH EXISTING. EXTERIOR LIGHTING WILL MATCH EXISTING. 6x6 WOOD COLUMNS STAINED BLACK. DECK WILL HAVE BLACK METAL HAND RAILING & TREX WALNUT WOOD DECKING OVER MEMBRANE WATER-PROOFED & PRESSURE-TREATED. NEW EXTERIOR LIGHTING TO MATCH.



DATE	09/20/2023
SCALE	NO SCALE
DRAWN BY	SL
JOB NUMBER	# 2138

TITLE COVER SHEET

Muñoz Remodel
1204 San Lucas Street, Seaside, CA 93955



Ecologic Architects

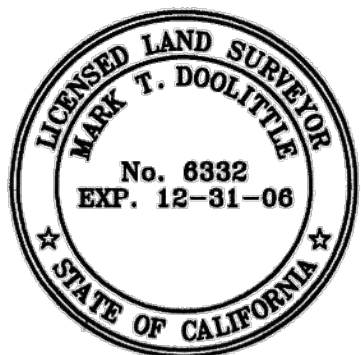
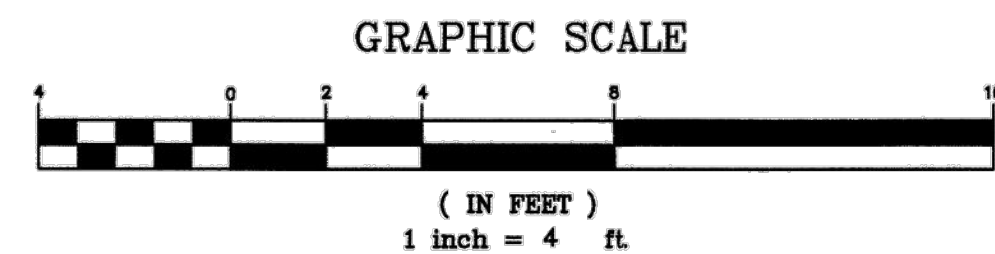
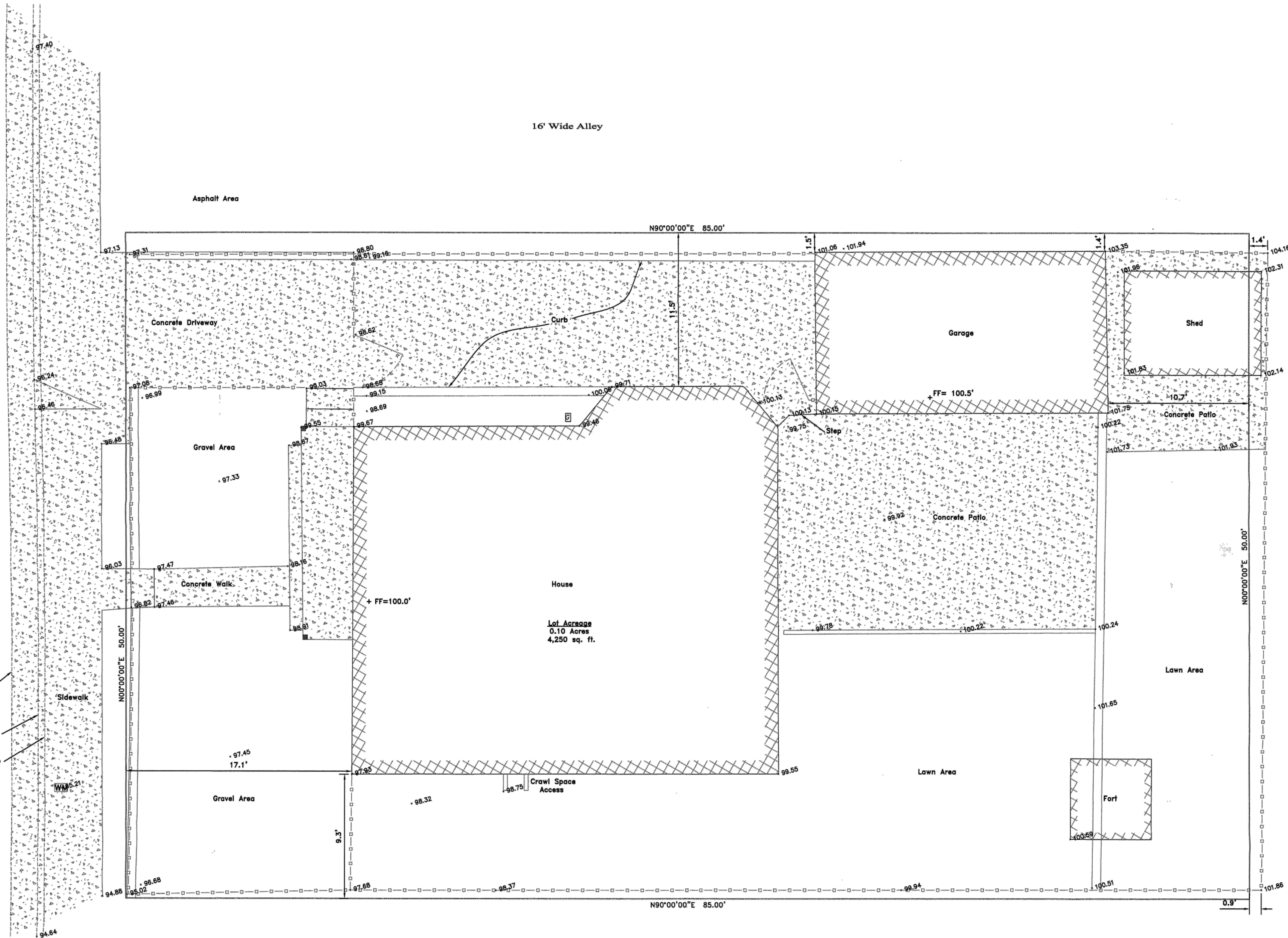
Thomas Rettenwender, Architect
PO Box 6451 Carmel-by-the-Sea CA 93921 USA
Cell : (831) 920 8333
thomas@ecologicdesignlab.com

SHEET

A-0

San Lucas Street
(A 50' Wide City Street)

Gutter
Face of Curb
Back of Curb

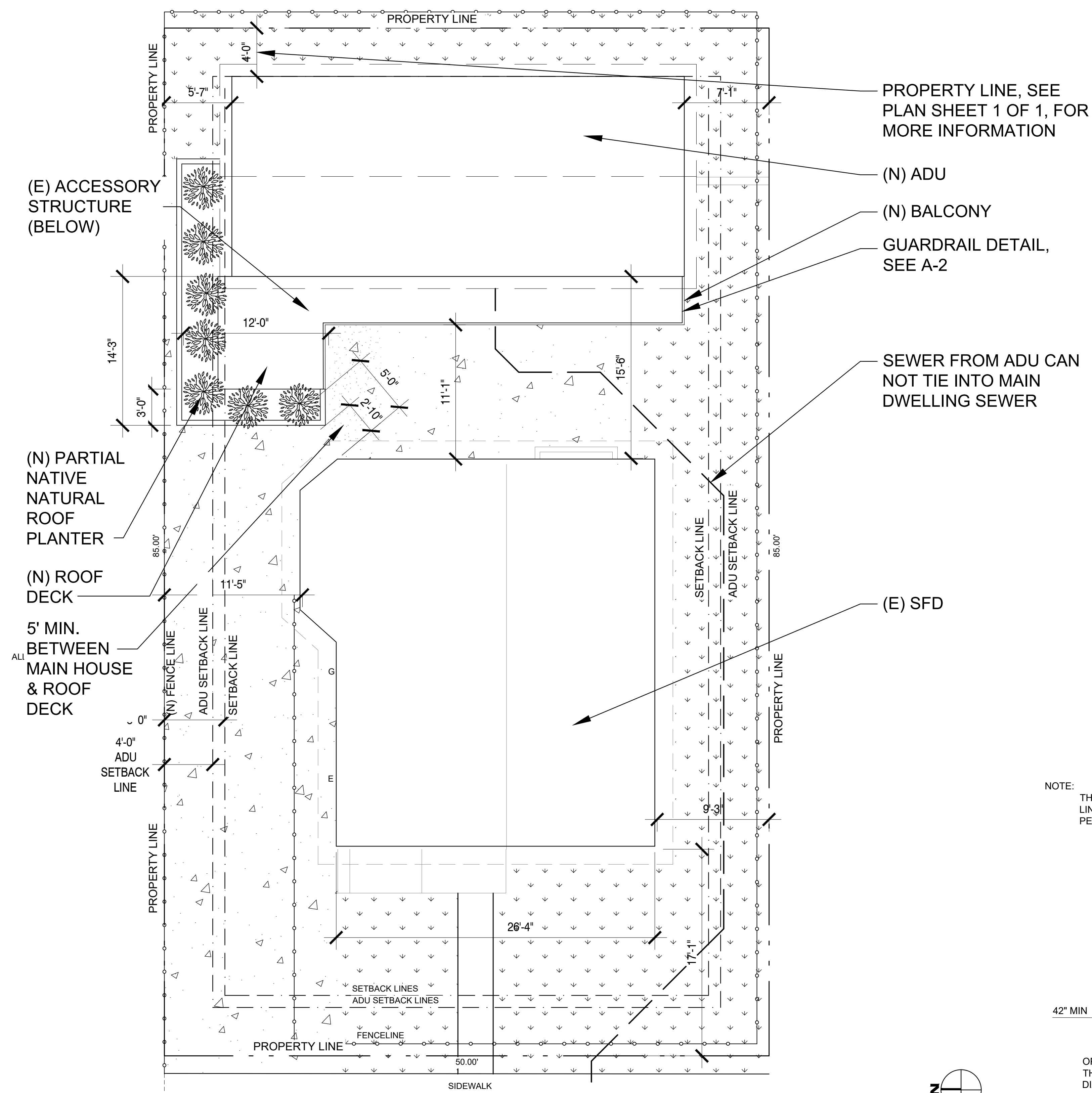


SITE PLAN
APN 012-343-024
1204 San Lucas Street, Seaside, Ca.
prepared for:
Adam Munoz

DRAWN BY: SKL
APPROVED BY: MTD
M. DOOLITTLE
L.S. 6332
REVISION: 1/4" = 1'
SCALE: 02-28-03
DATE:

TOPOGRAPHIC SURVEYS
ALTA SURVEYS
CONSTRUCTION STAKING
LAND DEVELOPMENT
BaseLine
Land Surveyors
Inc.
831-373-3293 PH.
201 HOFFMAN AVENUE, SUITE 8
MONTEREY, CALIFORNIA 93940
FAX 831-373-3294

SHEET 1
OF
1 SHEETS



- PROPERTY LINE, SEE
PLAN SHEET 1 OF 1, FOR
MORE INFORMATION

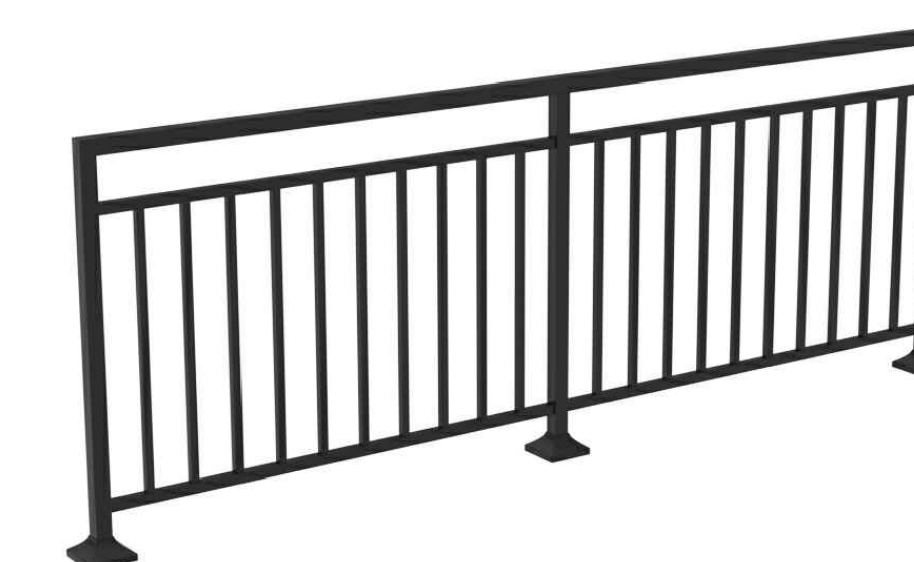
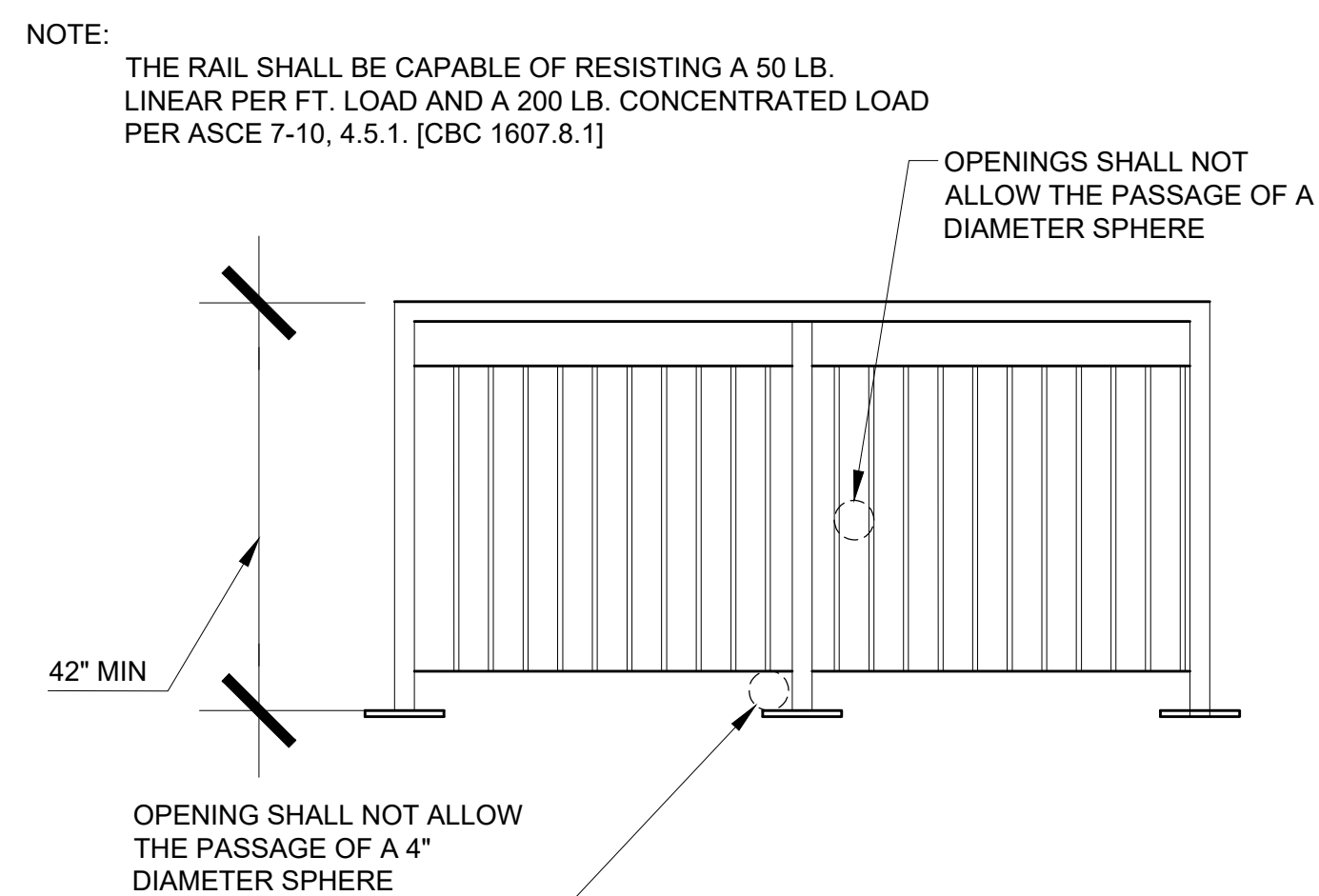
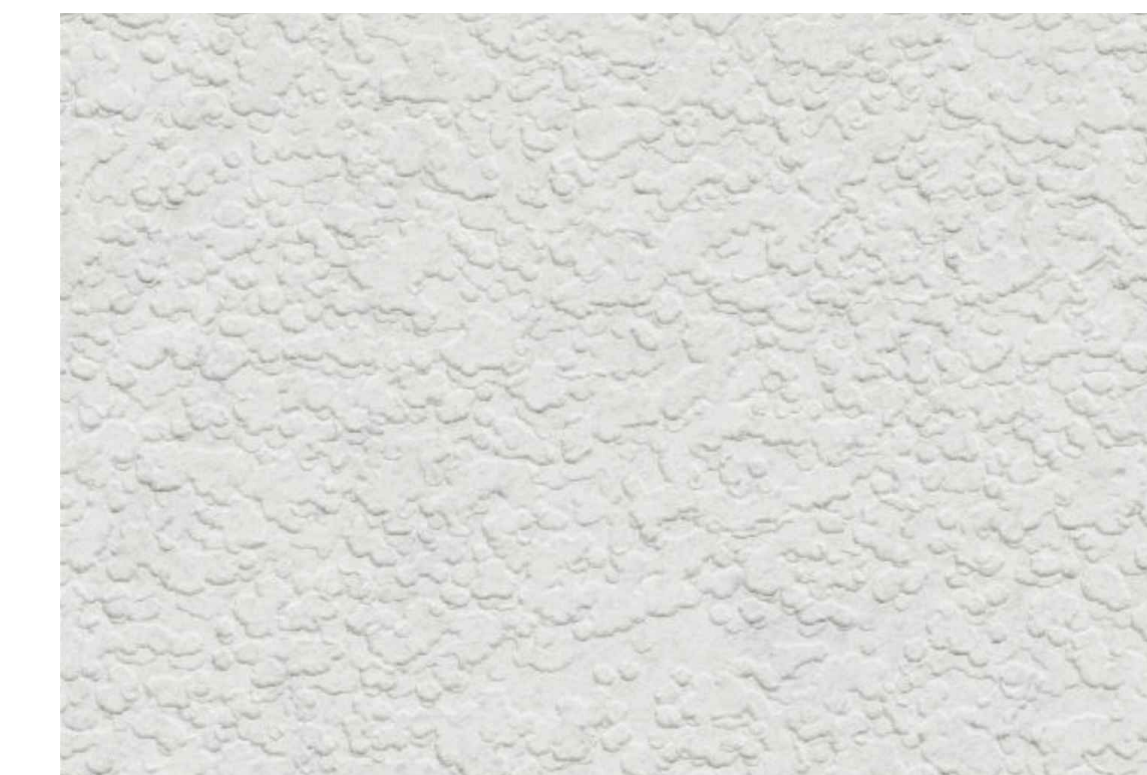
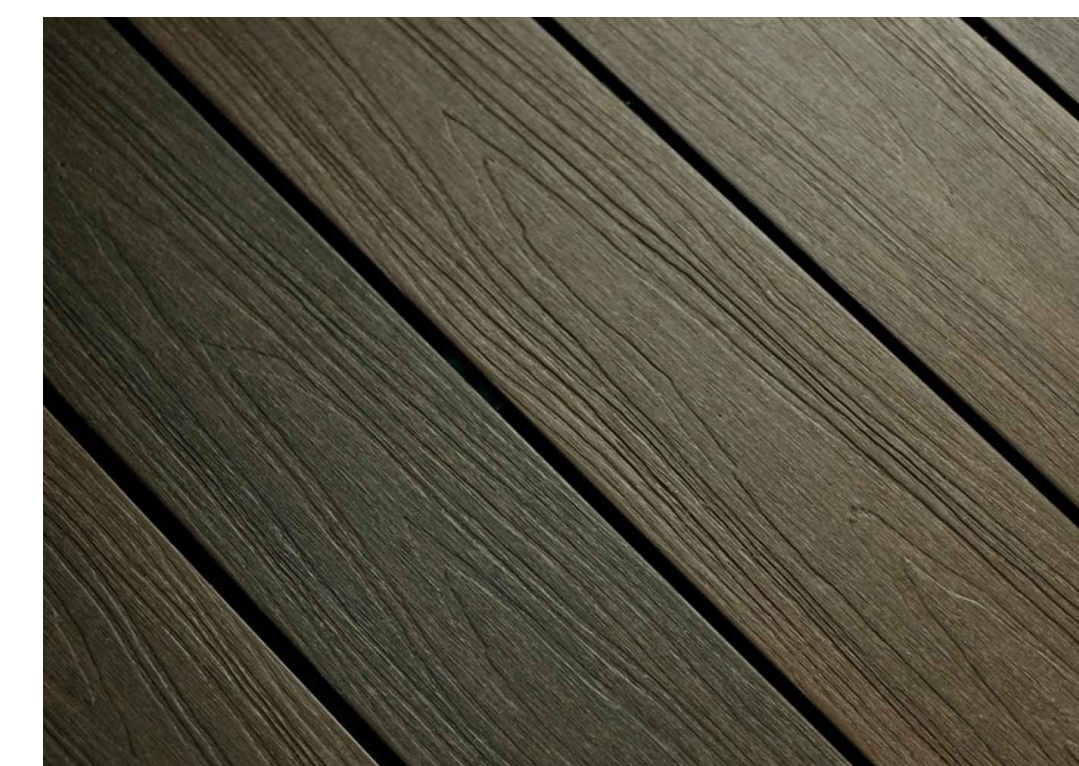
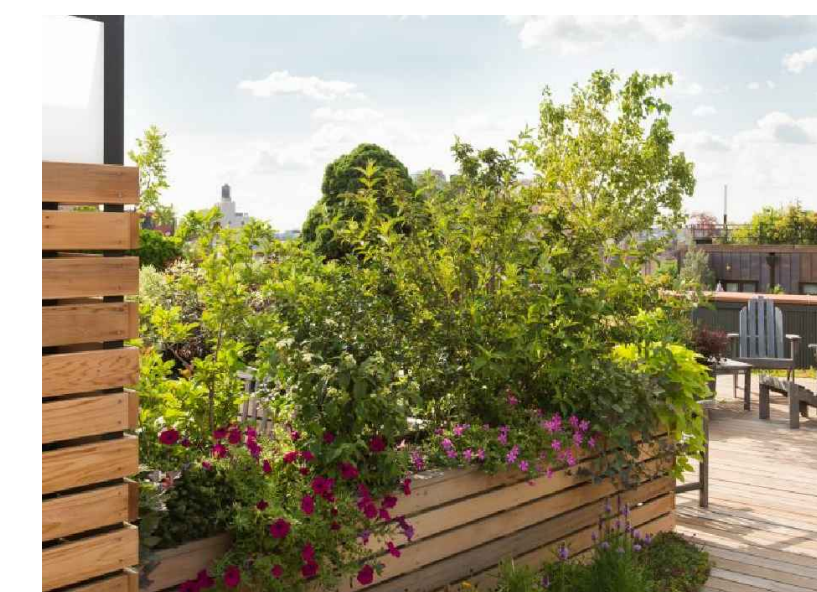
– (N) ADU

- (N) BALCONY

- GUARDRAIL DETAIL,
SEE A-2

- SEWER FROM ADU CAN NOT TIE INTO MAIN DWELLING SEWER

– (E) SFD



PROPOSED COLORS AND MATERIALS

PROPOSED COLOR AND MATERIALS WILL MATCH EXISTING MAIN RESIDENCE. PARTIAL GREEN (CONSIST OF MIXED SUCCULENTS WILL BE HAND WATERED) ROOF W/ TREX GRAY ASPHALT SHINGLES ROOFING. NATURAL WHITE STUCCO EXTERIOR LIGHTING WILL MATCH EXISTING. 6x6 WOOD COLUMNS STAINED BLACK. DECK WILL HAVE BLACK METAL HAND RAILING & TREX WALNUT WOOD DECKING OVER MEMBRANE WATER-PROOFED & PRESSURE-TREATED, NEW EXTERIOR LIGHTING TO MATCH.

NOTE: THE RAIL SHALL BE CAPABLE OF RESISTING A 50 LB. LINEAR PER FT. LOAD AND A 200 LB. CONCENTRATED LOAD PER ASCE 7-10, 4.5.1. [CBC 1607.8.1]

OPENINGS SHALL NOT
ALLOW THE PASSAGE OF A 4"
DIAMETER SPHERE

OPENING SHALL NOT ALLOW
THE PASSAGE OF A 4"
DIAMETER SPHERE

2 GUARDRAIL DETAIL

3 METAL GUARDRAIL PHOTO
NO SCALE (UNLESS OTHERWISE)

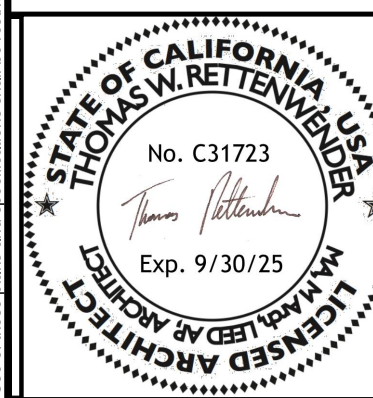
1 SITE PLAN

SCALE: 3/16" = 1'-0"

A compass rose with a circle divided into four quadrants by a vertical and a horizontal line. The letter 'N' is at the top. A thick black line is drawn along the horizontal line, extending from the center to the left edge of the circle.

2 GUARDRAIL DETAIL

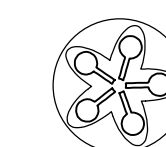
3 METAL GUARDRAIL PHOTO
NO SCALE (UNLESS OTHERWISE)



DATE	09/20/2023
SCALE	NO SCALE
DRAWN BY	SL
JOB NUMBER	# 213

TITLE	SITE PLAN & MATERIALS
-------	-----------------------

Muñoz Remodel



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thomas@ecologicdesignlab.com

SHEET

A-1

Use of these plans and specifications shall be restricted to the original use for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication by any method, in whole or in part, is prohibited. Title to the plans and specifications remains with the architect without prejudice. Visual contact with these plans and specifications shall constitute actual notice of the acceptance of these restrictions.

ONE-HOUR RATED FIRE WALL IS TWO LAYER OF 5/8" TYPE-X DRYWALL

(N) PARTIAL NATIVE NATURAL ROOF PLANTER

(N) ROOF DECK

(N) GUARDRAIL

2 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"



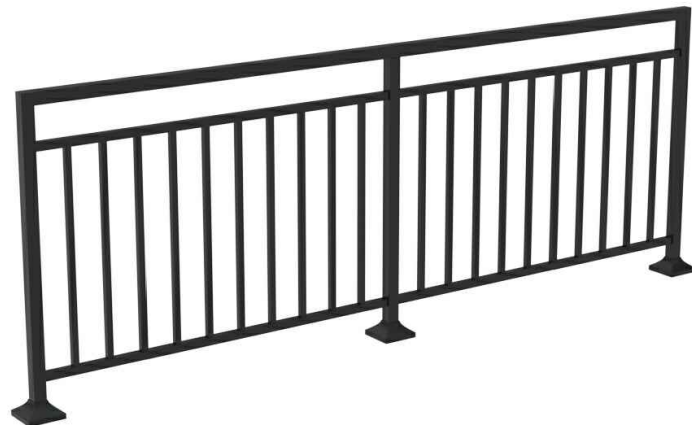
NOTE:
THE RAIL SHALL BE CAPABLE OF RESISTING A 50 LB. LINEAR PER FT. LOAD AND A 200 LB. CONCENTRATED LOAD PER ASCE 7-10, 4.5.1. [CBC 1607.8.1]

OPENINGS SHALL NOT ALLOW THE PASSAGE OF A 4" DIAMETER SPHERE

42" MIN

OPENING SHALL NOT ALLOW THE PASSAGE OF A 4" DIAMETER SPHERE

3 GUARDRAIL DETAIL
NO SCALE



4 METAL GUARDRAIL PHOTO
NO SCALE (UNLESS OTHERWISE)

ONE-HOUR RATED FIRE WALL IS TWO LAYER OF 5/8" TYPE-X DRYWALL

(E) WASHER AND DRYER TO SERVE MAIN HOUSE ONLY

(E) GARAGE WALLS TO REMAIN

EXTERIOR DOORS REQUIRE 3'x3' LANDING

1 PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"



WINDOW SCHEDULE

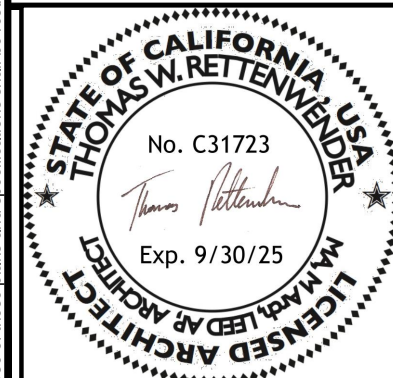
NEW SYMBOLS	TYPE	WIDTH	HEIGHT	FRAMING MATERIAL
1	WINDOW	2'-6"	4'-0"	
2	WINDOW	2'-6"	4'-0"	
3	WINDOW	2'-6"	4'-0"	
4	WINDOW	2'-6"	4'-0"	
5	WINDOW	5'-0"	4'-0"	
6	WINDOW	2'-6"	4'-0"	
7	WINDOW	2'-6"	4'-0"	
8	WINDOW	2'-6"	4'-0"	
9	WINDOW	2'-6"	4'-0"	
10	WINDOW	5'-0"	4'-0"	

LEGEND

	ONE HOUR RATED FIRE WALL (TWO LAYERS) 5/8" TYPE- X DRYWALL
	(N) WALL
	RAILING

DOOR SCHEDULE

NEW SYMBOLS	TYPE	WIDTH	HEIGHT	FRAMING MATERIAL
1	EXTERIOR DOOR	3'-0"	6'-8"	
2	EXTERIOR DOOR	3'-0"	6'-8"	
3	FOLDING DOOR	4'-0"	6'-8"	
4	INTERIOR DOOR	2'-6"	6'-8"	
5	INTERIOR DOOR	2'-2"	6'-8"	
6	EXTERIOR DOOR	6'-0"	6'-8"	
7	EXTERIOR DOOR	6'-0"	6'-8"	
8	INTERIOR DOOR	2'-6"	6'-8"	
9	INTERIOR DOOR	2'-6"	6'-8"	
10	CLOSET DOOR	6'-0"	6'-8"	
11	INTERIOR DOOR	2'-6"	6'-8"	
12	INTERIOR DOOR	2'-6"	6'-8"	
13	CLOSET DOOR	4'-0"	6'-8"	
14	CLOSET DOOR	4'-0"	6'-8"	
15	EXTERIOR DOOR	3'-0"	6'-8"	
16	EXTERIOR DOOR	3'-0"	6'-8"	



DATE	09/20/2023	TITLE	PROPOSED FIRST & SECOND FLOOR PLAN - ANNOTATED
SCALE	AS SHOWN		
DRAWN BY	SL		
JOB NUMBER	# 2138		

Muñoz Remodel

1204 San Lucas Street, Seaside, CA 93955



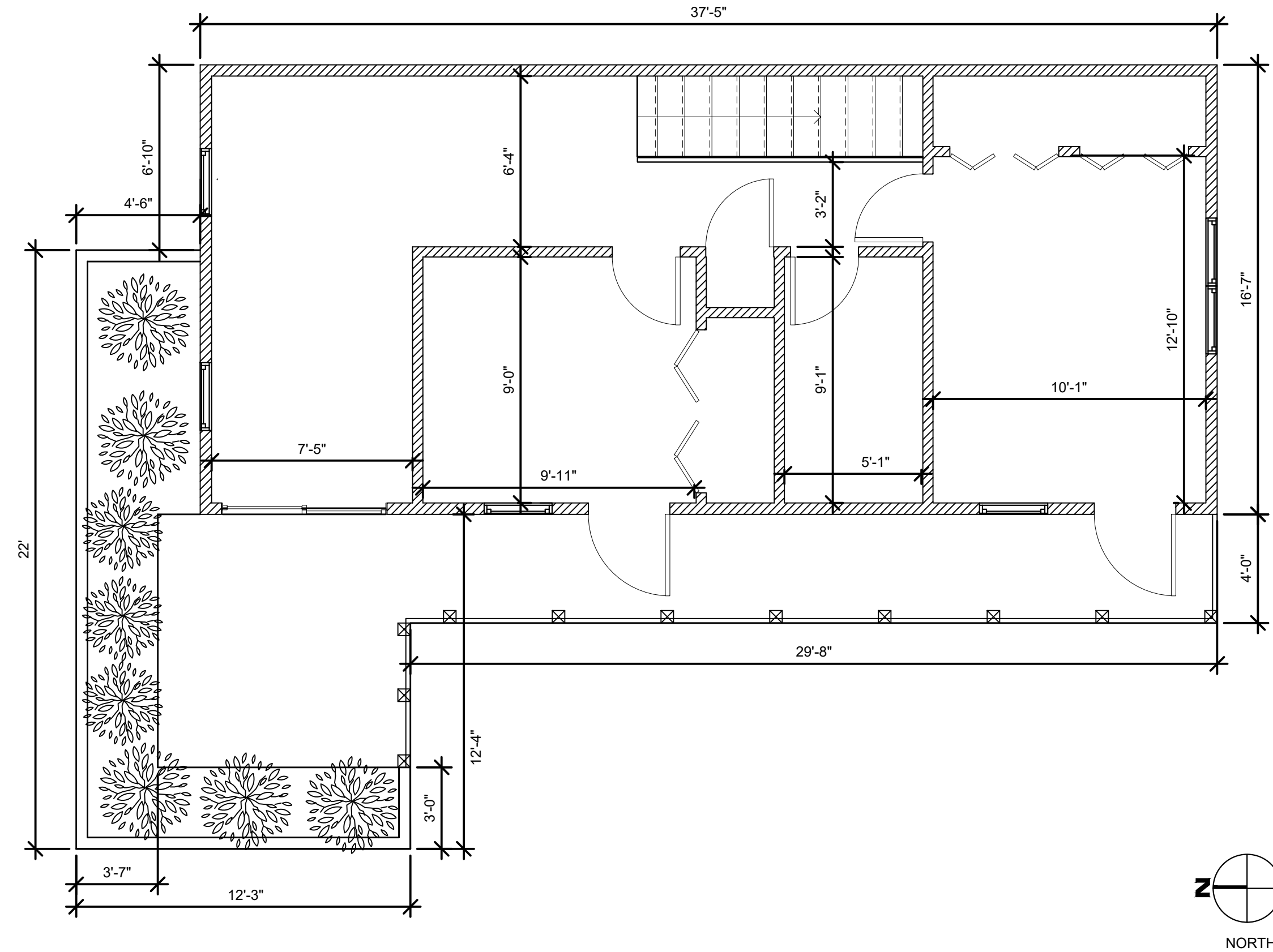
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Cell : (831) 920 8333
thomas@ecologicdesignlab.com

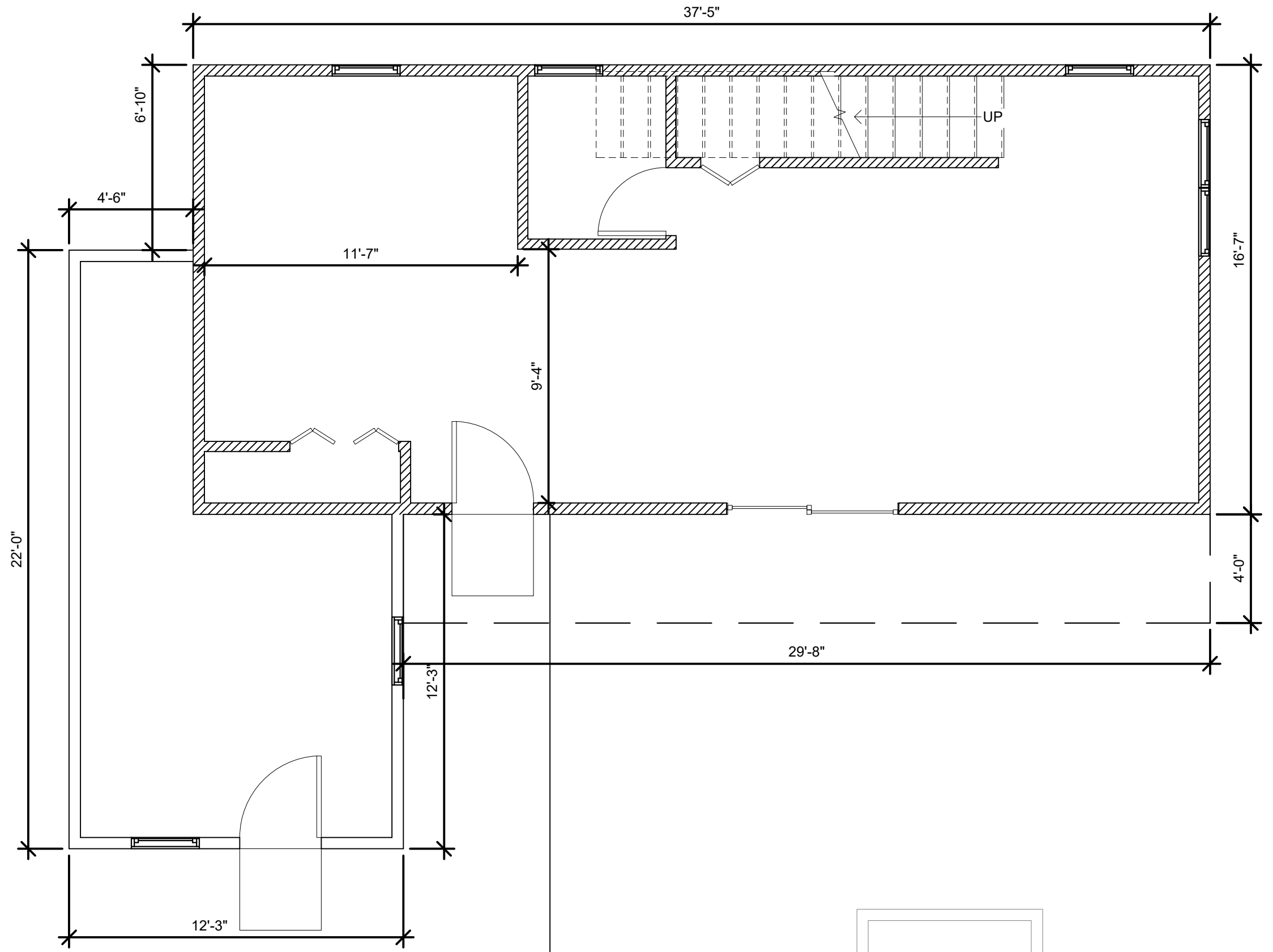
SHEET

A-2

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2 PROPOSED SECOND FLOOR PLAN - DIMENSIONS
1/4" = 1'-0"



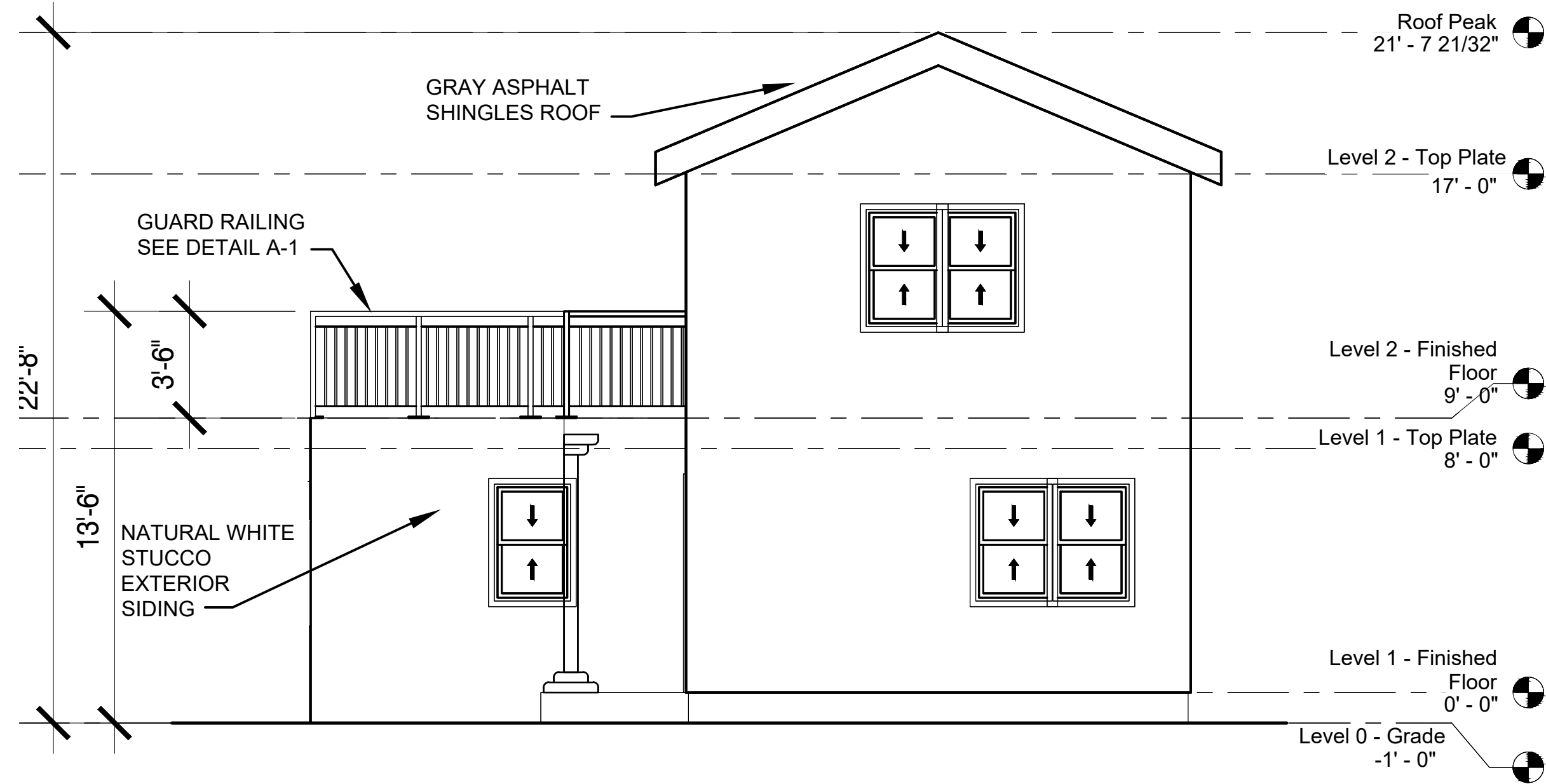
1 PROPOSED FIRST FLOOR PLAN - DIMENSIONS
1/4" = 1'-0"

LEGEND

	ONE HOUR RATED FIRE WALL (TWO LAYERS) 5/8" TYPE-X DRYWALL
	(N) WALL
	RAILING

	DATE 09/20/2023	TITLE PROPOSED FIRST & SECOND FLOOR PLAN - DIMENSIONS Muñoz Remodel 1204 San Lucas Street, Seaside, CA 93955		Thomas Rettenwender, Architect PO Box 6451 Carmel-by-the-Sea CA 93921 USA Cell : (831) 920 8333 thomas@ecologicdesignlab.com	SHEET A-3
	SCALE AS SHOWN				
	DRAWN BY SL				
	JOB NUMBER # 2138				

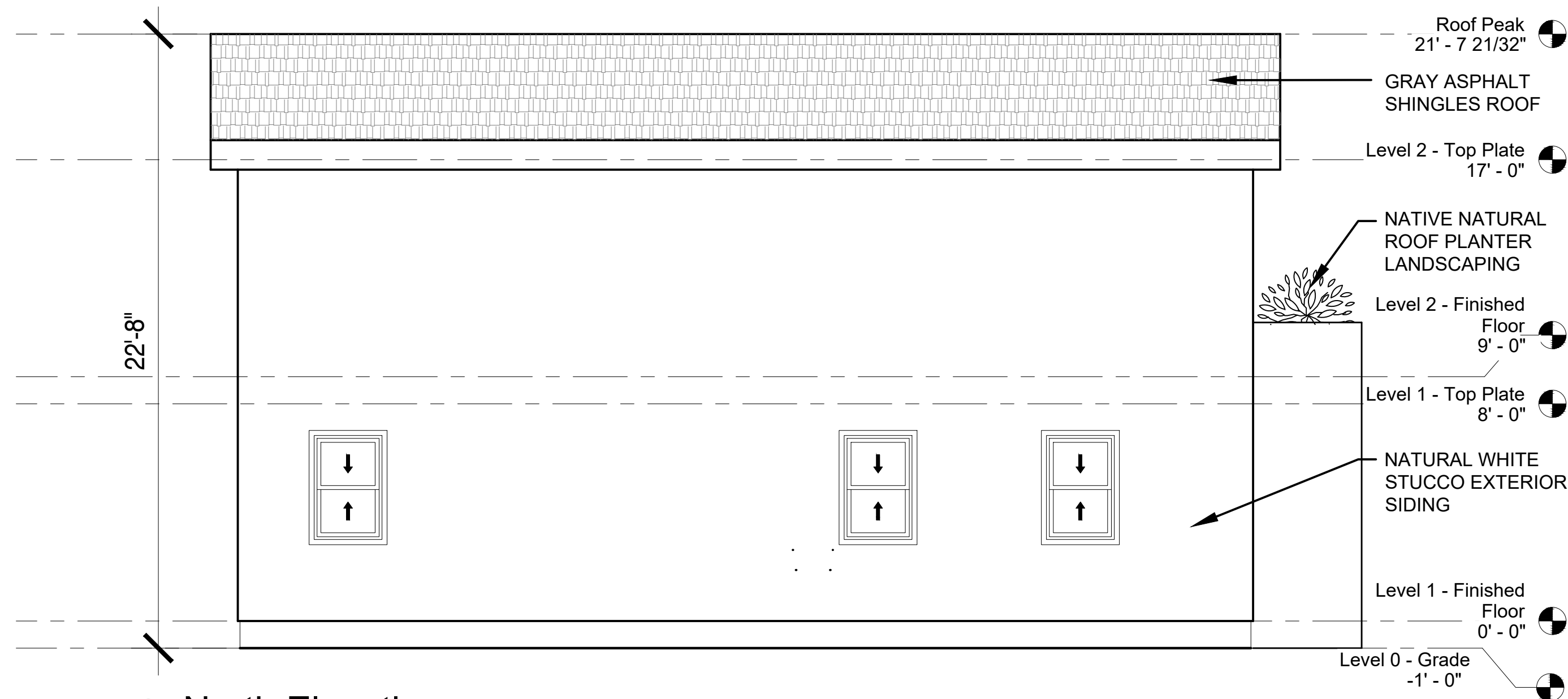
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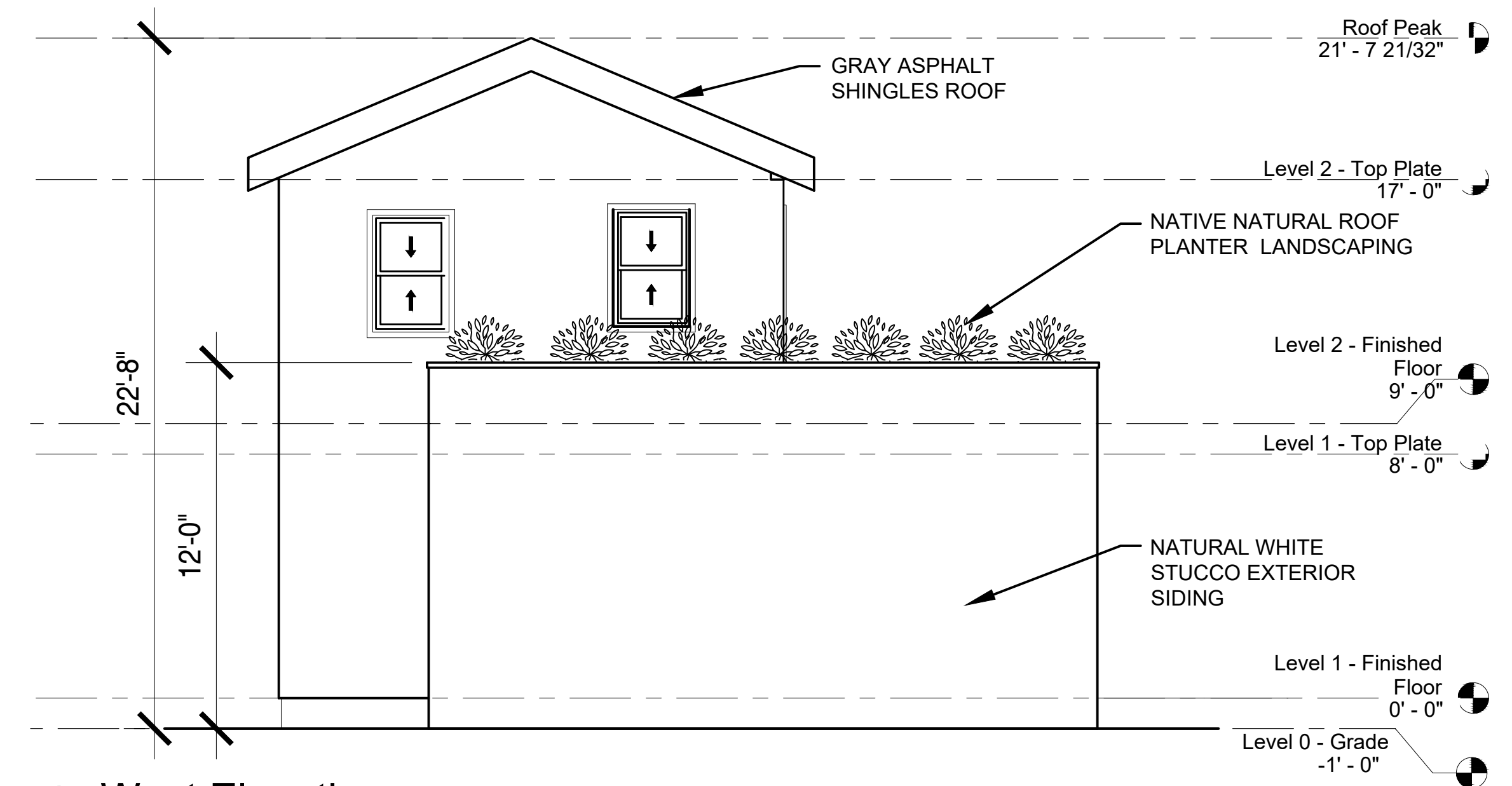
4 East Elevation
1/4" = 1'-0"



3 South Elevation
1/4" = 1'-0"

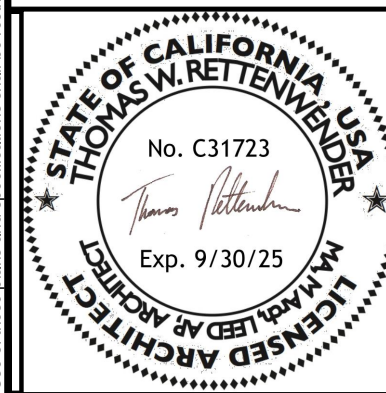


2 North Elevation
1/4" = 1'-0"



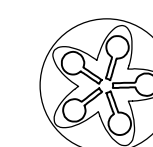
1 West Elevation
1/4" = 1'-0"

PROPOSED COLORS AND MATERIALS
PROPOSED COLOR AND MATERIALS WILL MATCH EXISTING MAIN RESIDENCE. PARTIAL GREEN (CONSIST OF MIXED SUCCULENTS WILL BE HAND WATERED) ROOF w/ TREX GRAY ASPHALT SHINGLES ROOFING. NATURAL WHITE STUCCO EXTERIOR SIDING. WHITE VINYL WINDOWS FRAMES TO MATCH EXISTING. EXTERIOR LIGHTING WILL MATCH EXISTING. 6x6 WOOD COLUMNS STAINED BLACK. DECK WILL HAVE BLACK METAL HAND RAILING & TREX WALNUT WOOD DECKING OVER MEMBRANE WATER-PROOFED & PRESSURE-TREATED. NEW EXTERIOR LIGHTING TO MATCH.



DATE	09/20/2023
SCALE	AS SHOWN
DRAWN BY	SL
JOB NUMBER	# 2138

TITLE	PROPOSED ELEVATIONS
Muñoz Remodel	
1204 San Lucas Street, Seaside, CA 93955	



Ecologic Architects

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thomas@ecologicdesignlab.com

SHEET

A-4

Attachment 2 Location Map 1204 San Lucas St



Attachment 3 Site Photographs



Photograph 1. Aerial view of the property.



Attachment 3 Site Photographs



Photograph 2. View of the side property line from San Lucas St.

Attachment 3 Site Photographs



Photograph 3. View of the side property line from the alley.



CITY OF SEASIDE STAFF REPORT

Item No.: 6.C.

TO: Planning Commission

BY: Eric Azriel, Assistant Planner

DATE: January 10, 2024

SUBJECT: ARCHITECTURAL REVIEW APPLICATION NO. AR-23-13. THOMAS RETTENWENDER, APPLICANT, AND VI DUONG, PROPERTY OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL FOR A FIRST AND SECOND STORY ADDITION, INCLUDING A NEW TWO-CAR ATTACHED GARAGE. THE PROJECT IS LOCATED ON A 8210 SQUARE FOOT PARCEL AT 1930 LUXTON STREET (APN 011-081-008) IN THE RS-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CLASS 3, SECTION 15303(A)

PURPOSE & RECOMMENDATION

The purpose of this item is to consider an Architectural Review application for a two-story addition to an existing house, including a garage. Architectural Review is required for all new second story elements per Seaside Municipal Code (SMC) 17.62.030.B.2.

Staff recommends the Commission approve Architectural Review AR-23-13 subject to Attachment 1: Draft Resolution and Exhibit A: Project Plans.

BACKGROUND

The existing 856 square foot (sf) house sits on a 8,210 sf parcel in the RS-8 Single-family Residential zone. Nearby uses include single family residences to the north, west, and south, and a preschool to the east as shown in Attachment 2 Location Map . A church and the Boys and Girls Clubs of Monterey County are also nearby.

Staking and flagging is required for this project per SMC 17.62.030.D both because it is taller than 18 feet and because it creates a second story. Staking and flagging was in place by December 26, 2023, more than 14 days prior to the public hearing.

Project Description

The proposed project would build a two-story 1,369 sf addition to an existing 856 sf home, yielding a 2,225 sf dwelling, not including the garage. On the second story, two balconies would be built, one above the garage on the front of the house and one off of a second-story bedroom in the rear. The project proposes demolishing a one-car detached garage and building a 613 sf two-car attached garage in its place.

California Environmental Quality Act

The proposed project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303(a). The proposed addition to the single family dwelling is considered new construction because the addition is larger than 50% of the existing floor area.

Required Standards

The proposed project meets required standards. The proposed FAR is 0.29, or 2,398 sf / 8,210 sf, well below the maximum Floor Area Ratio (FAR) of 0.45 in the RS-8 Single-family residential zone. The site coverage is also well below the 65% limit at the proposed 42%. The proposed height of 23 feet 4 inches is below the maximum 24 feet.

Table 1. Floor area ratio

Component	Square Footage (sf)
Existing dwelling sans 108 sf utility room	747
Proposed first floor addition, incorporating utility room	488
Proposed second floor addition	989
Proposed garage	613
Total floor area	2838
Total floor area minus 440 garage exception	2398
Maximum allowed floor area per floor area ratio	3695

SMC 17.34.040 Table 3-8 requires the project to have two covered parking spaces because the proposed dwelling would be larger than 1,801 sf. The project proposes creating two spaces, one of them tandem, in the attached garage. Per SMC 17.34.110.I.1, one tandem space is allowed because this project is a conforming single-family dwelling.

Materials and Colors

The proposed materials and colors are intended to match the existing materials and colors. The primary color would be light gray with dark gray trim. The addition would continue the board and batten wood siding and install white vinyl windows and gray asphalt shingles. The columns supporting the covered balconies and their roofs would

be painted dark gray. The balconies themselves would be constructed of Trex decking with a gray metal guard.

Considerations

Architectural Review requires the following considerations, but no findings.

Architecture

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

The proposed addition uses two types of roofs. One gable roof is similar to the existing dwelling. The top of the second floor addition would be a shed roof with windows facing west, towards the street and the bay. The covered balconies are supported by columns, presenting a slimming appearance. The balconies also help delineate the differences between the first and second story.

Lighting

17.62.030.E.3. Lighting considerations. Proposed outdoor lighting, including the proposed placement of fixtures, type of fixtures, and illumination levels.

The light fixtures would match existing fixtures and be directed downwards.

FINDINGS

1. The project is Categorically Exempt, Class 3, under the California Environmental Quality Act (CEQA) Guidelines Section 15303(a):

Evidence: Approving the Architectural Review allows the construction of an addition to a single family dwelling that is more than 50% of the original floor area.

ATTACHMENTS

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

**PLANNING COMMISSION
RESOLUTION NO. XX-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING ARCHITECTURAL REVIEW APPLICATION NO. AR-2023-13 FOR A FIRST AND SECOND STORY ADDITION, INCLUDING A NEW TWO-CAR ATTACHED GARAGE AT 1930 LUXTON STREET (APN 011-081-008) IN THE RS-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT.

WHEREAS, Thomas Rettenwender, applicant, and Vi Duong, owner, applied for Architectural Review No. AR-2023-13; and

WHEREAS, the proposed project requires approval by the Planning Commission, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Planning Commission considered oral comments and written information concerning the Architectural Review application No. AR-2023-13 at a duly noticed public hearing that the Planning Commission held on January 10, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following finding:

1. The project is Categorically Exempt, Class 3, under the California Environmental Quality Act (CEQA) Guidelines Section 15303(a):

Evidence: Approving the Architectural Review allows the construction of an addition to a single family dwelling that is more than 50% of the original floor area.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Planning Commission approves AR-2023-013 subject to the following Conditions of Approval:

Building:

1. Construction must comply with all requirements of the California Building Code, as amended by the City of Seaside and in effect at the time of Building Permit submittal.

Fire Department:

2. Construction must comply with all requirements of the California Fire Code, as amended by the City of Seaside and in effect at the time of Building Permit submittal.

3. The following paragraphs must be printed in the project plans submitted for a building permit under, "Fire Department Notes".
 - a. Fire Sprinklers Required - The residence shall be protected with an automatic fire sprinkler system in compliance with the National Fire Protection Association Standard 13D. Plans for the fire sprinkler system must be submitted and approved by the Seaside Fire Department prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection from the building department.
 - b. A fire alarm water flow switch is required on all residential fire sprinkler systems and shall be located so that it is audible to the occupants of the residence. The flow switch shall be wired to the kitchen refrigerator circuit.
 - c. It is the responsibility of the applicant to check with the local water service company (Cal Am) to insure the proper water meter size is provided for both the domestic and fire sprinkler flows. Generally, a 1 inch meter is required.
 - d. An indicating type valve shall be installed in a location where it shuts off both the fire sprinkler and the domestic system. The indicating valve shall be installed above grade and shall be a ball-type valve only. A separate valve just for the fire sprinkler system is not required.
 - e. All underground piping is to be flushed prior to the connection of any fire sprinkler piping.
 - f. Separate fire sprinkler plans need to be delivered to Seaside Fire Department, located at 1635 Broadway Avenue. A minimum of (3) set of plans are required. If the applicant requires (2) sets of approved plans, then (4) sets need to be delivered to the fire department. Applicant needs to submit to the fire department for prior approval.

Planning:

4. The height of the addition may be increased up to a maximum of 24 feet, as necessary to align the roof pitch of the addition with the existing dwelling's roof pitch.
5. Landscaped areas, including trees and other plantings, as well as paving, walls, and fences, shall be regularly maintained.
6. The Zoning Administrator has the authority to approve minor changes to the landscaping, lighting, and architectural finishes of this project, given changes are kept in a similar design style, the colors and materials are within the same design

family (metal, wood, composite siding), and the juxtaposition of the materials and colors achieves a similar design balance and aesthetic.

Engineering and Public Works:

7. The project must implement storm water best management practices (BMPs) during construction. (SMC 8.46)
 - a. Complete and submit the Storm Water Compliance Tracking Form, with signature with building permit application.
 - b. A project specific Erosion and Sediment Control Plan (ESCP) is required of the applicant as part of building permit application.
8. Post-development peak storm water runoff rates shall not exceed predevelopment rate. A pro rata share of the cost of offsite erosion sediment, and flood control improvements and/or for maintenance to the principal drainage way may be required by the City Engineer to handle the increase peak runoff and/or sediment generated by the project. (SMC 15.32.170)
 - g. Drainage shall not be directed to adjacent properties.
 - h. Site plan to clearly denote site coverage type (ie landscaping, building, concrete,)
 - i. Site plan to include table summarizing existing impervious surface square footage, proposed new impervious surface, redeveloped impervious surface and total impervious surface.
 - j. Proposed site plans to show location of new and existing downspouts.
 - k. Downspouts and/or overflow from cisterns or rain barrels to be directed to permeable surface
9. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and upon the prior issuance of an Encroachment Permit from the Public Work Department.

Standard:

10. Except as modified by the conditions of approval, plans submitted for Building Permits must be in compliance with Exhibit A Project Plans.
11. The applicant agrees as a condition and in consideration of the approval of this 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.

12. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
13. 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 15 days from the date of its approval.
14. This approval shall become null and void unless a Building Permit application is submitted within twelve (12) months of January 17, 2024. Time extensions may be granted by the original approval body if a written request and associated fee are received by the Community Development Department within 30 days prior to the expiration. This approval shall also become null and void if the implementing Building Permit application expires.
15. 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 a regular meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of January 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Will Silva, Chairperson

ATTEST:

Planning Commission Secretary

Exhibits:

Exhibit A: Project Plans

ARCHITECTURAL REVIEW APPLICATION No. AR-2023-13
RESOLUTION No. XX-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 Planning Commission.

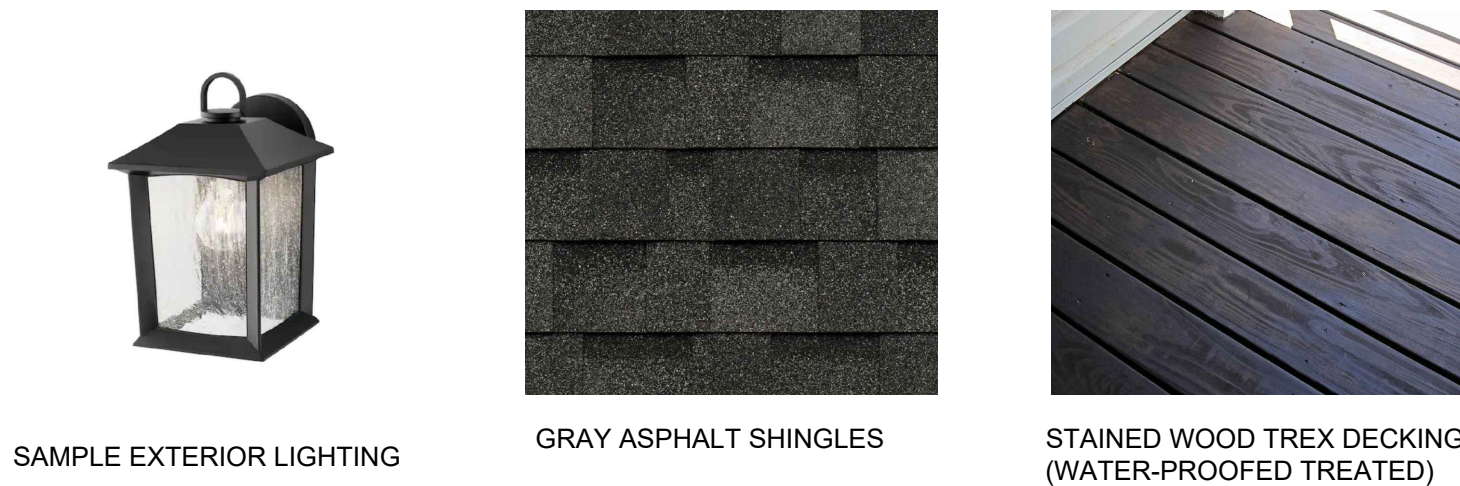
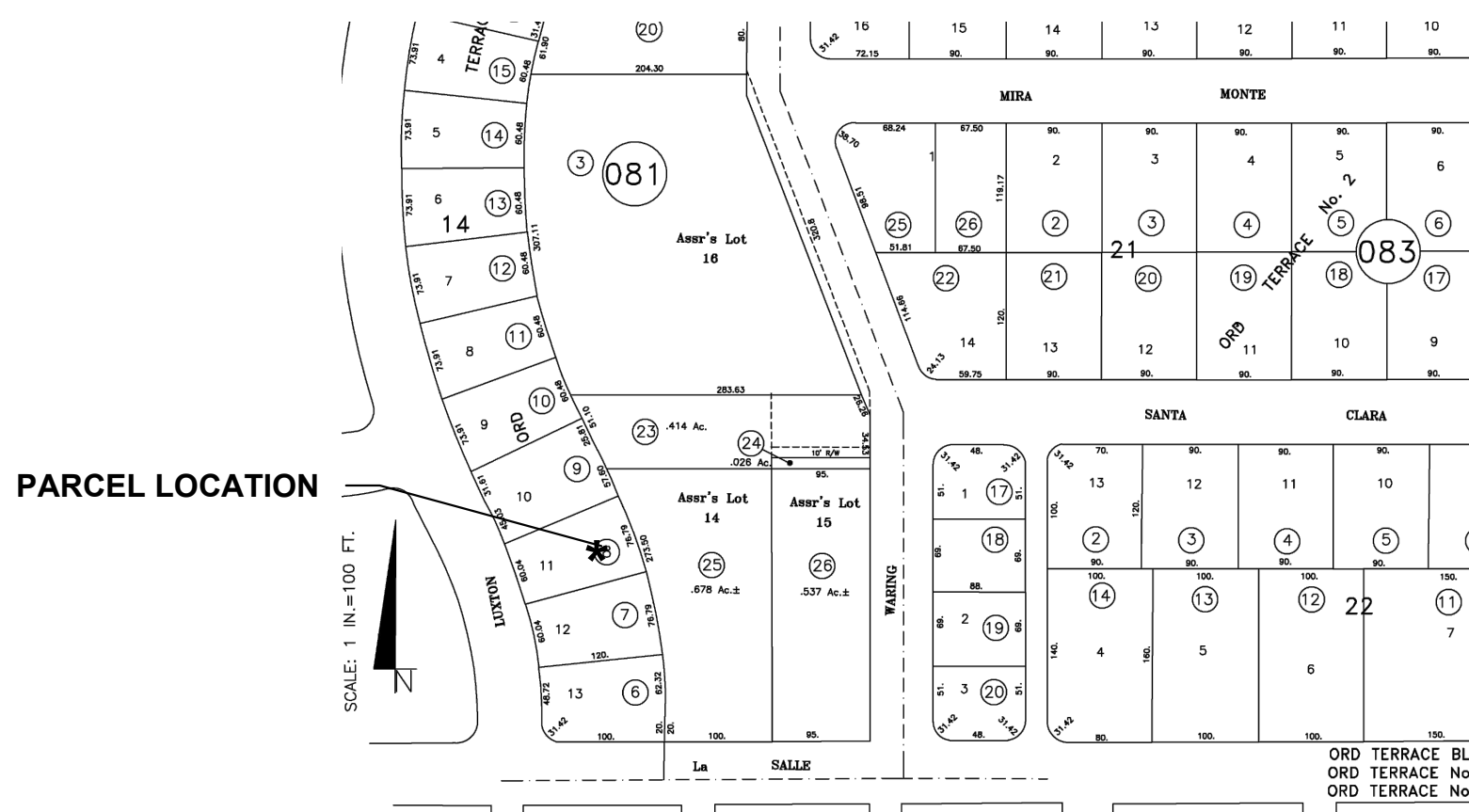
Applicant's Signature

Date

Property Owner's Signature

Date

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SAMPLE EXTERIOR LIGHTING

GRAY ASPHALT SHINGLES

STAINED WOOD TREX DECKING
(WATER-PROOFED TREATED)

PROPOSED COLORS AND MATERIALS

PROPOSED COLOR AND MATERIALS WILL MATCH EXISTING DARK GRAY TRIM, BOARD AND BATTEN WOOD SIDING PAINTED LIGHT GRAY. PAINTED DARK GRAY WOOD COLUMNS & GRAY METAL GUARD RAILING FOR BALCONY. GRAY ASPHALT SHINGLES ROOFING. WHITE VINYL WINDOWS FRAMES TO MATCH EXISTING. EXTERIOR LIGHTING WILL MATCH EXISTING & STAINED WOOD TREX DECKING WATER-PROOFED TREATED.

SCOPE OF WORK

ADDITION TO THE FIRST FLOOR & NEW
SECOND FLOPR

DRAWING LIST

- A-1 COVER SHEET
- A-2 SITE ASSESSMENT
- A-3 SITE - EXISTING
- A-4 SITE - PROPOSED
- A101 EXISTING /DEMO AND PROPOSED PLANS LEVEL 1
- A102 PROPOSED PLAN - LEVEL 2
- A201 FRONT & BACK ELEVATIONS
- A202 LEFT ELEVATION
- A203 RIGHT ELEVATION
- A401 ROOF PLAN (EXISTING & PROPOSED)

NOTES

LIGHTING:

ALL LIGHTING FIXTURES SHALL BE PROPERLY DIRECTED, RECESSED, AND FULLY SHIELDED (E.G., DOWNWARD AND AWAY FROM ADJOINING PROPERTIES) TO REDUCE LIGHT BLEED AND GLARE ONTO ADJACENT PROPERTIES OR PUBLIC RIGHTS-OF-WAY, BY: (REGARDING OUTDOOR LIGHTING, SMC 17.30.070.C STATES)

- ENSURING THAT THE LIGHT SOURCE (E.G., BULB, ETC.) IS NOT VISIBLE FROM OFF THE SITE; AND
- CONFINING GLARE AND REFLECTIONS WITHIN THE BOUNDARIES OF THE SUBJECT SITE TO THE MAXIMUM EXTENT FEASIBLE."

KITCHEN APPLIANCES:

OWNER SHALL BE INSTALL HIGH EFFICIENCY DISHWASHER, WITH ALL MANUFACTURE STANDARDS, AT OWNERS EXPENSE.

PROJECT DATA

OWNER	VUONG DUONG 2000 DEL MONTE AVE SEASIDE CA 93955
ARCHITECT	Thomas Rettenwender, Architect PO Box 6451 Carmel-by-the-sea, CA 93921 thomas@ecologicdesignlab.com
PROPERTY ADDRESS	1930 Luxton Street, Seaside, California 93955
APN	011-081-008-000
ZONING	R-8 Single Family Residential
TYPE OF CONSTRUCTION	RS-8
LOT SIZE	8,210 SF (PER SURVEYOR)
(E) HOUSE	859 SQ. FT. +/-
(E)GARAGE	252 SQ. FT. +/-
PROPOSED ADDITION LOWER FLOOR SF	369 SQ. FT. +/-
PROPOSED ADDITION SF (UPPER FLOOR)	914 SQ. FT+/-
(N) HOUSE	2,149 SQ. FT. +/-
(N) GARAGE	596 SQ. FT. +/-
(N) IMPERMEABLE SITE COVERAGE	568 SQ. FT.
(N) PERMEABLE SITE COVERAGE	6161 SQ. FT.

SITE COVERAGE

MAX ALLOWED 65%	6,110 SQ.FT.
PROPOSED SITE COVERAGE	3,432 SQ. FT.
WATER SOURCE	CAL-AM
SEWER SYSTEM	CITY SEWER



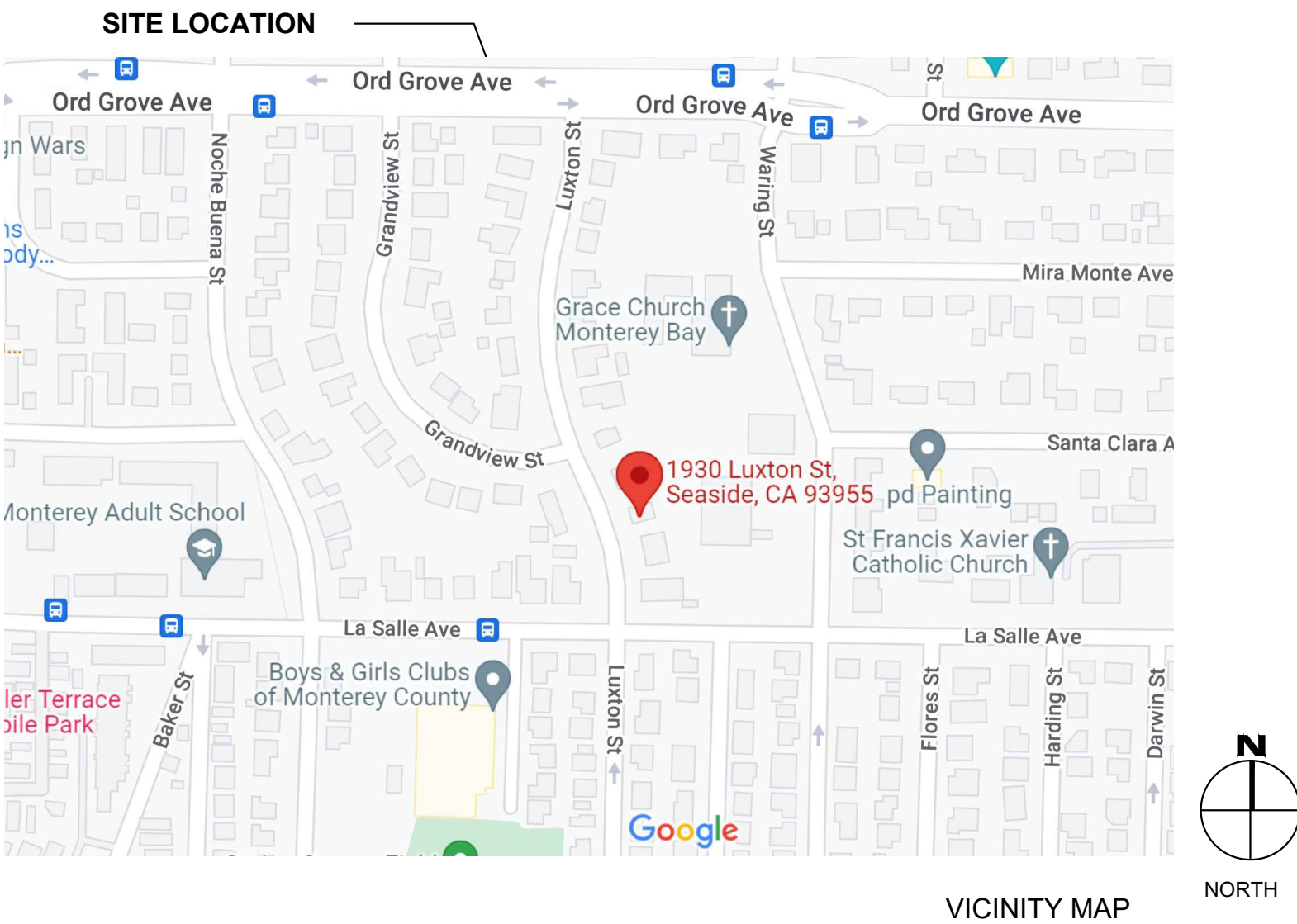
1 FRONT VIEW
SCALE: NO SCALE

PAINTED DARK GRAY
WOOD COLUMNS

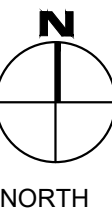
METAL RAILING



1 REAR VIEW
SCALE: NO SCALE



VICINITY MAP



DATE	November 3, 2023	TITLE	COVER SHEET
SCALE	NO SCALE		
DRAWN BY	SG		
JOB NUMBER	# 2301		

DUONG RESIDENCE

1930 Luxton Street, Seaside, CA



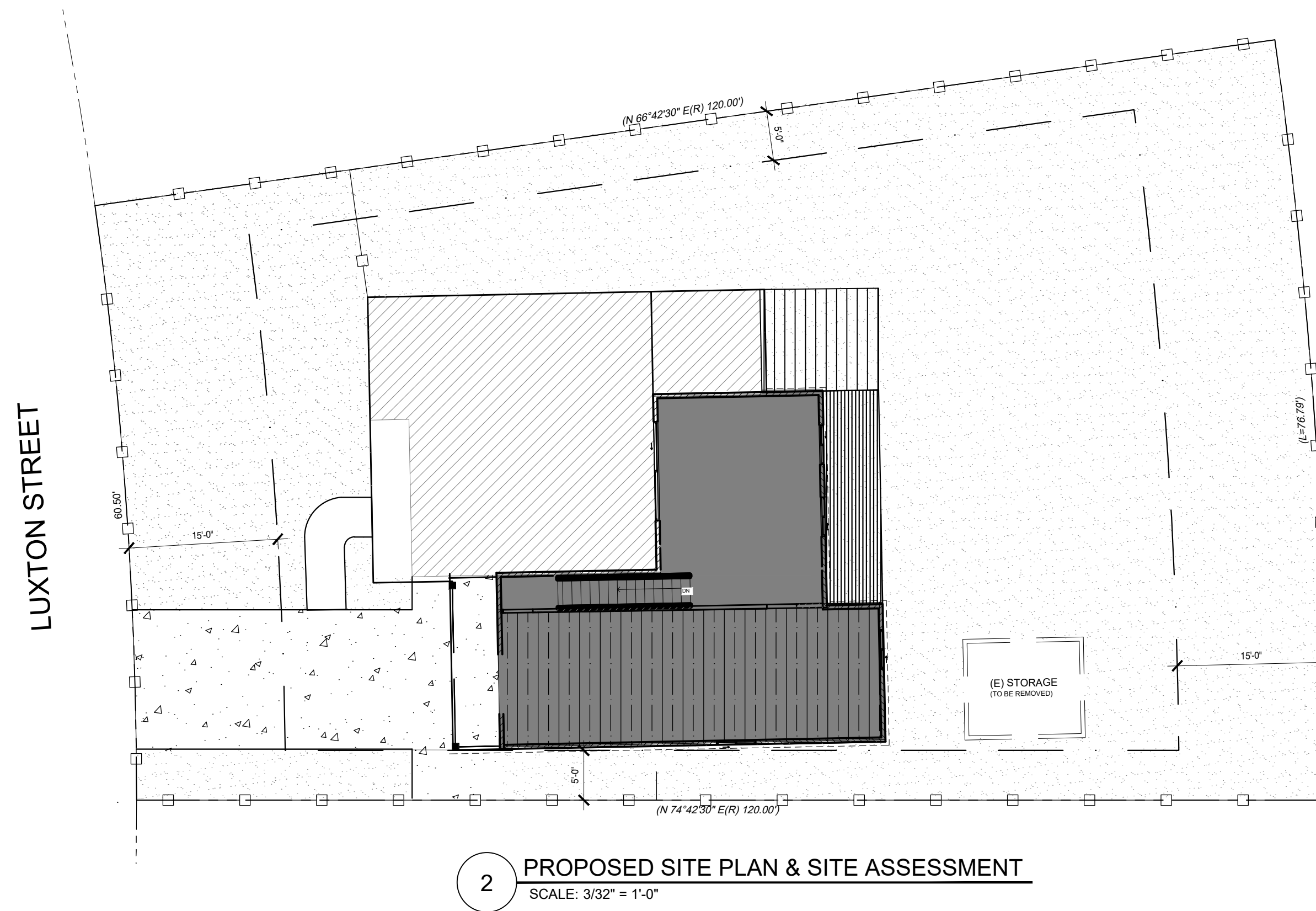
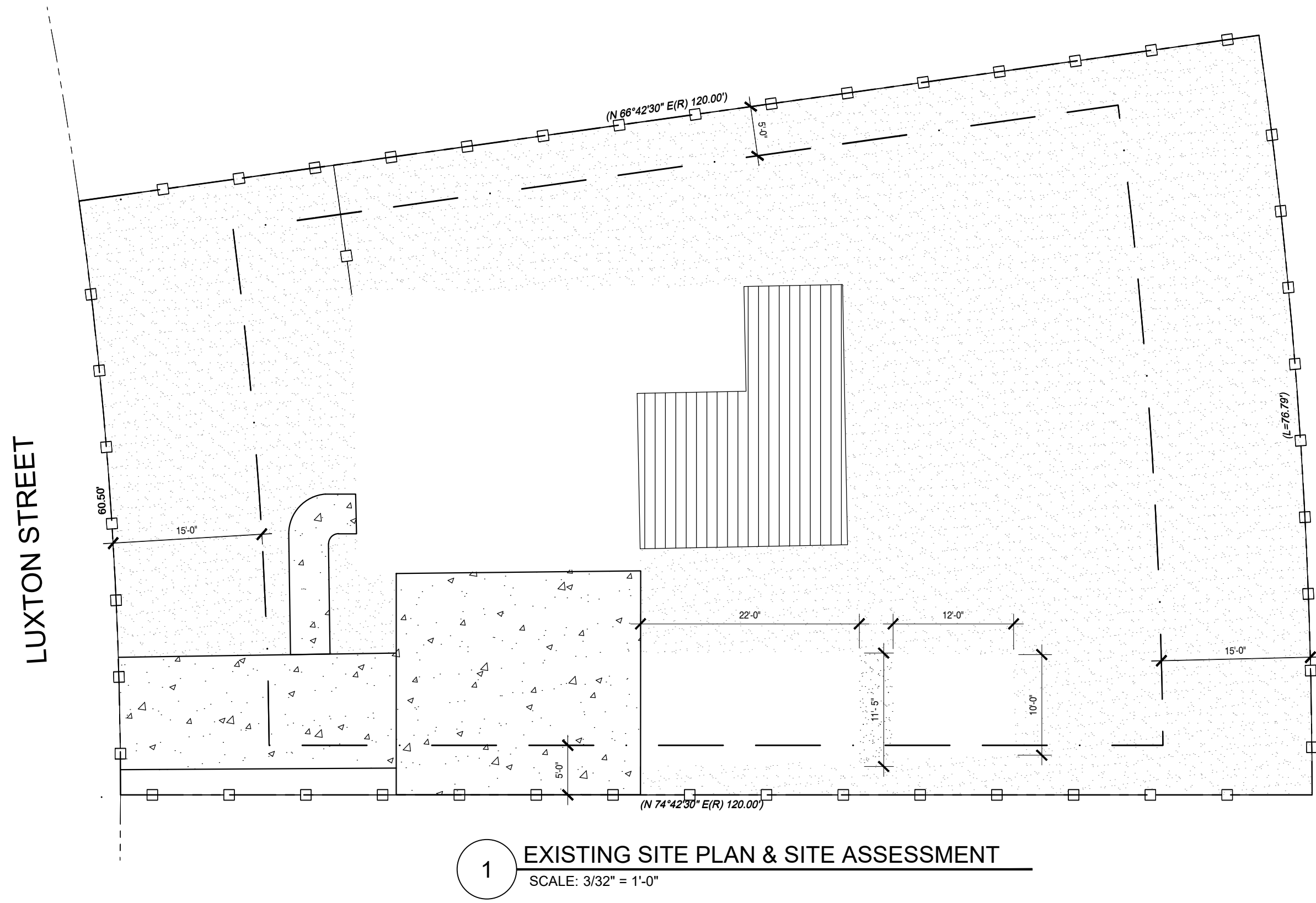
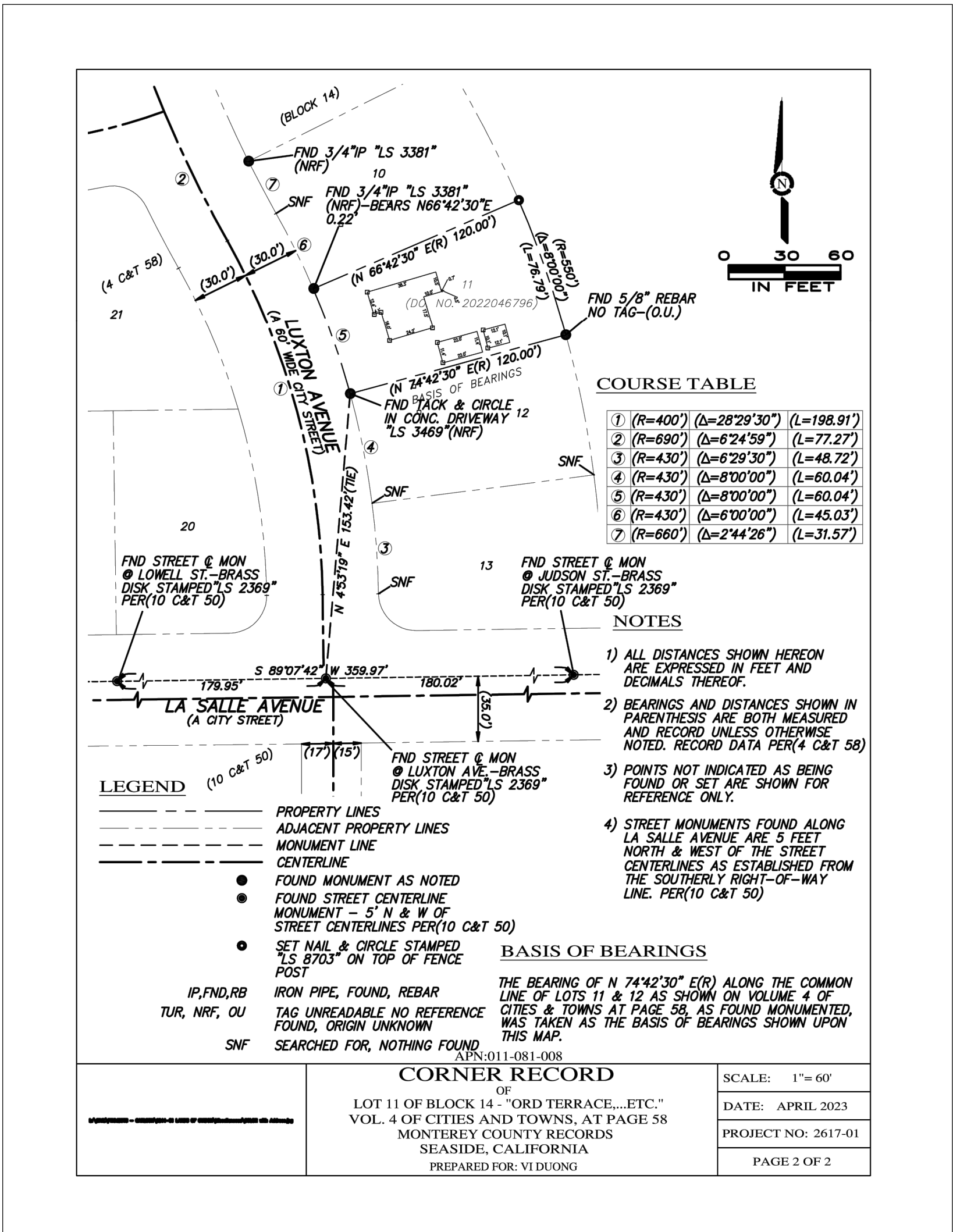
Ecologic Architects

Thomas Rettenwender, Architect
PO Box 6451 Carmel-by-the-Sea CA 93921 USA
Cell : (831) 920 8333
thomas@ecologicarc.com

SHEET

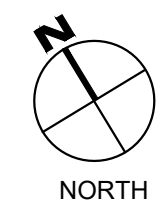
A-1

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SITE COVERAGE		
MAX ALLOWED 65%		6,110 SQ.FT.
PROPOSED SITE COVERAGE		3,432 SQ. FT.
FULLY PERMEABLE	5,968	
IMPERMEABLE (INCLUDING STRUCTURES, PAVING & DECKS)	3,432	

LEGEND	
IMPERMEABLE	
PERMEABLE	



DATE	November 3, 2023	TITLE	PROPOSED SITE PLAN AND SITE ASSESSMENT
SCALE	3/32" = 1'-0"		
DRAWN BY	SG		
JOB NUMBER	# 2301		

DUONG RESIDENCE

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SHEET

A-2

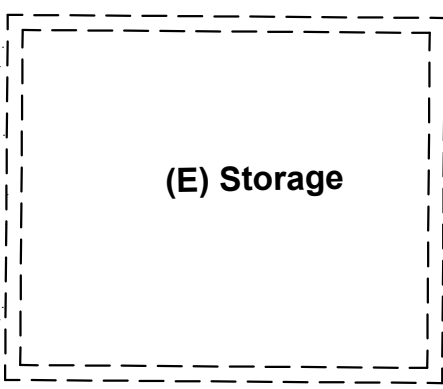
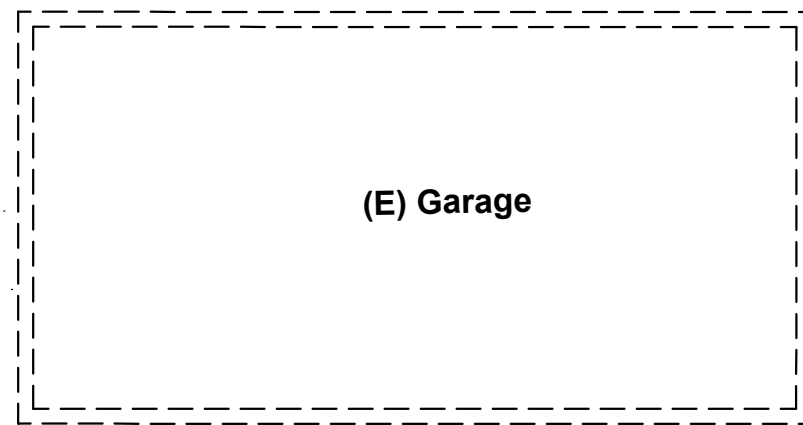
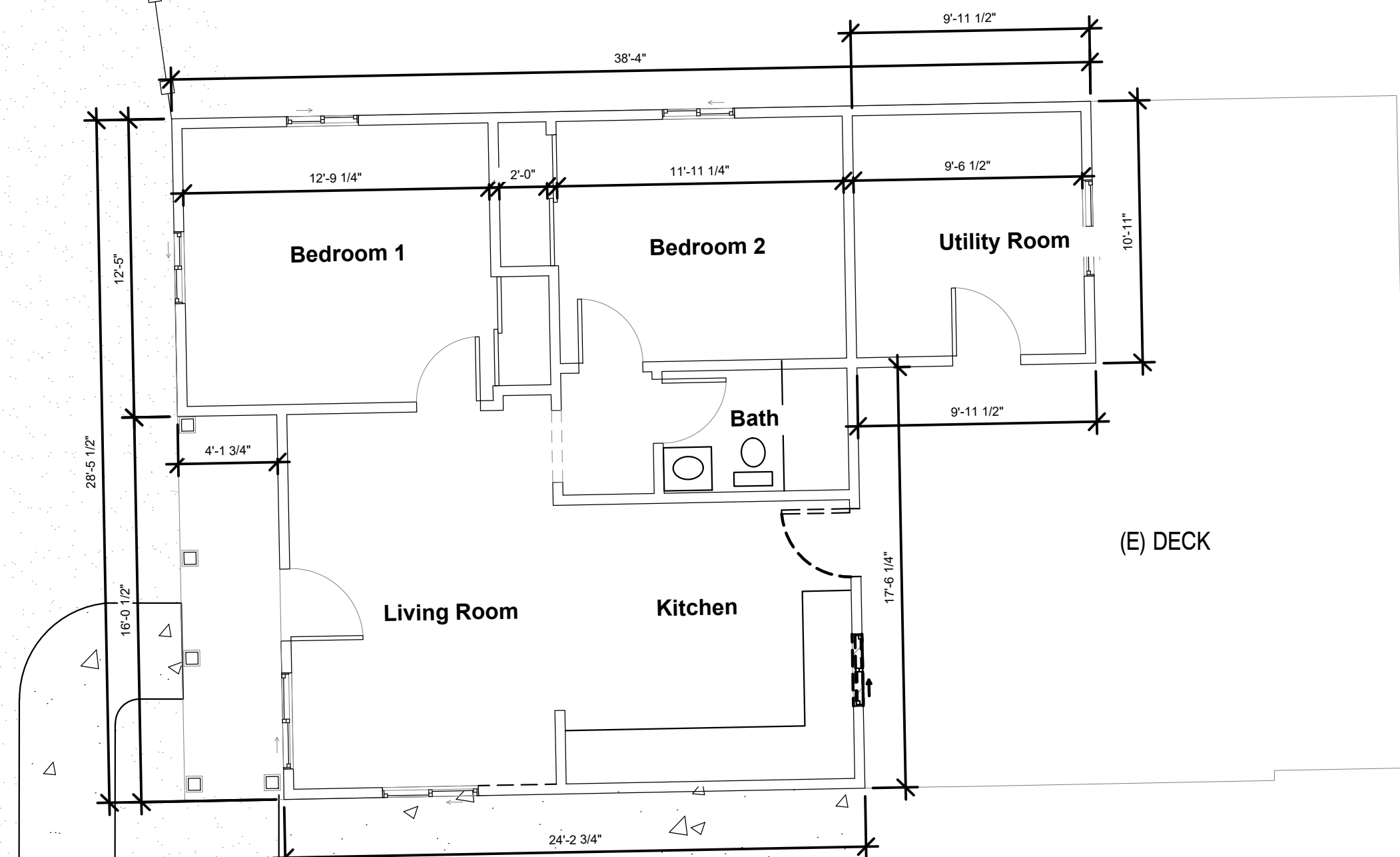
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LUXTON STREET

60.50'

(N 66°42'30" E(R) 120.00')

(L=76.79')

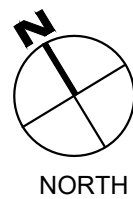


(N 74°42'30" E(R) 120.00')

1 SITE PLAN - EXISITNG
SCALE: 3/16" = 1'-0"

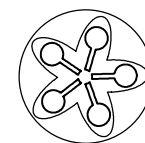
WALL LEGEND

- EXISTING WALL
- DEMO WALL
- NEW WALL



DATE	November 3, 2023
SCALE	3/16"=1'0"
DRAWN BY	SG
JOB NUMBER	# 2301

TITLE	SITE PLAN - EXISTING
DUONG RESIDENCE	
1930 Luxton Street, Seaside, CA	



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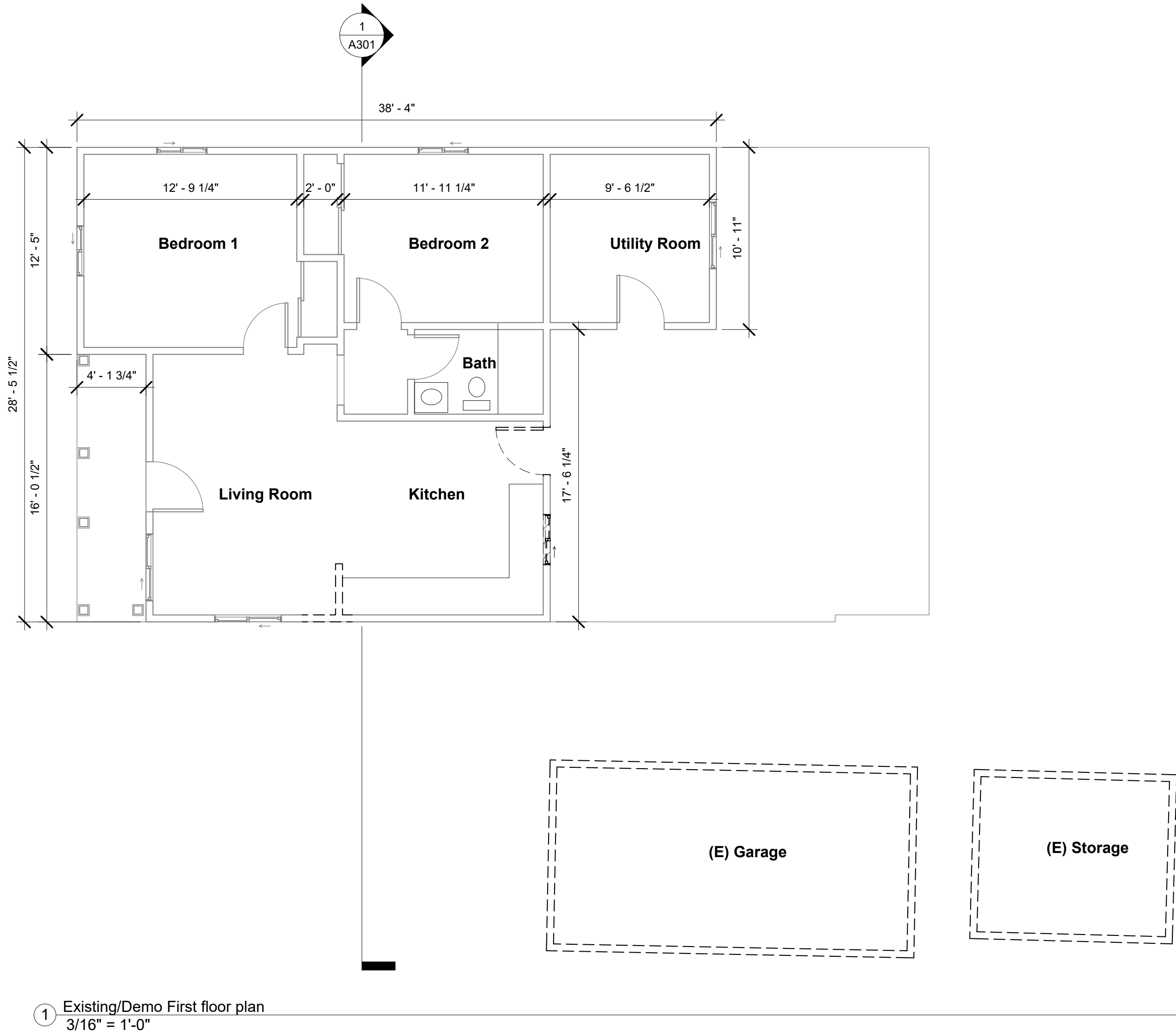
A-3

[illegible]

NORTH

DATE November 3, 2023	TITLE SITE PLAN - PROPOSED	 Ecologic Architects Thomas Rettenwender, Architect PO Box 6451 Carmel-by-the-Sea CA 93921 USA Cell : (831) 920 8333 thomas@ecologicarc.com	SHEET A-4
SCALE 3/16"=1'-0"	DUONG RESIDENCE 1930 Luxton Street, Seaside, CA		
DRAWN BY SG			
JOB NUMBER # 2301			

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1 Existing/Demo First floor plan
3/16" = 1'-0"



2 Proposed first floor plan
3/16" = 1'-0"

Room Schedule			
Name	Area	Existing or New	Level
Bedroom 1	160 SF	EXISTING	F.F. Level 1
Bedroom 2	136 SF	EXISTING	F.F. Level 1
Utility Room	96 SF	EXISTING	F.F. Level 1
Bathroom	39 SF	EXISTING	F.F. Level 1
Living Room	217 SF	EXISTING	F.F. Level 1
Living Room (N)	285 SF	NEW	F.F. Level 1
Kitchen	120 SF	EXISTING	F.F. Level 1
Garage	568 SF	NEW	F.F. Level 1
Bedroom 6	262 SF	NEW	F.F. Level 2
Bedroom 4	173 SF	NEW	F.F. Level 2
Gallery	63 SF	NEW	F.F. Level 2
Bedroom 5	277 SF	NEW	F.F. Level 2
Bathroom 2	75 SF	NEW	F.F. Level 2
Balcony F	82 SF	NEW	F.F. Level 2
Balcony B	99 SF	NEW	F.F. Level 2
Grand total: 15	2653 SF		

Room Schedule - Existing			
Name	Area	Existing or New	Level
Bathroom	39 SF	EXISTING	F.F. Level 1
Utility Room	96 SF	EXISTING	F.F. Level 1
Kitchen	120 SF	EXISTING	F.F. Level 1
Bedroom 2	136 SF	EXISTING	F.F. Level 1
Bedroom 1	160 SF	EXISTING	F.F. Level 1
Living Room	217 SF	EXISTING	F.F. Level 1
Grand total: 6	769 SF		

Room Schedule - New			
Name	Area	Existing or New	Level
Living Room (N)	285 SF	NEW	F.F. Level 1
Garage	568 SF	NEW	F.F. Level 1
Gallery	63 SF	NEW	F.F. Level 2
Bathroom 2	75 SF	NEW	F.F. Level 2
Balcony F	82 SF	NEW	F.F. Level 2
Balcony B	99 SF	NEW	F.F. Level 2
Bedroom 4	173 SF	NEW	F.F. Level 2
Bedroom 6	262 SF	NEW	F.F. Level 2
Bedroom 5	277 SF	NEW	F.F. Level 2
Grand total: 9	1884 SF		

WALL LEGEND	
	EXISTING WALL
	DEMO WALL
	NEW WALL

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B
JOB
NUMBER# 2301

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EXISTING/DEMO AND PROPOSED PLANS - LEVEL 1

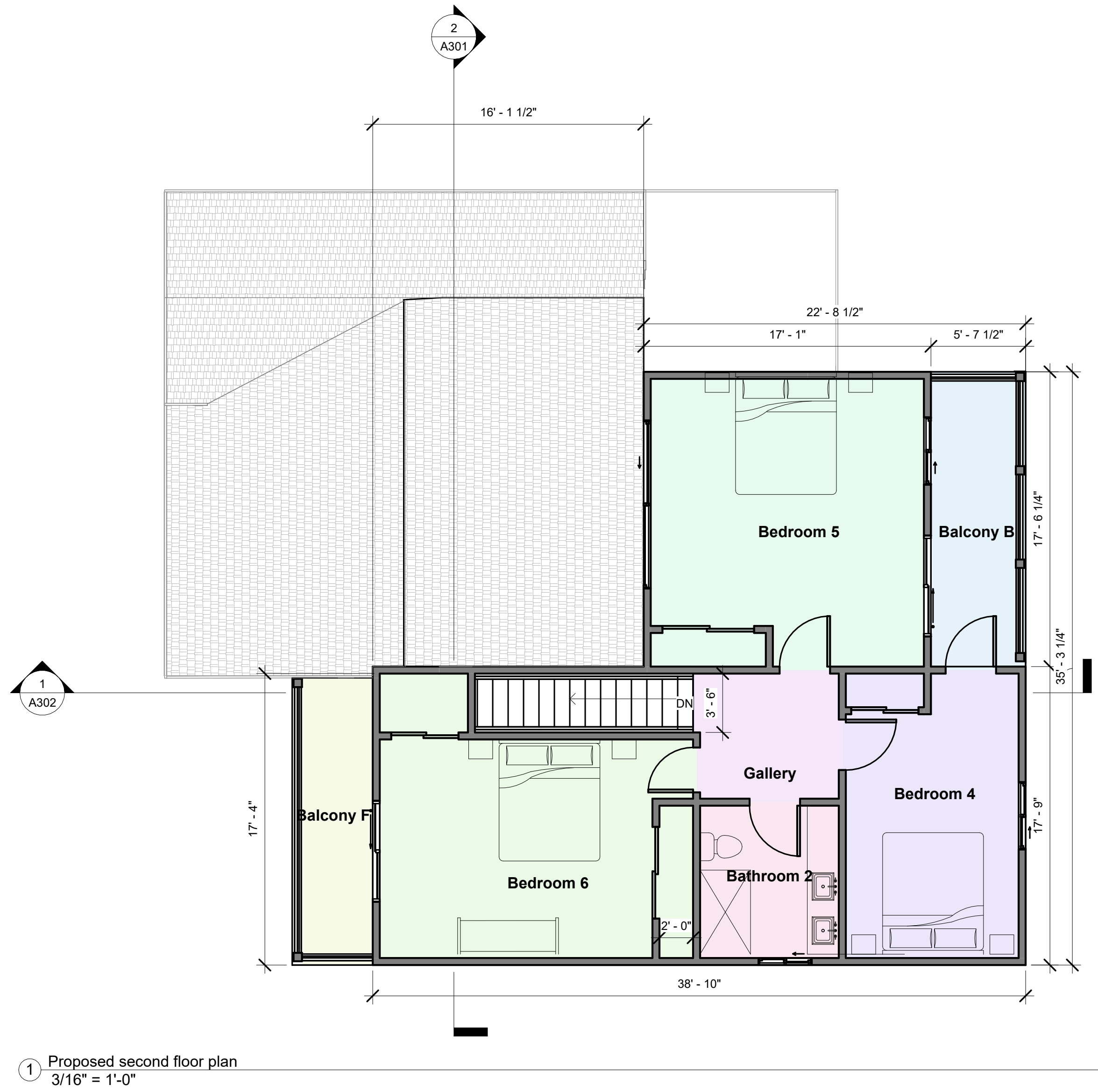
DUONG RESIDENCE
1930 Luxton Street, Seaside, CA



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thomas@ecologicdesignlab.com

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T
A101

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Room Schedule			
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Balcony F	82 SF	NEW	F.F. Level 2
Balcony B	99 SF	NEW	F.F. Level 2
Grand total: 15	2653 SF		

Room Schedule - Existing			
Name	Area	Existing or New	Level
Bathroom	39 SF	EXISTING	F.F. Level 1
Utility Room	96 SF	EXISTING	F.F. Level 1
Kitchen	120 SF	EXISTING	F.F. Level 1
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Bedroom 1	160 SF	EXISTING	F.F. Level 1
Living Room	217 SF	EXISTING	F.F. Level 1
Grand total: 6	769 SF		

Room Schedule - New			
Name	Area	Existing or New	Level
Living Room (N)	285 SF	NEW	F.F. Level 1
Garage	568 SF	NEW	F.F. Level 1
Gallery	63 SF	NEW	F.F. Level 2
Bathroom 2	75 SF	NEW	F.F. Level 2
Balcony F	82 SF	NEW	F.F. Level 2
Balcony B	99 SF	NEW	F.F. Level 2
Bedroom 4	173 SF	NEW	F.F. Level 2
Bedroom 6	262 SF	NEW	F.F. Level 2
Bedroom 5	277 SF	NEW	F.F. Level 2
Grand total: 9	1884 SF		

WALL LEGEND

EXISTING WALL

DEMO WALL

NEW WALL

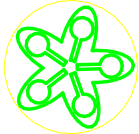
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SCAL EAs indicated
DRAWN BAuthor
JOB NUMBER# 2301

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PROPOSED PLAN - LEVEL 2

DUONG RESIDENCE

1930 Luxton Street, Seaside, CA



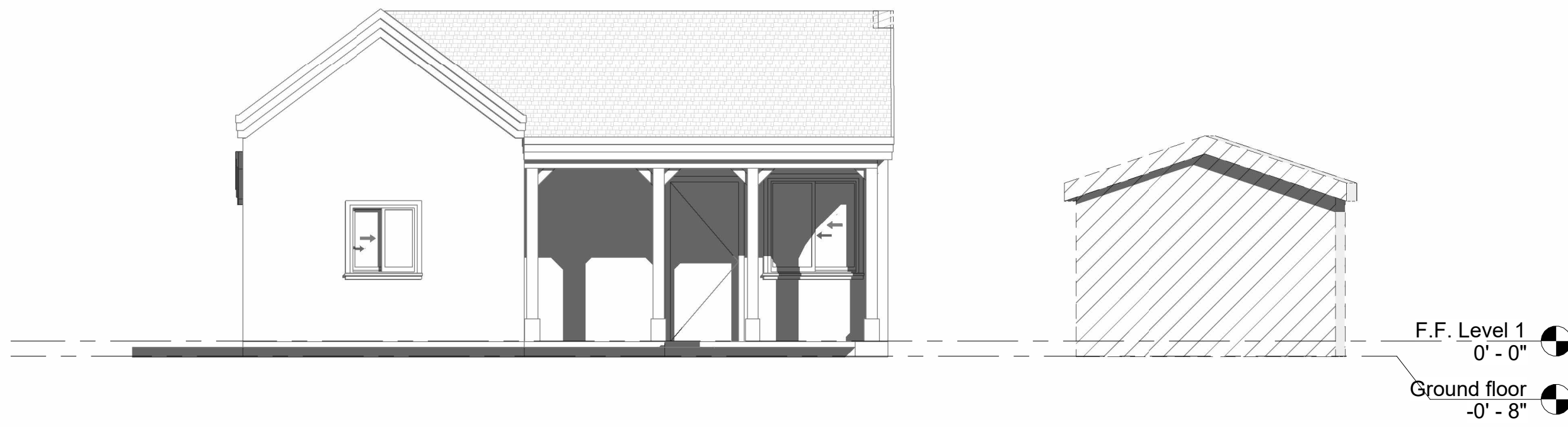
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thomas@ecologicdesignlab.com

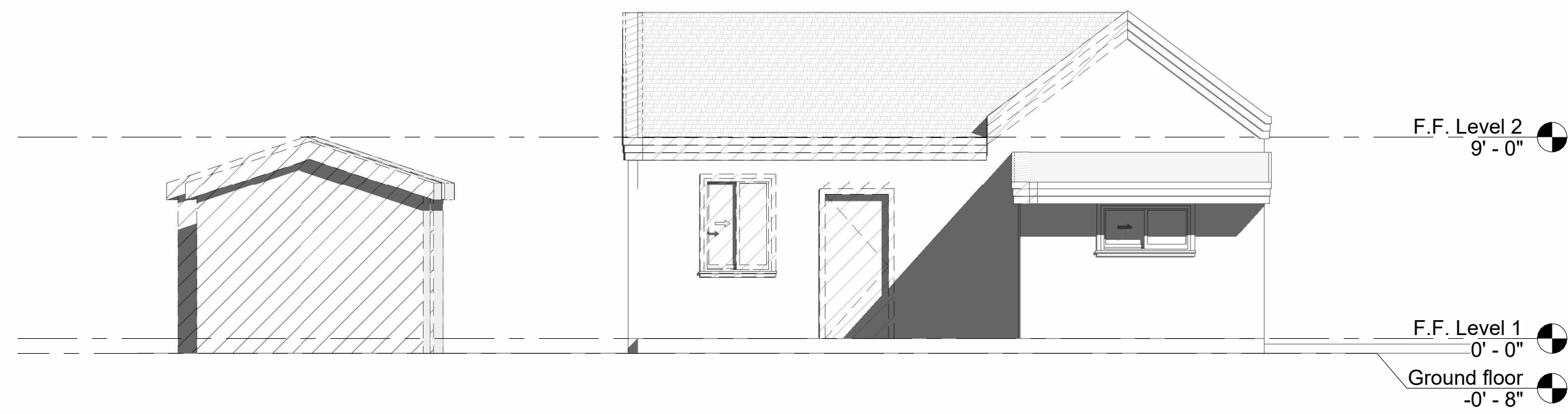
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A102

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① Existing/Demo Front elevation
3/16" = 1'-0"



③ Existing/Demo Back elevation
3/16" = 1'-0"



② Proposed Front elevation
3/16" = 1'-0"

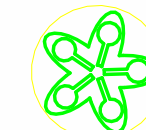


④ Proposed Back elevation
3/16" = 1'-0"

DAT
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SCAL
E 3/16" = 1'-0"
DRAWN
B Author
JOB
NUMBER# 2301

TITL
E FRONT AND BACK ELEVATIONS

DUONG RESIDENCE
1930 Luxton Street, Seaside, CA



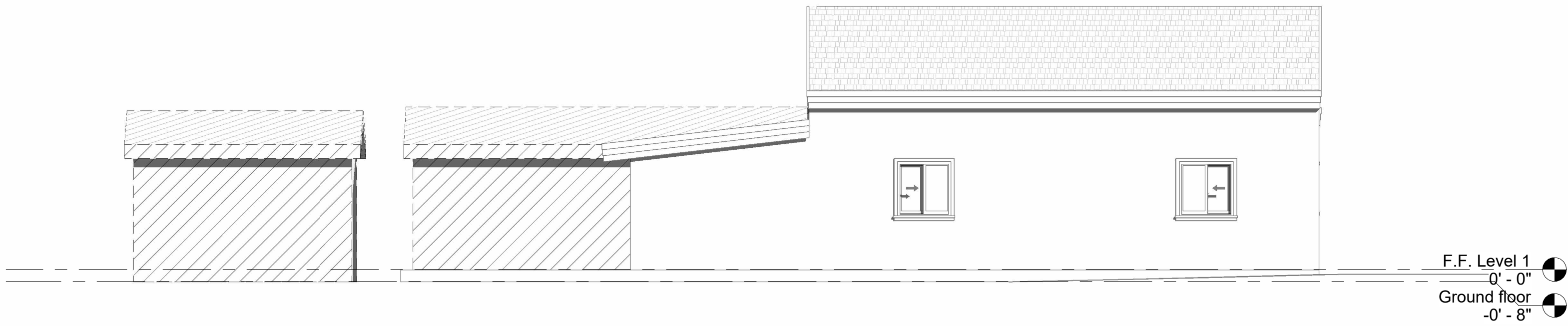
Ecologic Architects

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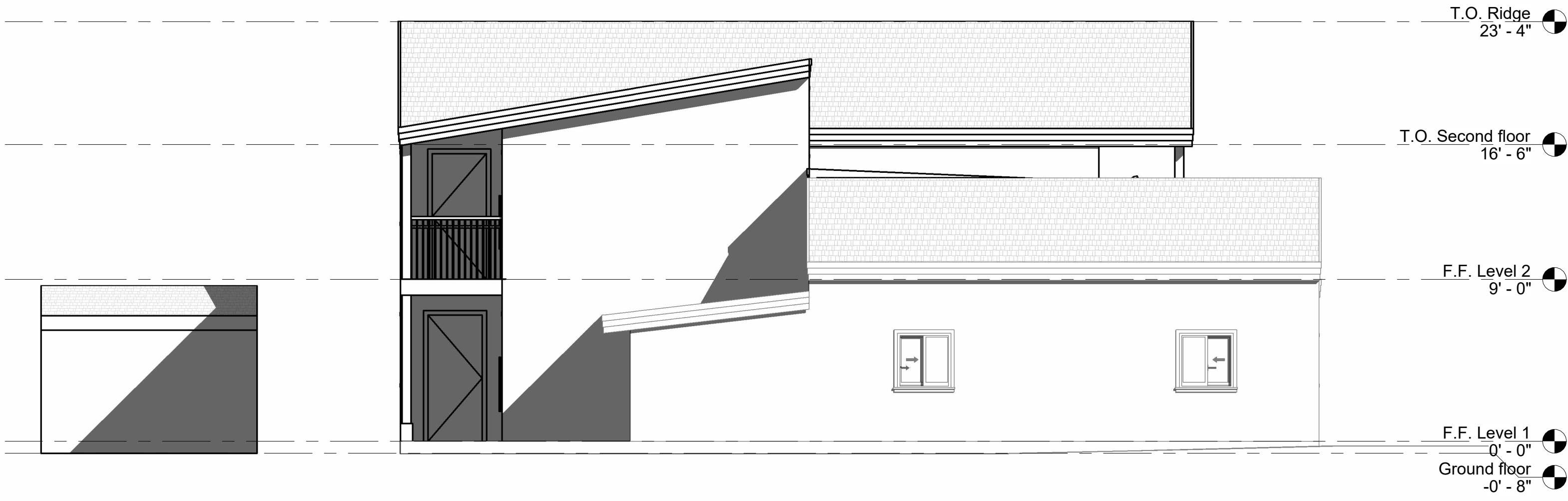
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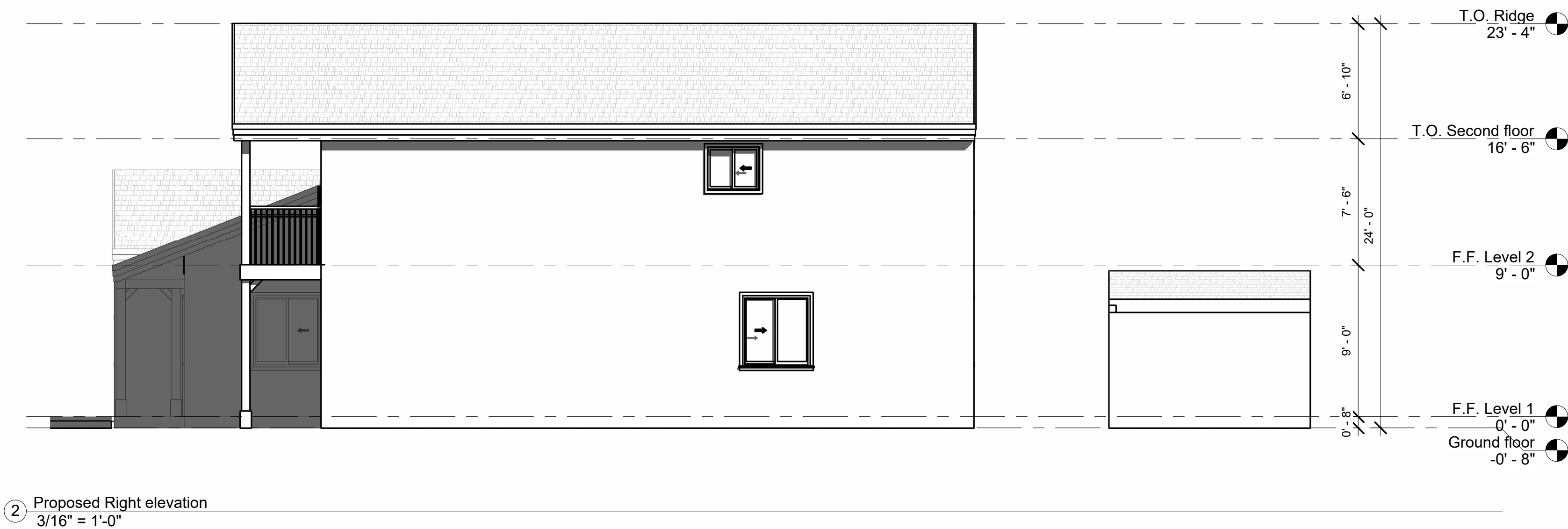
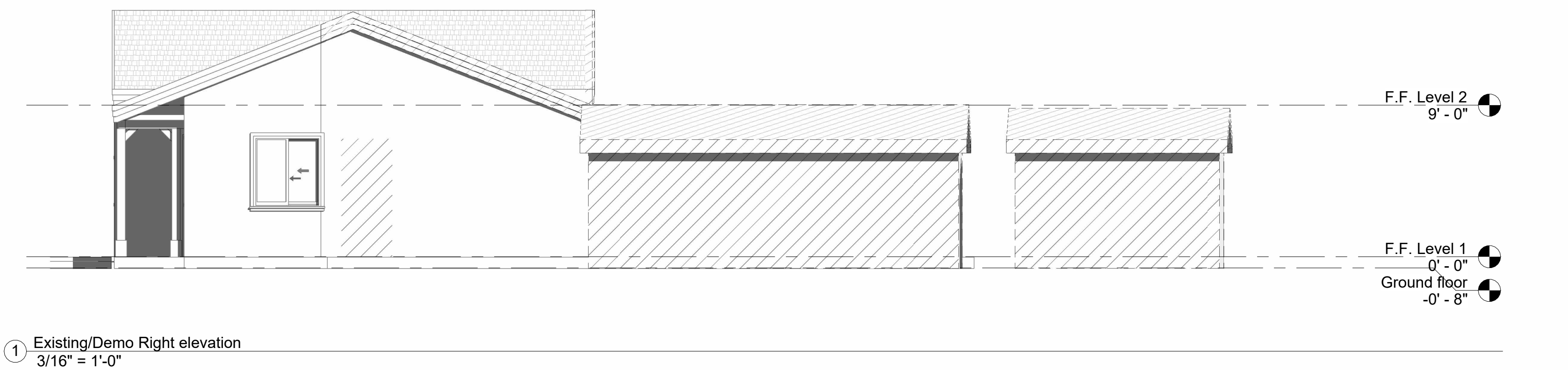
① Existing/Demo Left elevation
3/16" = 1'-0"

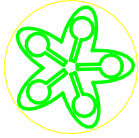


② Proposed Left elevation
3/16" = 1'-0"

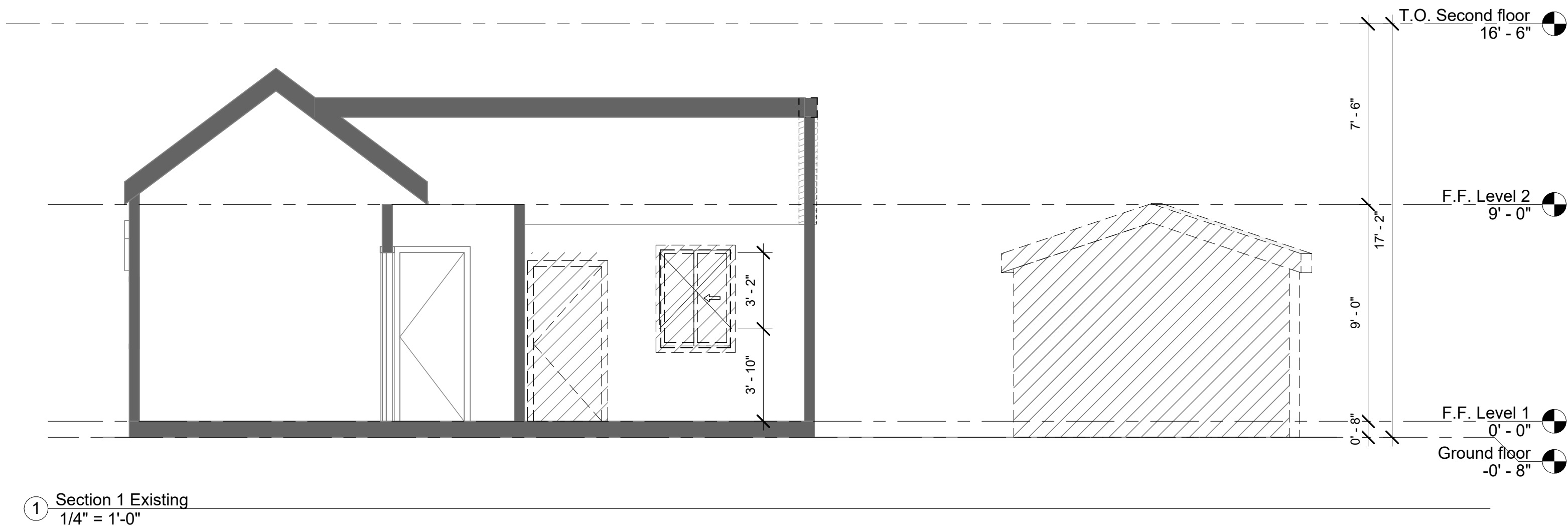
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	SCAL E 3/16" = 1'-0"	DUONG RESIDENCE 1930 Luxton Street, Seaside, CA				
	DRAWN B Author					
	JOB NUMBER# 2301					

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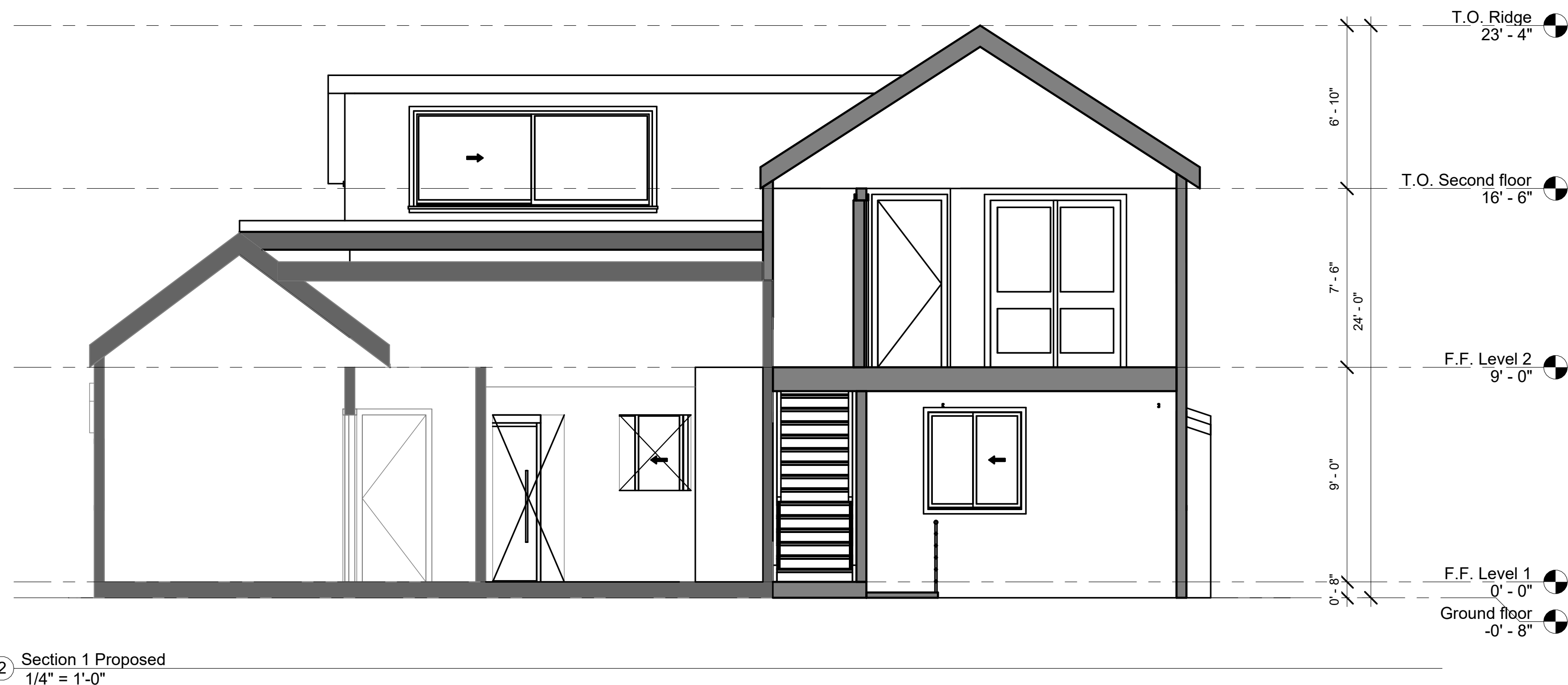


	DAT E 12/28/2023 11:07:26 AM	TITL E RIGHT ELEVATION	DUONG RESIDENCE 1930 Luxton Street, Seaside, CA	 Ecologic Architects	Thomas Rettenwender, Architect PO Box 6451 Carmel-by-the-Sea CA 93921 USA Cell : (831) 920 8333 thomas@ecologicdesignlab.com	SHEE T A203
	SCAL E 3/16" = 1'-0"					
	DRAWN B Author					
	JOB NUMBER# 2301					

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① Section 1 Existing
1/4" = 1'-0"

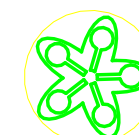


② Section 1 Proposed
1/4" = 1'-0"

DAT
E 12/28/2023 11:07:27 AM
SCAL
E 1/4" = 1'-0"
DRAWN
B Author
JOB
NUMBER# 2301

TITL
E SECTION 1

DUONG RESIDENCE
1930 Luxton Street, Seaside, CA



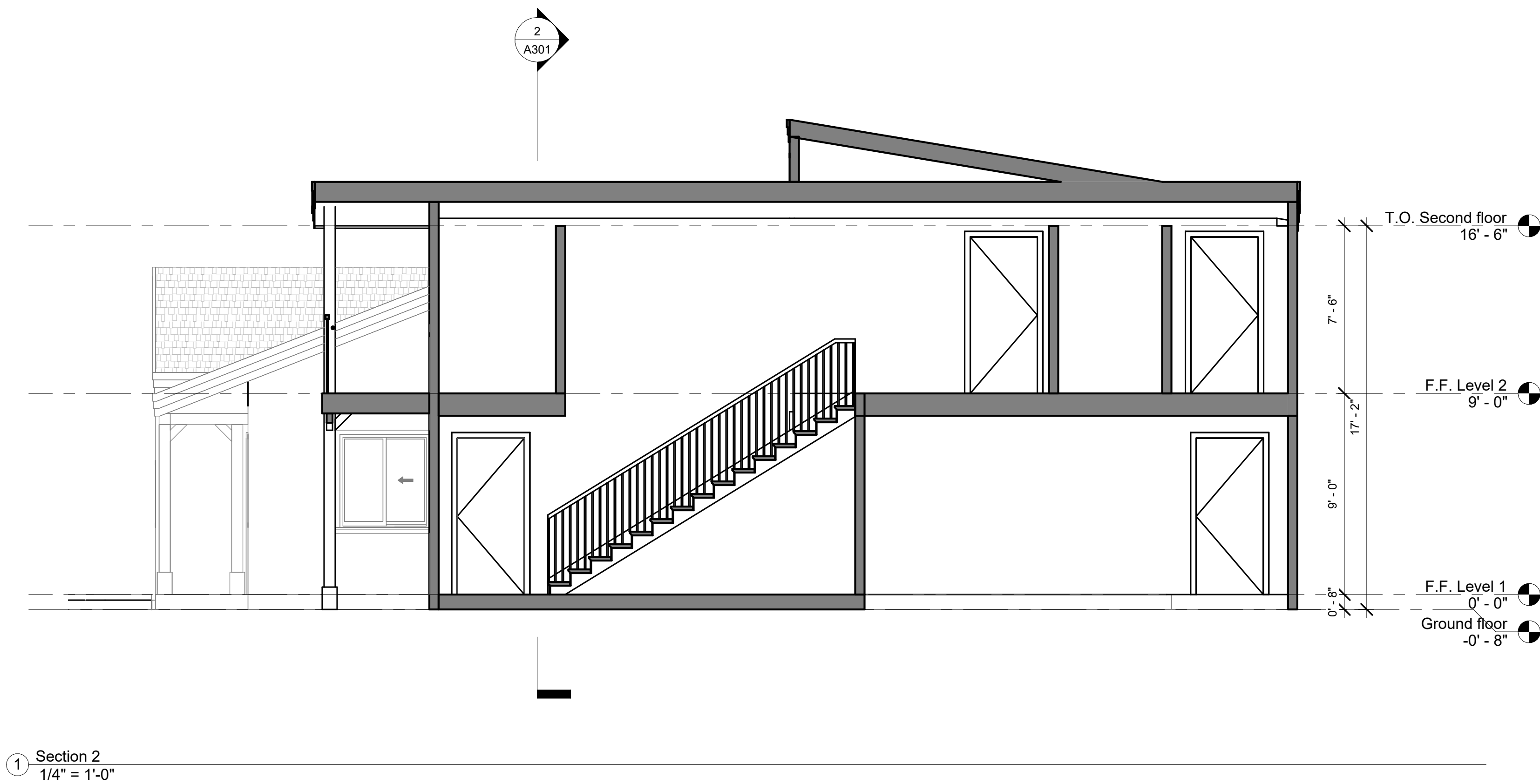
Ecologic Architects

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T

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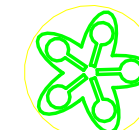


1 Section 2
1/4" = 1'-0"

DAT
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SCAL
E 1/4" = 1'-0"
DRAWN
B Author
JOB
NUMBER# 2301

TITL
E SECTION 2

DUONG RESIDENCE
1930 Luxton Street, Seaside, CA



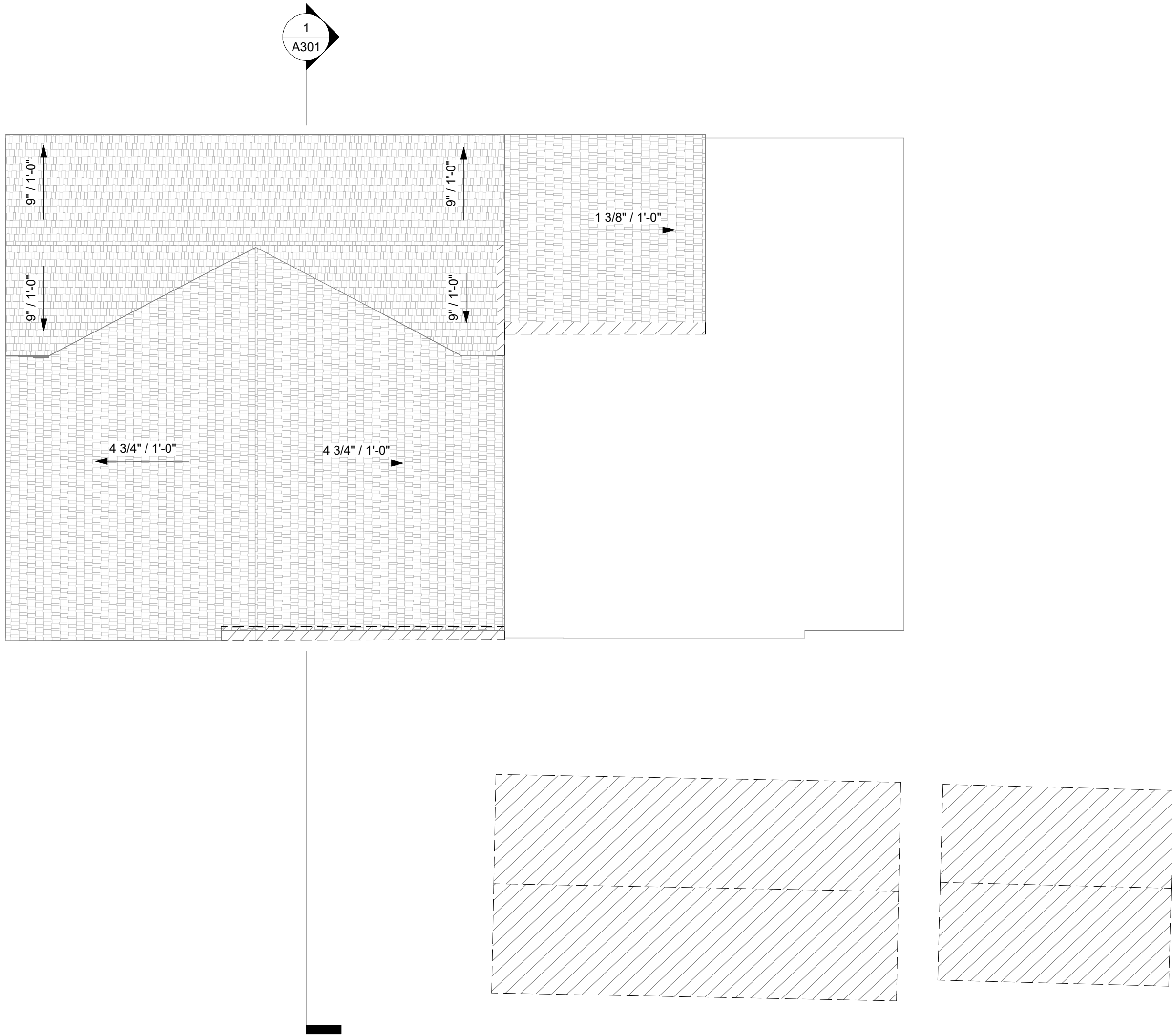
Ecologic Architects

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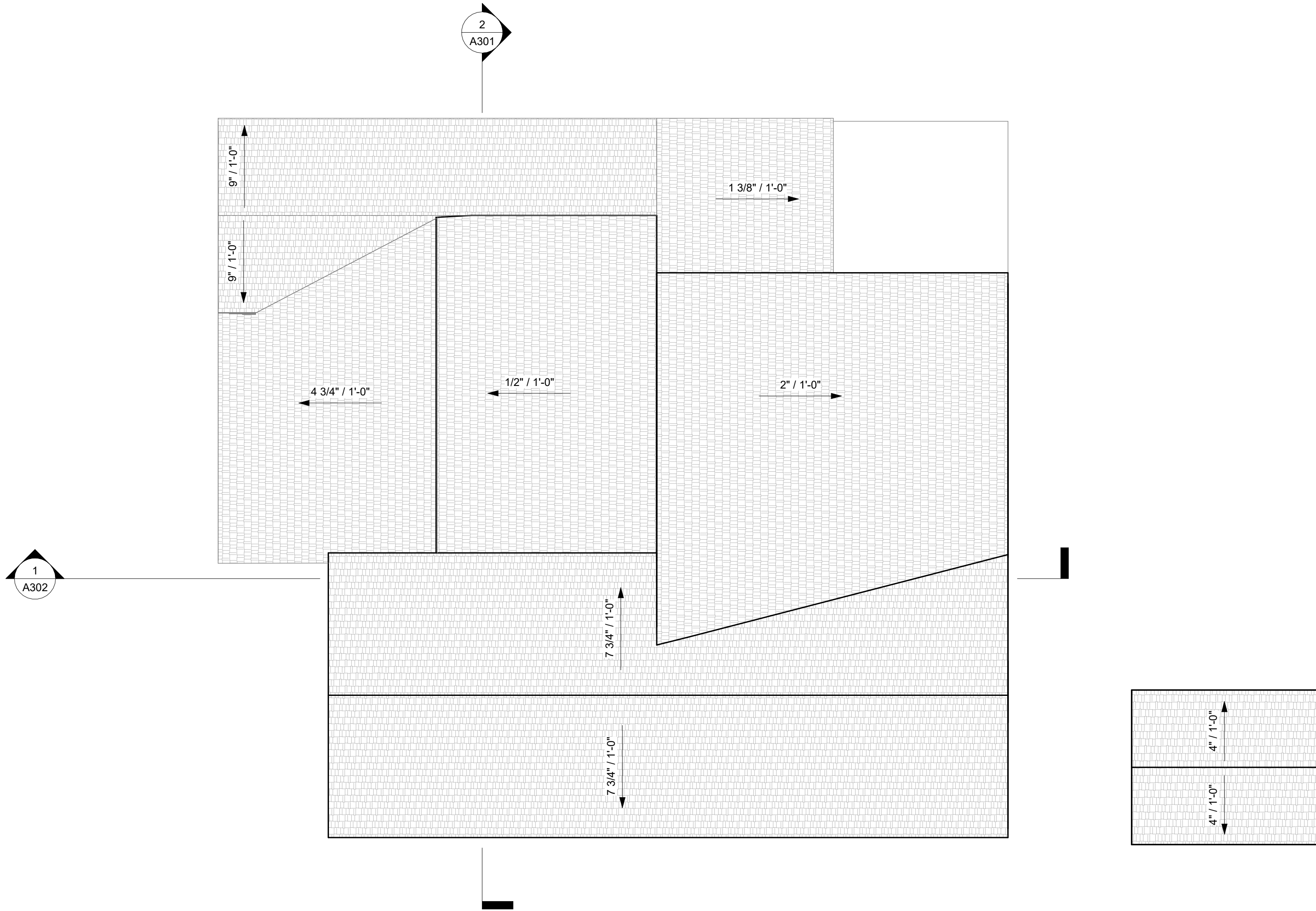
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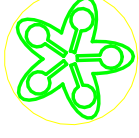
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1 Existing/Demo Roof plan
3/16" = 1'-0"

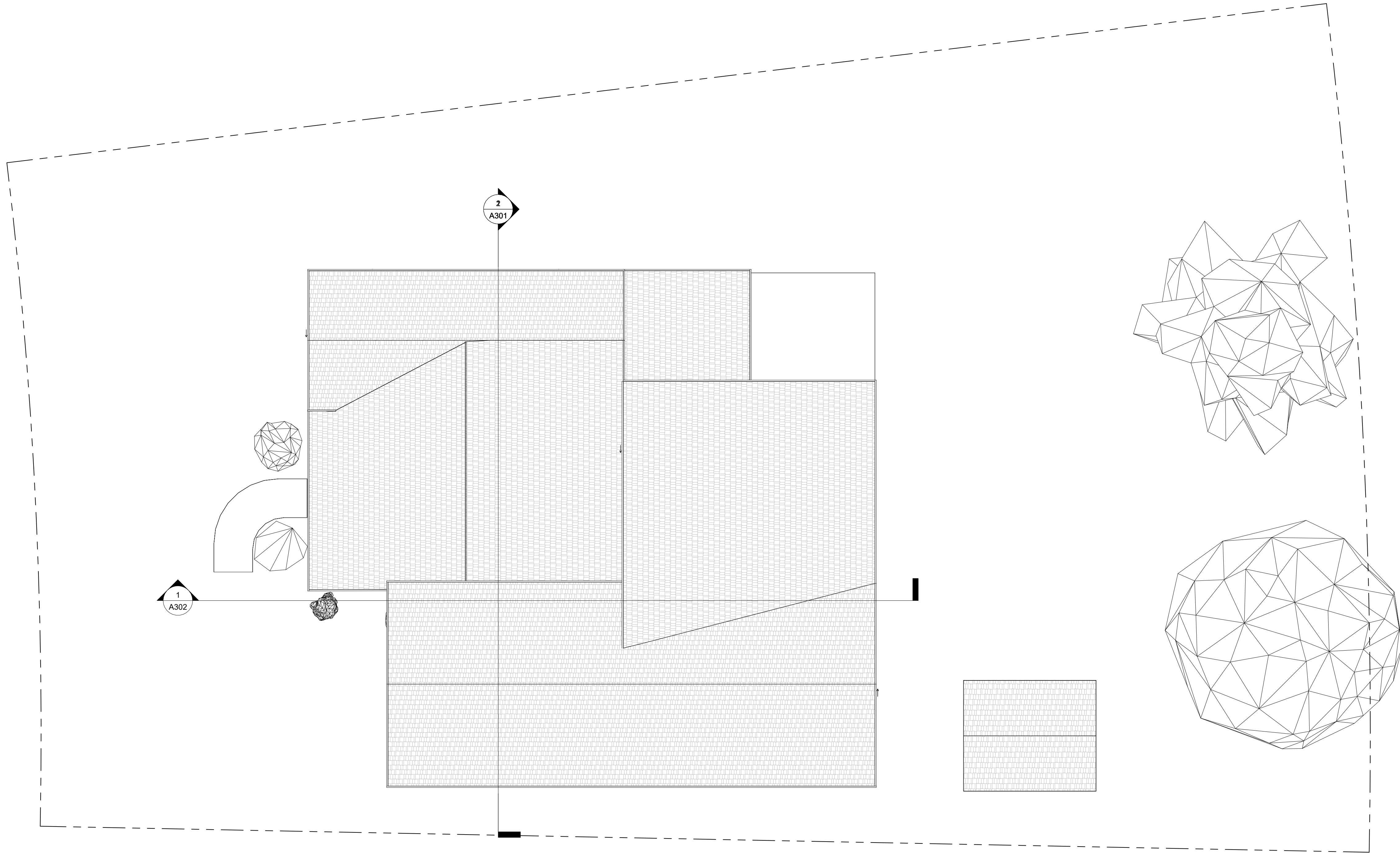


2 Proposed Roof plan
3/16" = 1'-0"

	DAT 12/28/2023 11:07:28 AM SCAL 3/16" = 1'-0" DRAWN B Author JOB NUMBER# 2301	TITL E ROOF PLAN DUONG RESIDENCE 1930 Luxton Street, Seaside, CA	 Ecologic Architects Thomas Rettenwender, Architect PO Box 6451 Carmel-by-the-Sea CA 93921 USA Cell : (831) 920 8333 thomas@ecologicdesignlab.com	SHEE T A401
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Use of these plans and specifications shall be restricted to the original site for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication by any method, in whole or in part, is prohibited. Title to the plans and specifications remains with the architect without prejudice. Visual contact with these plans and specifications shall constitute prima facie evidence of the acceptance of these restrictions.

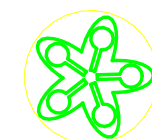
① Site
3/16" = 1'-0"



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E 3/16" = 1'-0"
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B Author
JOB
NUMBER# 2301

TITL
E PROPOSED SITE PLAN

DUONG RESIDENCE
1930 Luxton Street, Seaside, CA



Ecologic Architects

Thomas Rettenwender, Architect
PO Box 6451 Carmel-by-the-Sea CA 93921
USA
Cell : (831) 920 8333
thomas@ecologicdesignlab.com

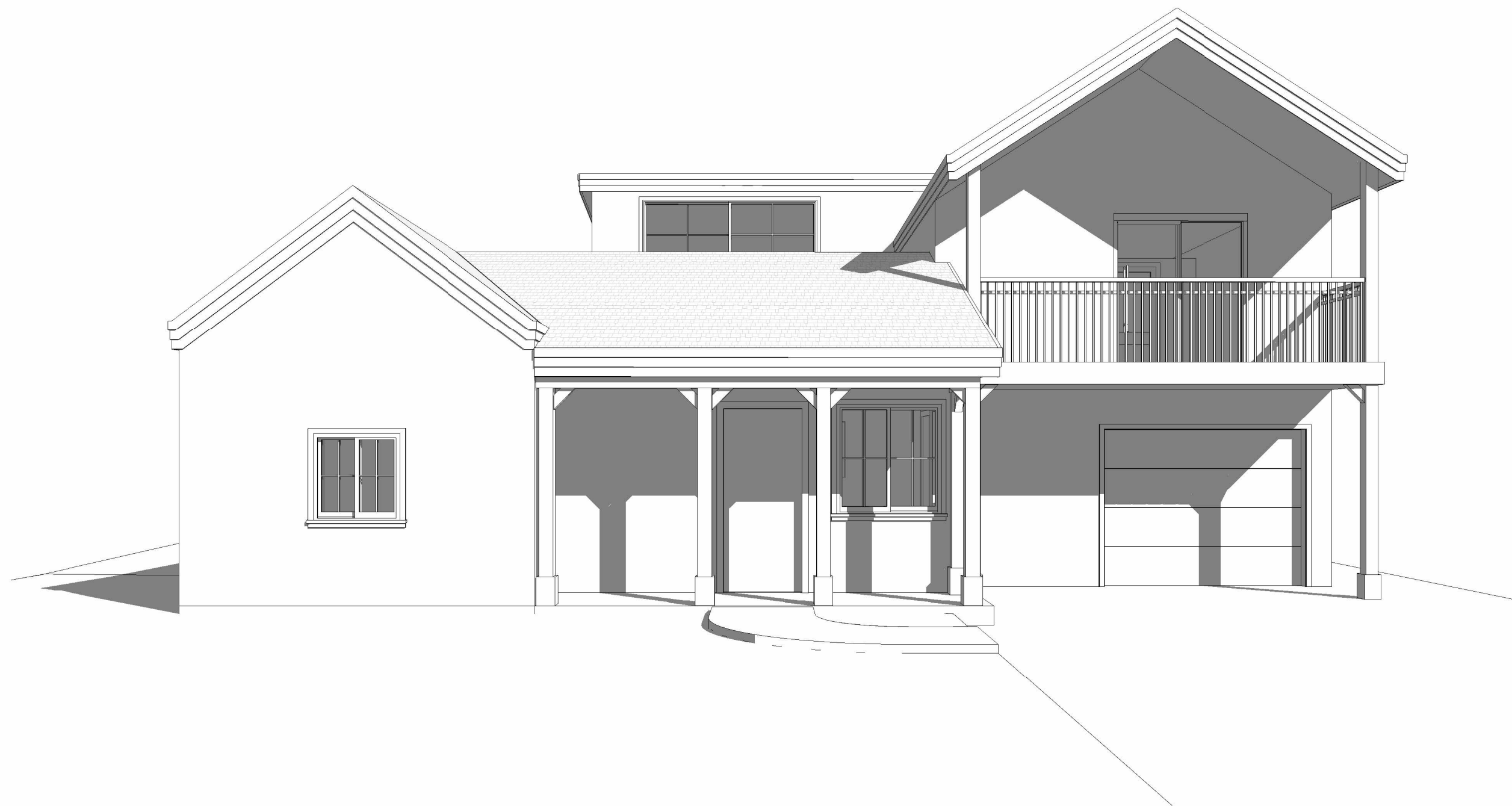
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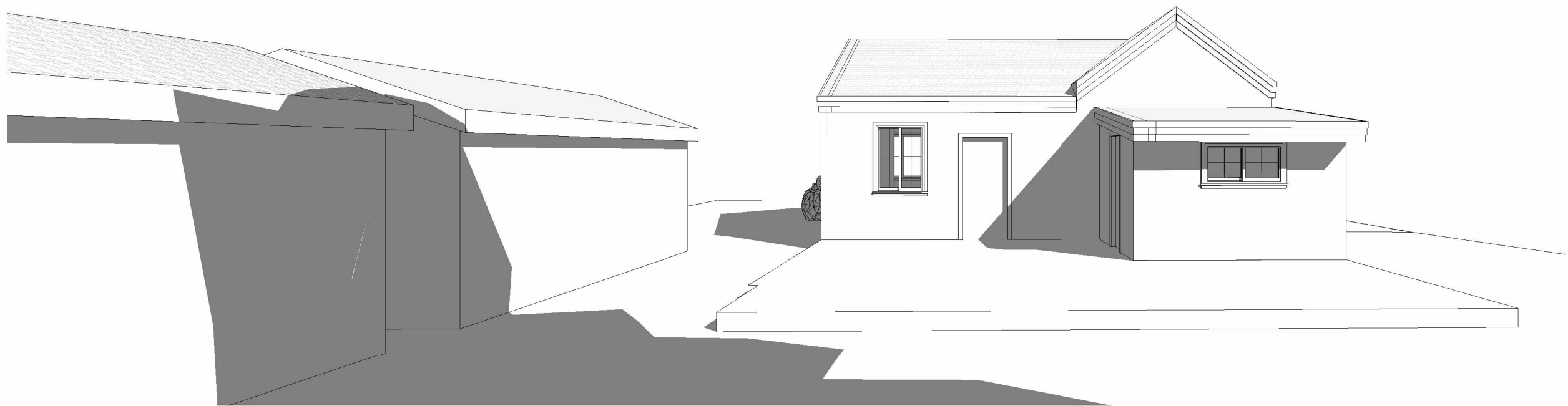
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① Front Existing 3D View



② Front Proposed 3D View



③ Back Existing 3D View



④ Back Proposed 3D View

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Attachment 2 Location Map 1930 Luxton St



Attachment 3 Site Photographs



Photograph 1. Showing the presence of staking and flagging 15 days prior to the public hearing.



Photograph 2. Showing the height of the staking and flagging is similar to neighbor's height.



Photograph 3. Perspective from the north along Luxton St. showing the relative prominence of the proposed addition.



Photograph 4. Perspective from the south along Luxton St. showing the relative prominence of the proposed addition.



Photograph 5. Perspective from the entrance to Avondale Early Education Center along La Salle Ave.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.D.

TO: Planning Commission

BY: Beth Rocha, Senior Planner

DATE: January 10, 2024

SUBJECT: ARCHITECTURAL REVIEW APPLICATION AR-23-16. CHARLIE HAZELBAKER OF KB BAKEWELL, APPLICANT, AND GREATER VICTORY TEMPLE CHURCH, OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL FOR A NEW THREE-STORY, 21-UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT LOCATED AT 1620 BROADWAY AVENUE (APN: 012-631-003) ON THE GREATER VICTORY TEMPLE CHURCH SITE IN THE HIGH-DENSITY RESIDENTIAL (RH) ZONING DISTRICT. THIS PROJECT IS EXEMPT CLASS 32 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15332

PURPOSE & RECOMMENDATION

The purpose of this item is for the Commission to consider AR-23-16 in accordance with SMC 17.62.030.

BACKGROUND

On June 1, 2023 the City Council adopted the second reading of the General Plan amendment to change the land use designation of the property from Medium-Density Single-Family Residential (RS-12) to High-Density Residential (RH). This Architectural Review application has been filed by KB Bakewell, the developer of Campus Town, to partially meet the Offsite Affordable Housing requirements of the Campus Town Affordable Housing Agreement. If approved, the proposed development will satisfy 21 of 45 offsite affordable housing units required for Phase I, or 21 of 225 affordable housing units for the entire development.

On December 13, 2023 the Planning Commission considered AR-23-16, but directed staff to return with to-scale renderings of the proposed project and that hearing notices

with renderings be sent to all addresses within 300' of the project site.

Although staking and flagging was not provided (see discussion below), the applicant's architect has prepared renderings showing the appearance of the building placed in photographs taken from multiple angles. In addition to providing the standard legally-required public noticing to property owners, staff has provided an additional notice to all addresses within 300 feet of the subject property notifying them of the project and providing some examples of the renderings. In addition, the notice included a link to a website set up by staff to provide information on the project as well as provide information on the renderings, and provided contact information via phone and email for Planning staff. A copy of this notice (including the link to the website) is included as Attachment 5.

ENVIRONMENTAL DETERMINATION

This project is exempt from the California Environmental Quality Act pursuant to Class 32, Section 15332 – In-Fill Development. This section exempts projects that are consistent with general plan and zoning regulations, that are within city limits on sites less than 5 acres in size, can be served by all required utilities, do not have any habitat value, and do not result in any significant effects relating to traffic, noise, air quality, or water quality.

Evidence: The project and site meet these criteria as follows, the General Plan Designation for this site is High Density Residential (RH), which allows for multi-family residences at densities of up to 25 dwelling units per acre. Dwellings include apartments, townhomes, and condominiums and the proposed multifamily development is consistent with the General Plan; and the project is consistent with the regulations of the High Density Residential (RH) zoning district, with the exception of Affordable Housing Concessions; and the project site is 1.99 acres, can be served by all required utilities, does not have any habitat value, and does not result in any significant effects relating to traffic, due to being located within one-half mile of a major transit stop or along an existing high-quality transit corridor; the project will not result in any significant effects relating to noise, air quality, or water quality. The proposed project would not result in a significant increase in vehicle miles traveled (VMT) and as a result the proposed project would not have significant construction nor operation-related traffic impacts. Per CEQA Guidelines Section 15064.3(b)(1), traffic impacts are less than significant if the project is close to transit (i.e., "projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact"). Public Resources Code Section 21155 defines a high-quality transit corridor as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. The proposed project is located along the high-quality transit corridor of Broadway Avenue, as there are 3 transit stops with service intervals no longer than 15 minutes within one-half mile of the project site. As a result, transportation impacts are less than significant.

PROJECT DESCRIPTION

Site Description

The project site is 1.99 acres (86,684 square feet (sf)) and is currently occupied by Greater Victory Temple Church, which is approximately 25,000sf. The proposed multifamily building will be located on the southeast corner of the site, in an area occupied by a portion of an existing 78-space parking lot. The property also has an additional 31 parking spaces along the eastern boundary, bringing the total on-site parking spaces to 109. The project site is located within one-half mile of a stop along an existing high-quality transit corridor at the intersection of Broadway Avenue and Noche Buena Street.

Government Code Section 65913.6 (Attachment 2) prohibits a local agency from requiring the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate. The number of religious use parking spaces requested to be reduced can't exceed 50% of the number of religious-use parking spaces that are available at the time the request is made. The proposed multifamily building will result in the removal of 41 parking spaces from the 78-stall lower parking lot, with the 31-stall parking area on the eastern boundary unaffected (a total reduction of 38%). The total remaining parking spaces would be 68 spaces. SMC 17.34.040 would otherwise require two covered spaces for each unit or 42 spaces and one covered or uncovered space for each 2 units for guest parking for 11 spaces, or 53 spaces in total. However, Government Code section 65913.6(f)(3)(A), as amended by AB 2244, eliminates parking required for a multifamily housing development if the parcel is located within one-half mile walking distance of public transit, which this project does, as analyzed in the CEQA Exemption section above. Further, Government Code section 65863.2 (Attachment 3), as amended by AB 2097, specifies that a public agency shall not impose or enforce any minimum automobile parking requirement on a residential, commercial, or other development project if the project is located within one-half mile of public transit and further limits parking requirements if the development dedicates a minimum of 20% of the total number of housing units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities.

Building Design

The project is a three story, 21-unit affordable housing project consisting of studio, one bedroom and two bedroom units, all of which are provided with private balconies ranging in size from 60 sf to 152 sf. Covered stairways on the east and west ends of the building provide access to the corridors and unit entrances for all three floors.

The exterior design is influenced by the mission style of architecture and will feature a Villa "Salerno Clay" tile roof, arch-framed and rectangular-framed balconies with open metal railings painted in Sherwin Williams (SW) "Black Fox," with the building surface finished in SW "Antique White" painted stucco, and the trim, fascia, midline bands finished in SW "Foothills." Additionally, the exterior-facing unit doors will be finished in

SW "Messenger Bag." The colors are all within the same family, with the body of the building being the lightest color and the others providing complementary darker shades on accent features.

Landscape Design

Ornamental, low water usage small shrubs and groundcovers are proposed in the narrow planting area along the north elevation, between the building and the walkway; and for the two landscaped areas on either side, and buffering the trash enclosure. Further, a "hydroseed mix" is proposed around the majority of the building. SMC 17.30.040.G.1 requires all landscaped area(s) shall include an automatic irrigation system except those approved for maintenance with intentionally unirrigated native plants. A condition of approval has been added that a list of the plant species in the hydroseed mix be provided prior to installation so staff can verify the species are classified as California natives. Should it be found that not all species are California natives, then an irrigation system will be required. Lastly, a bio retention area is proposed adjacent to the western driveway entrance/exit and includes two evergreen grasses that do well in both wet and dry soils. Conditions of approval have been added regarding establishment and ongoing maintenance of the landscaping.

Lighting Design

The project proposes ceiling mounted recessed fixtures for the entrances, stairways, and balconies. Additionally, one existing parking lot fixture ("street light") is to remain.

Safety

Security lighting is required in new multifamily developments per SMC 15.24.080. A security light plan has not been submitted with this application. Therefore, staff is recommending that a Condition be included within the Architectural Review that enables staff to approve a security lighting plan in the future, subject to the direction provided in the Condition by the Planning Commission. Per Seaside Municipal Code Section 15.24.085, the Planning Commission has a wide latitude in the development of required security features. Seaside Police Chief Nicholas Borges provided the following input, as guided by Crime Prevention Through Environmental Design and based on SMC 15.24.080 Exterior Security Lighting:

- Provide motion sensors, where necessary
- Ensure there is sufficient lighting by all outdoor entrances
- Ensure there is sufficient lighting in areas with significant grade changes, and to be aware of possible shadows created by retaining walls and/or fences
- Ensure visibility in walking / pass through areas
- Use small convex mirrors at corners to provide visibility [and reduce hiding areas]
- Ensure that landscape areas are well-maintained to minimize hiding places, especially in the range of 3' – 6' above ground
- Ensure that dumpster enclosures have lighting and small convex mirrors to reduce hiding areas

- Provide visible cameras at corner and entry/exit points as reasonably possible

STAFF ANALYSIS

Zoning Compliance

With the exception of the proposed concessions outlined below in the *Development Concessions to be considered by the City Council* section, the proposed project complies with the development regulations outlined in SMC 17.12.050, Table 2-3 for the RH zone:

The building height is proposed at 42'-7", where the code allows for 48ft maximum for multifamily structures; and the proposed location of the building on the southeast portion of the parcel places it far from the surrounding side and front property lines, greatly exceeding the minimum setback requirements

Development Concessions to be considered by the City Council

In order for a project to be eligible for a density bonus and other incentives or concessions, a housing development must include at least five percent of the total number of units for very low-income households (SMC 17.33.020.A.2). The proposed project is a 100% very low-income project. The number of concessions available to this project is four, as the project will include at least 15% of the total units for very low-income households (SMC 17.33.040.B.3 and Government Code 65915). Lastly, the types of incentives are allowed to include a reduction in the site development standards of the Zoning Ordinance (SMC 17.33.040.C.1) and proposed are reductions to common and private open space requirements, reduced rear setback, a waiver to the maximum floor area ratio, and a waiver to staking and flagging, as typically required of SMC 17.62.030.D, as follows:

1. A waiver and reduction to the Common and Private open space requirements of SMC 17.52.180.X.

SMC 17.52.180.X. requires each multi-family residential project include permanently maintained outdoor open space for each dwelling unit (private space), and for all residents (common space) and that all required open space be easily accessible, have continuous, usable site elements, be separated from parking areas, and be safe and secure. Also, each common open space area is required to have a minimum dimension of 20 feet for projects with five or more units.

SMC 17.52.180.X.a states: *Common open space. All required open space shall be easily accessible, have continuous, usable site elements, and be separated from parking areas and safe and secure. Each common open space area shall have a minimum dimension of 20 feet for projects with five or more units.*

Analysis: There are three landscaped areas, none of which are designed to meet the code requirements to be classified as common open space.

SMC 17.52.180.X.b states: *Private open space shall be at the same elevation as and immediately accessible from within the unit. Each private open space area shall have a minimum dimension of eight feet, except that the review authority may authorize different minimum dimensions for upper-floor units where the private open space is provided as a balcony or upper floor court.*

Analysis: Most of the balconies meet the minimum dimension requirement of 8ft, but not all meet the minimum private open space area of 150 sf per unit. The square footage range of private open space balconies is 60sf to 152sf.

2. A waiver to the required rear yard setback of 20' required for structures greater than 24' in height, as outlined in SMC 17.12.050, Table 2-3.

Analysis: The proposed structure height is 42'-7" and is proposed to observe a 17' rear setback, or three feet less than that required of the code. The area within the rear setback includes a sloped landscaped area and associated retaining wall, representing approximately a 6-8' decrease in grade from the adjacent property to the south. Further, the adjacent property to the south has approximately 90' of parking area and walkways separating the proposed footprint of the subject project from the nearest residential building. The sloped site and distance between the habitable structures negates the impact of the proposed project not observing the required 20' rear setback.

3. A waiver to the maximum floor area ratio (FAR) of 0.45 as outlined in SMC 17.12.050, Table 2-3. The Project site is 1.99 acres or 86,684 square feet (sf) and is currently occupied by Greater Victory Temple Church, a building of approximately 25,000sf. The proposed multifamily building is proposed at 15,433sf, which together with the church is 40,433sf or a FAR of 0.47.

Analysis: The maximum floor area ratio of 0.45 is 39,007.8sf. The proposed FAR is 0.47 or 40,433sf, a relatively insignificant increase of 1,426 square feet. Additionally, given the approximate square footage of the church, requesting this concession is a conservative approach given the lack of specificity of the existing conditions.

4. A waiver to the staking and flagging requirements of SMC 17.62.030.D per Government Code section 65915.(d)(1)(A-C), which requires a city to grant the concession or incentive requested by the applicant, unless the city makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse

impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

Analysis: The concession to waive the staking and flagging would result in identifiable and actual cost reductions, from building permit and inspection fees, to materials and labor; and, there would not be a specific, adverse impact upon public health and safety or on any real property as a result of waiving the staking and flagging requirement; and, the concession would not be contrary to state or federal law. Therefore, the city is required to grant the requested concession.

CONCLUSION

Staff recommends the Commission review the project, determine added project conditions, if any, and approve the project in accordance with the project plans and the conditions of approval provided in Attachment 1, Exhibit A and B.

ATTACHMENTS

1. Attachment 1: Draft Resolution
 2. Exhibit A to Attachment 1: Plans
 3. Exhibit B to Attachment 1: Hydroseed Technical Guide
 4. Attachment 2: Government Code 65913.6
 5. Attachment 3: Government Code 65863.2
 6. Attachment 4: Government Code 65915
 7. Attachment 5: Public Notice
-

**PLANNING COMMISSION
RESOLUTION NO. 23-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING ARCHITECTURAL REVIEW APPLICATION AR-23-16 FOR A NEW THREE-STORY, 21-UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT LOCATED AT 1620 BROADWAY AVENUE (APN: 012-631-003) ON THE GREATER VICTORY TEMPLE CHURCH SITE IN THE HIGH-DENSITY RESIDENTIAL (RH) ZONING DISTRICT.

WHEREAS, Charlie Hazelbaker, applicant, and Greater Victory Temple Church, owner, applied for Architectural Review 23-16; and

WHEREAS, the proposed project requires approval by the Planning Commission, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Planning Commission considered oral comments and written information concerning the Architectural Review application No. 23-16 at a duly noticed public hearing that the Planning Commission held on December 13, 2023 and continued the meeting for the applicant to return with 3D renderings of the proposed building; and

WHEREAS, the Planning Commission considered oral comments and written information concerning the Architectural Review application No. 23-16 at a duly noticed public hearing that the Planning Commission held on January 10, 2024; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following finding:

The project is a Categorically Exempt, Class 32 from the California Environmental Quality Act Pursuant To CEQA Guidelines Section 15332.

Evidence: The project and site meet these criteria as follows, the General Plan Designation for this site is High Density Residential (RH), which allows for multi-family residences at densities of up to 25 dwelling units per acre. Dwellings include apartments, townhomes, and condominiums and the proposed multifamily development is consistent with the General Plan; and the project is consistent with the regulations of the High Density Residential (RH) zoning district, with the exception of Affordable Housing Concessions; and the project site is 1.99 acres, can be served by all required utilities, does not have any habitat value, and does not result in any significant effects relating to traffic, due to being located within one-half mile of a major transit stop or along an existing high-quality transit corridor; the project will not result in any

significant effects relating to noise, air quality, or water quality. The proposed project would not result in a significant increase in vehicle miles traveled (VMT) and as a result the proposed project would not have significant construction nor operation-related traffic impacts. Per CEQA Guidelines Section 15064.3(b)(1), traffic impacts are less than significant if the project is close to transit (i.e., "projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact"). Public Resources Code Section 21155 defines a high-quality transit corridor as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. The proposed project is located along the high-quality transit corridor of Broadway Avenue, as there are 3 transit stops with service intervals no longer than 15 minutes within one-half mile of the project site. As a result, transportation impacts are less than significant.

BE IT FURTHER RESOLVED, the Planning Commission approves AR-23-16 subject to the following Conditions of Approval:

Building:

1. Comply with all requirements of the California Building Code, as amended by the City of Seaside and in effect at the time of building permit submittal.

Fire Department:

2. Comply with all requirements of the California Fire Code, as amended by the City of Seaside and in effect at the time of building permit submittal.

Planning:

3. The new landscaping water shall be replaced by reclaimed water or a capture water system, if and when such water becomes available. Any unused water allocation is subject to recall or reallocation by the City.
4. All proposed landscaping and/or irrigation plans shall comply with the approved plans and with the Monterey Peninsula Water Management District (MPWMD) Water Model Efficiency Landscape Ordinance. Submittal of landscape plans to the district is the responsibility of the applicant. Prior to building permit issuance, proof of approval from the district shall be provided to the Building Department.
5. Prior to building permit issuance the applicant shall provide a list of all plant species in the proposed hydroseed mix for Planning staff to verify all species are native plants.

6. The establishment and ongoing maintenance of the landscape areas planted with the hydroseed mix shall be done in accordance with the manufacturer's technical guide, "Establishment and care of wildflowers," provided as Exhibit B.
7. Landscaped areas shall be maintained in a healthful and thriving condition at all times, and free of weeds, debris, and deceased plants.
8. Deceased plant materials must be removed and replaced within one month with the same species and size specified in the Architectural Review approved plans.
9. Trees that die three years or more after installation, or trees that are "topped," shall be replaced by a minimum 24-inch box size container of the same species specified on the approved plans. Other types of plants that die three years or more after installation shall be replaced with a specimen two container sizes larger than that specified on the approved plans (SMC 17.30.040.L.1.d).
10. Before final inspection or occupancy, the applicant shall enter into a landscape maintenance agreement with the City to guarantee proper maintenance in compliance with Subsection 17.30.040.L.1 of the Seaside Municipal Code. The form and content of the agreement shall be approved by the City Attorney and the Zoning Administrator.
11. All fences and walls which have been incorporated into an approved landscaping plan shall regularly be maintained in an attractive and safe manner. Trash Enclosure gates shall be constructed of a material consistent with the design of the development and designed to resist weathering without the need for regular maintenance (i.e. painted/sealed wood, painted/coated metal, or wood fiber-polymer composite material).
12. Security Lighting Plans shall be provided in compliance with SMC 15.24.080 to meet the following specifications:
 - a. Provide motion sensors, where necessary; and ensure there is sufficient lighting by all outdoor entrances; and
 - b. Ensure there is sufficient lighting in areas with significant grade changes, and to be aware of possible shadows created by retaining walls and/or fences; and
 - c. Ensure visibility in walking / pass through areas; and

- d. Use small convex mirrors at corners to provide visibility and reduce hiding areas; and
- e. Ensure that landscape areas are well-maintained to minimize hiding places, especially in the range of 3' – 6' above ground; and
- f. Ensure that dumpster enclosures have lighting and small convex mirrors to reduce hiding areas; and
- g. Provide visible cameras at corner and entry/exit points as reasonably possible.

Plan approval must be provided by both the Community Development and Police Departments.

13. Area lighting shall be designed to minimize the negative effects of lighting the night sky and employ control features so as to avoid light being directed off-site. The light source for externally-illuminated signs must be positioned so that light does not shine directly on adjoining properties or cause glare or shine in the eyes of motorists or pedestrians. All outdoor lighting shall be downlit and fully shielded. No outdoor lights shall be permitted that blink, flash, or change intensity.
14. The Director has the authority to approve minor changes to the landscaping, lighting, and architectural finishes of this project, given changes are kept in the same design style, the colors and materials are within the same design family, and the juxtaposition of the materials and colors achieves a similar design balance and aesthetic.
15. The applicant shall obtain approval from the Monterey Bay Air Pollution Control District (MBAPCD) prior to the issuance of the building or grading permit. The applicant shall comply with all District regulations during construction.
16. Compliance with SMC 17.30.070 Outdoor Lighting is to be illustrated in the lighting plans of the building permit plan set.
17. The project shall provide six cubic feet for the storage of solid waste and recyclable materials (3 cubic feet each) in each individual unit, as required of SMC 17.30.110.B.1
18. The project shall provide 48 square feet of common Solid Waste storage and 48 square feet of common Recyclable Storage, as required of SMC 17.30.110.B.2.

19. There shall be a minimum of one short-term bicycle parking space/rack with capacity for two bicycles provided within 200 feet of the entrance, designed in compliance with SMC 17.34.060.B.
20. There shall be a minimum of one long-term bicycle parking space. Acceptable parking facilities shall be convenient from the street and include one or a combination of the following: covered, lockable enclosures with permanently anchored racks for bicycles; lockable bicycle rooms with permanently anchored racks; and/or lockable, permanently anchored bicycle lockers.
21. The Director has the authority to approve minor changes to the landscaping, lighting, and architectural finishes of this project, given changes are kept in a similar design style, the colors and materials are within the same design family (metal, wood, composite siding), and the juxtaposition of the materials and colors achieves a similar design balance and aesthetic.

Standard:

22. Except as modified by the conditions of approval, plans submitted for Building Permits must be in compliance with Exhibit A: Project Plans.
23. The applicant agrees as a condition and in consideration of the approval of this 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.
24. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
25. 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 15 days from the date of its approval.

26. This approval shall become null and void unless a Building Permit application is submitted within twelve (12) months of the December 20, 2023. Time extensions may be granted by the original approval body if a written request and associated fee are received by the Community Development Department within 30 days prior to the expiration.

27. 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 a regular meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of January 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Will Silva, Chairperson

ATTEST:

Planning Commission Secretary

Exhibits:

Exhibit A: Project Plans
Exhibit B: Hydroseed Technical Guide

ARCHITECTURAL REVIEW APPLICATION No. AR-23-16
RESOLUTION No. 23-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 Planning Commission.

Applicant's Signature

Date

Property Owner's Signature

Date

SEASIDE APARTMENTS

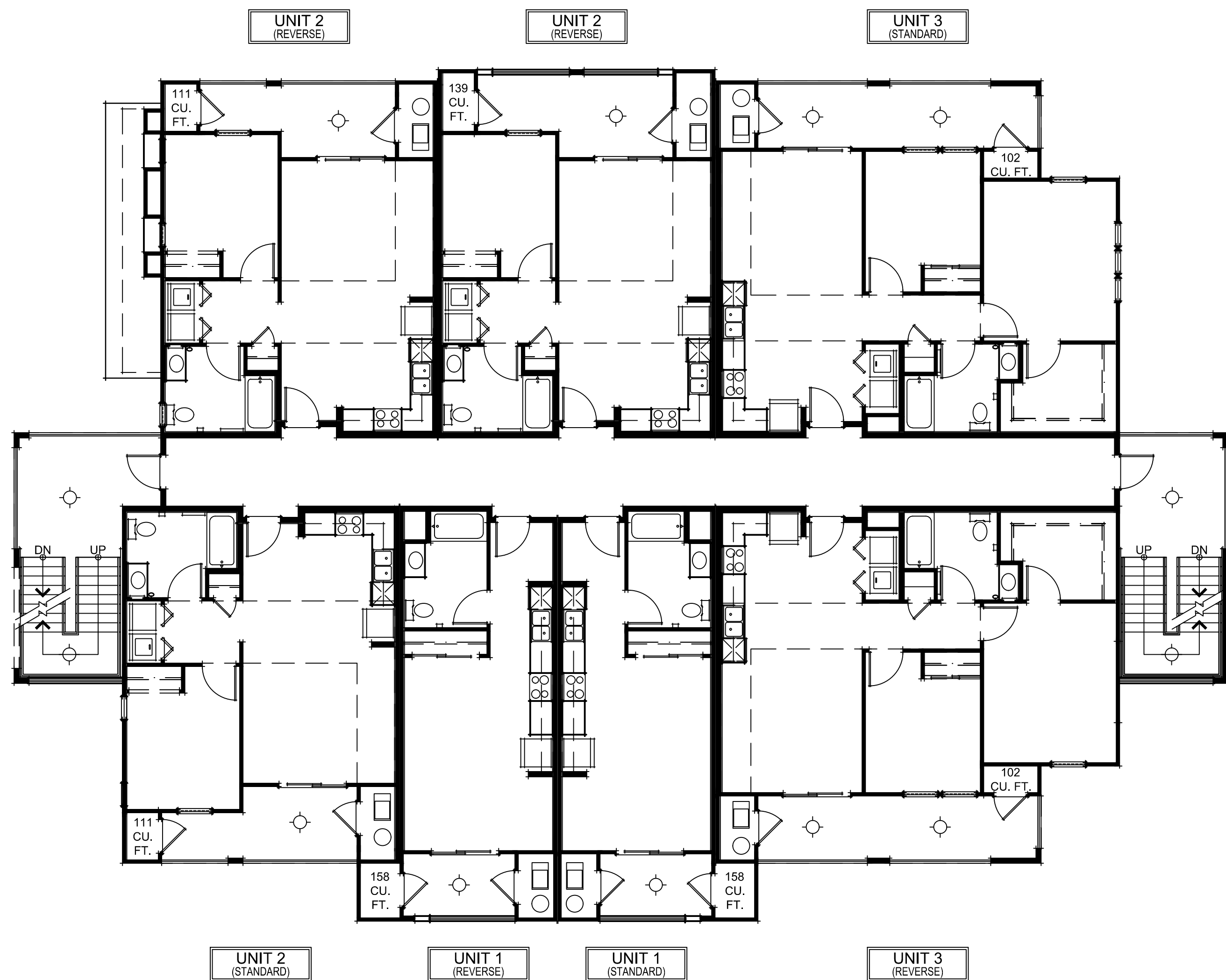
SEASIDE, CA | SEPTEMBER 19, 2023



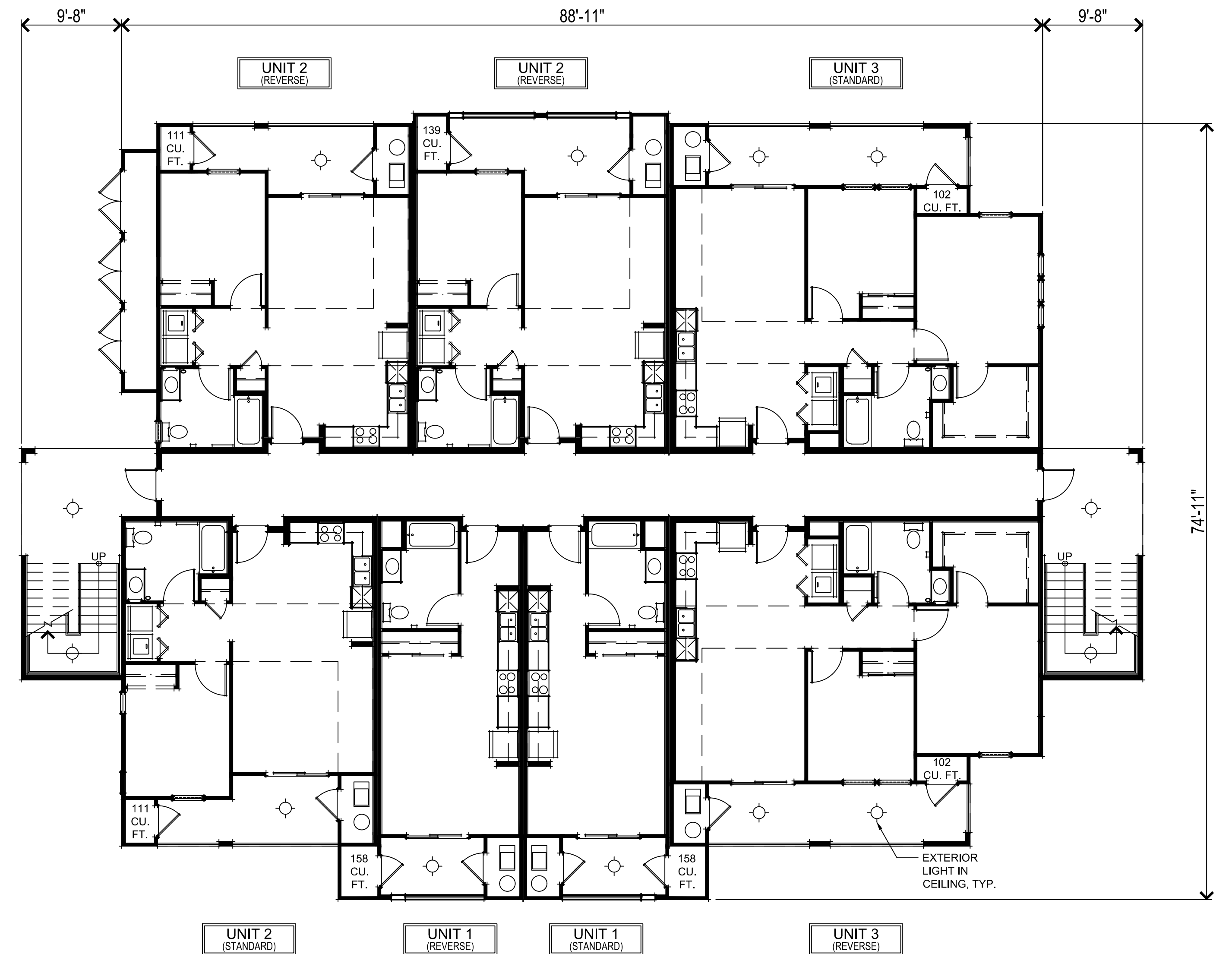
KB - BAKWELL SEASIDE VENTURES, LLC.

SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com





SECOND FLOOR PLAN &
EXTERIOR LIGHTING PLAN



FIRST FLOOR PLAN &
EXTERIOR LIGHTING PLAN

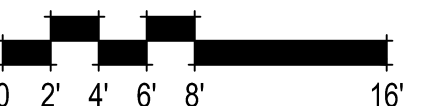


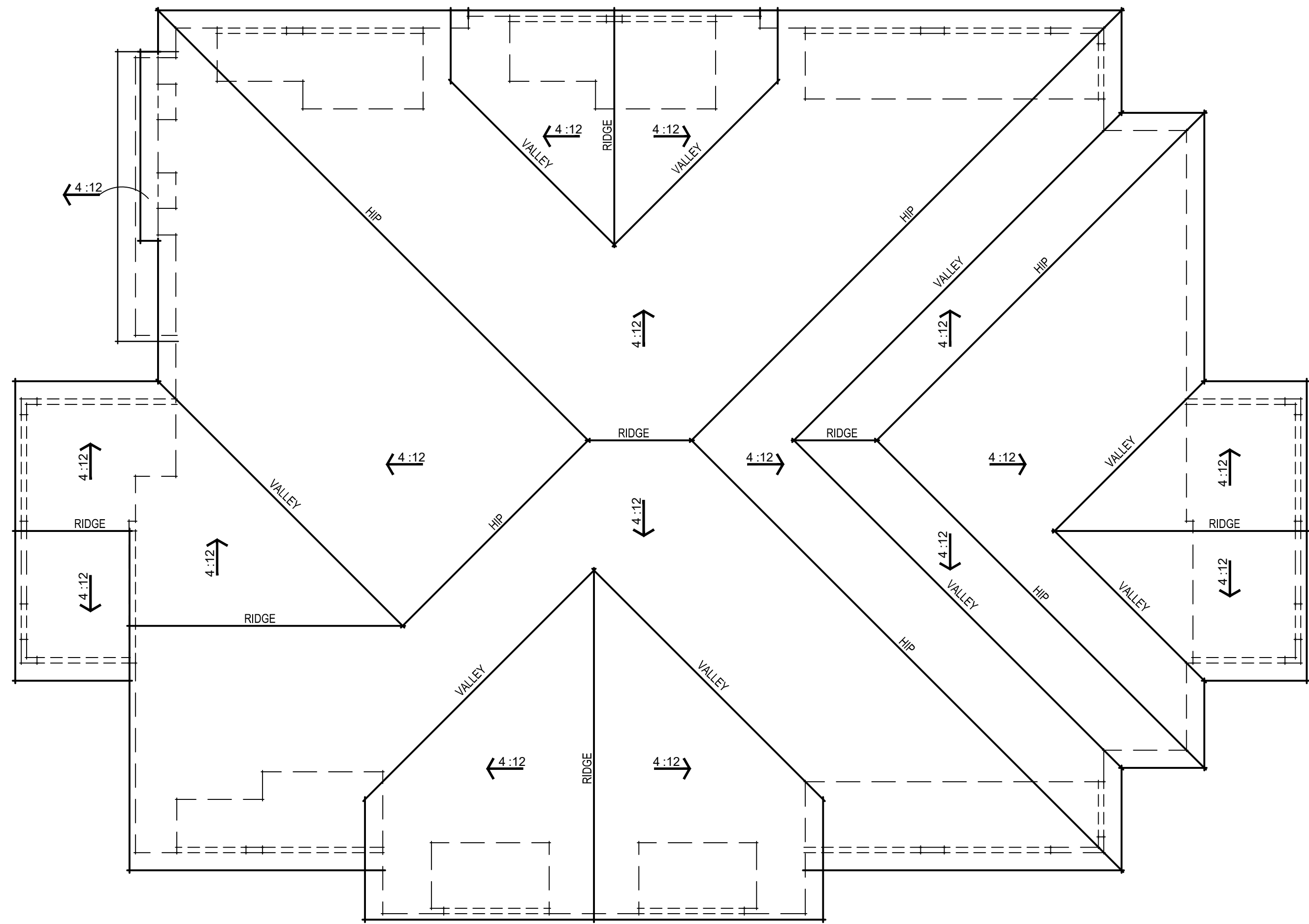
EXTERIOR DOWNLIGHT,
CEILING MOUNTED LIGHT



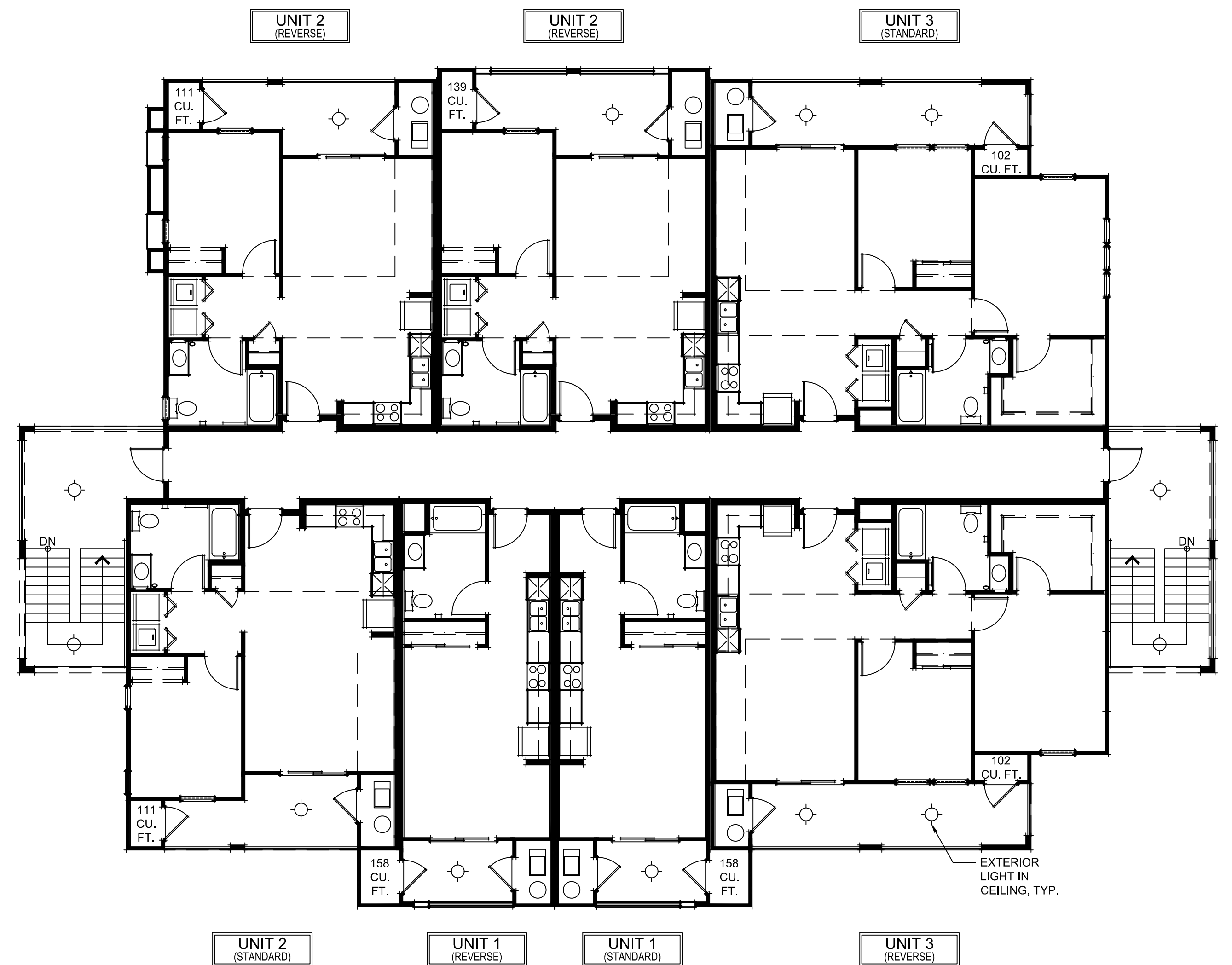
BUILDING SQUARE FOOTAGES	
FIRST FLOOR	5193 SQ. FT.
SECOND FLOOR	5120 SQ. FT.
THIRD FLOOR	5120 SQ. FT.
TOTAL LIVING	15433 SQ. FT.

UNIT 1 SQUARE FOOTAGES		UNIT 2 SQUARE FOOTAGES		UNIT 3 SQUARE FOOTAGES	
LIVING	428 SQ. FT.	LIVING	637 SQ. FT.	LIVING	893 SQ. FT.
DECK	60 SQ. FT.	DECK @ SOUTH ELEV.	102 SQ. FT.	DECK	152 SQ. FT.
		DECK @ NORTH ELEV.	120 SQ. FT.		

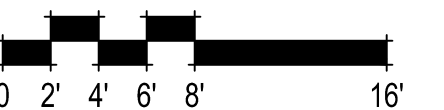




ROOF PLAN



THIRD FLOOR PLAN &
EXTERIOR LIGHTING PLAN



ROOFING
WESTLAKE
VILLA 900 SALERNO CLAY

STUCCO
SW 6119
ANTIQUE WHITE

TRIM / FASCIA
SW 7514
FOOTHILLS

ENTRY DOOR
SW 7740
MESSENGER BAG

RAILING
SW 7020
BLACK FOX



SOUTH ELEVATION



EAST ELEVATION



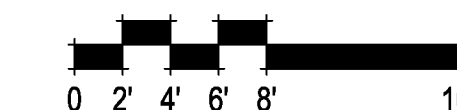
NORTH ELEVATION



WEST ELEVATION

EXTERIOR MATERIALS

1. S-TILE ROOF
2. STUCCO WALL FINISH
3. STUCCO o/ 2x FOAM TRIM
4. ARCHED STUCCO SOFFIT
5. METAL RAILING



310.507 Seaside Apartments
Seaside, CA
September 19, 2023



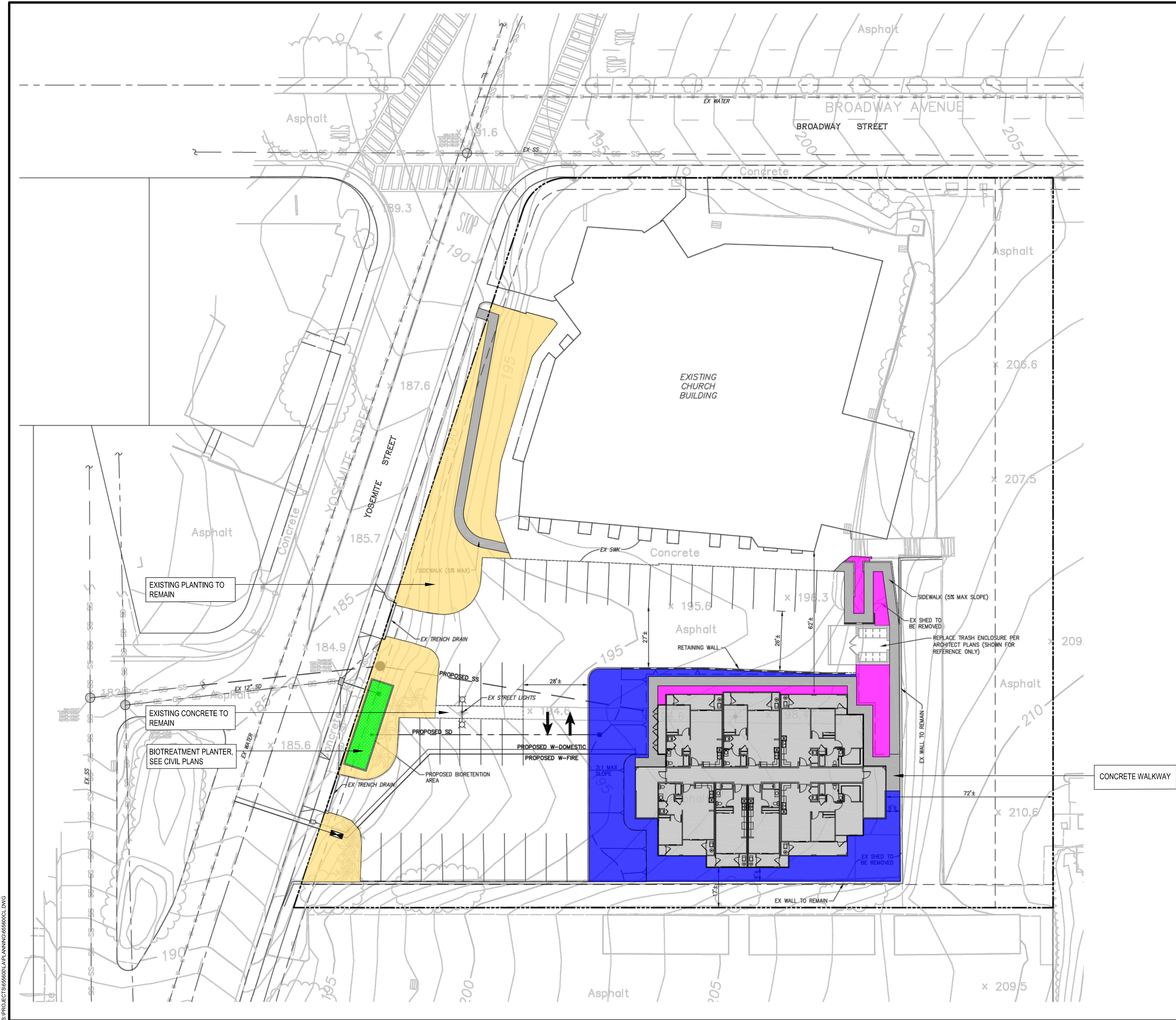
KB - BAKEWELL SEASIDE VENTURES, LLC.

EXTERIOR ELEVATIONS
A03

SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com



S:\PROJECTS\655600\LAND PLANNING\655600CL.DWG



NOTES:
1. SEE LANDSCAPE LEGEND ON SHEET L1.2 FOR MORE INFORMATION.
2. THIS SHEET IS INTENDED TO BE PLOTTED IN COLOR.

PROPOSED PLANTING LEGEND	
ITEM	SYMBOL
ORNAMENTAL PLANTING	
HYDROSEED PLANTING	
BIOTREATMENT PLANTING	
EXISTING PLANTING	



Land Use Entitlements
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Utility Design
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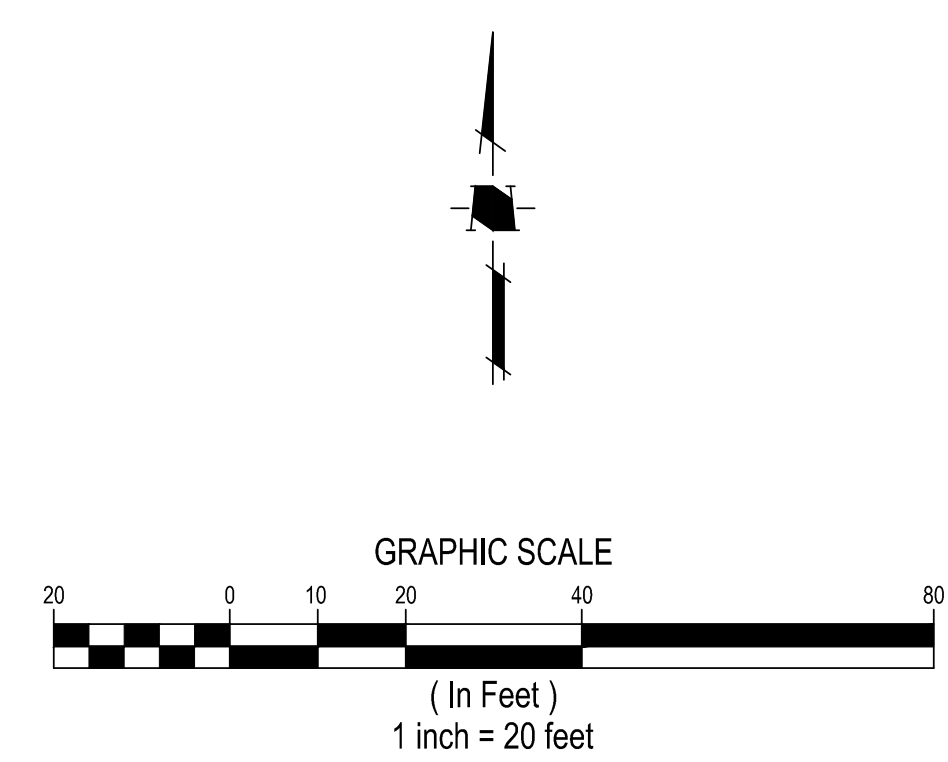
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**AFFORDABLE HOUSING AT
VICTORY TEMPLE CHURCH**
KB HOME
SEASIDE, CA

NO	DATE	DESCRIPTION
PROJECT NO.	6556.00	
CAD DWG FILE:	655600CL.DWG	
DESIGNED BY:	KY	
DRAWN BY:	JW	
CHECKED BY:	CM	
DATE:	OCT. 20, 2023	
SCALE:	1" = 20'	
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LANDSCAPE PLAN

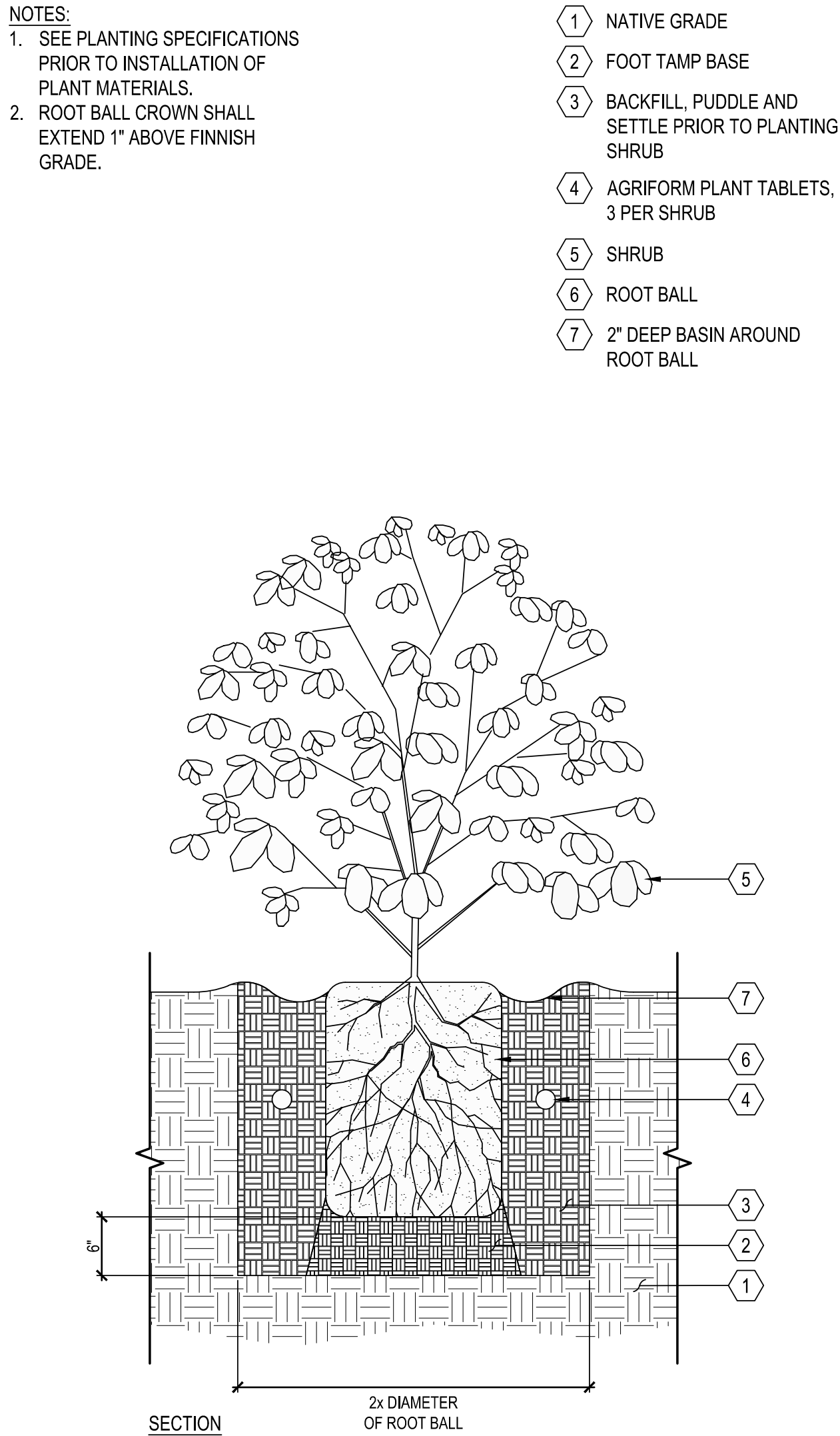
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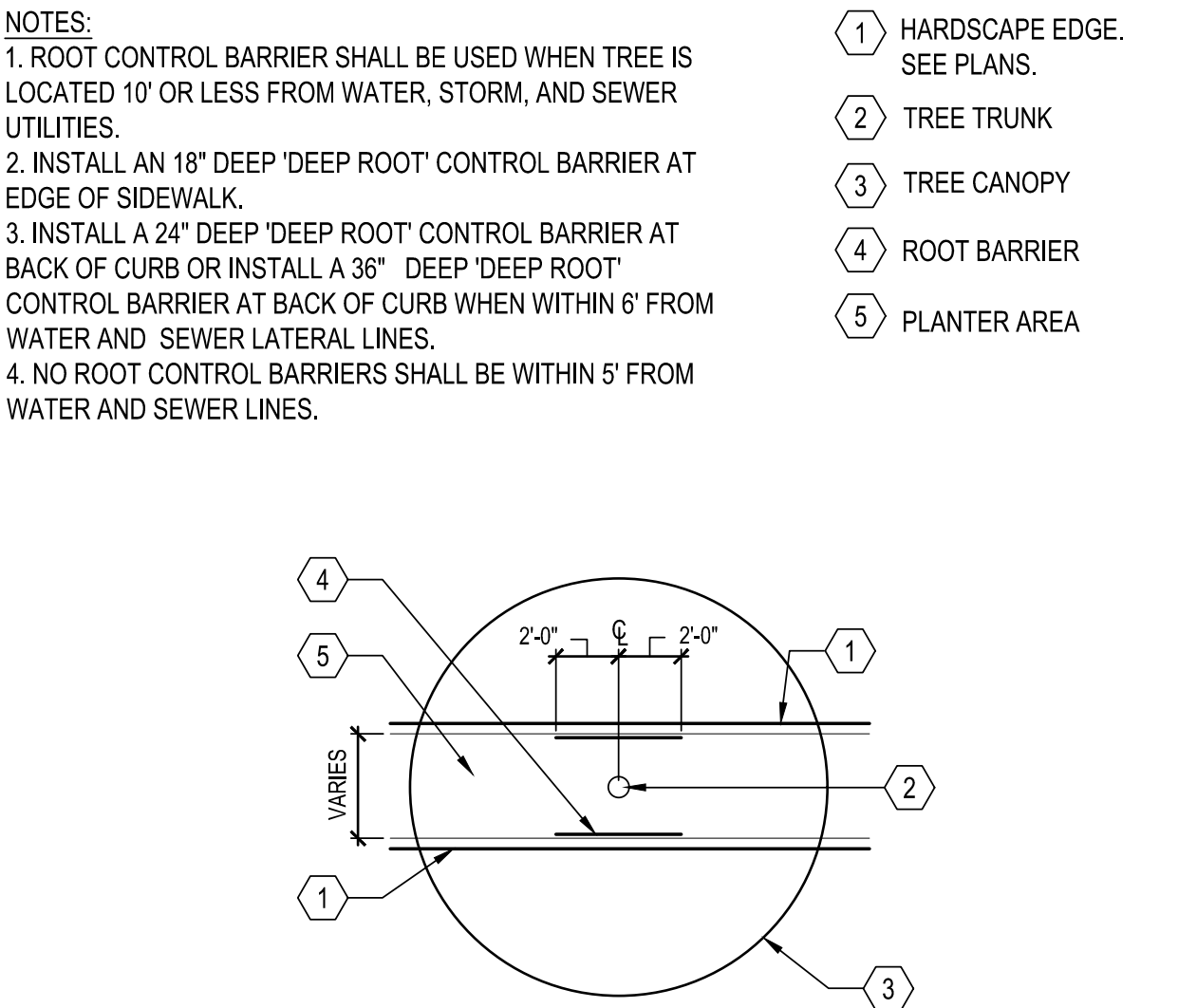
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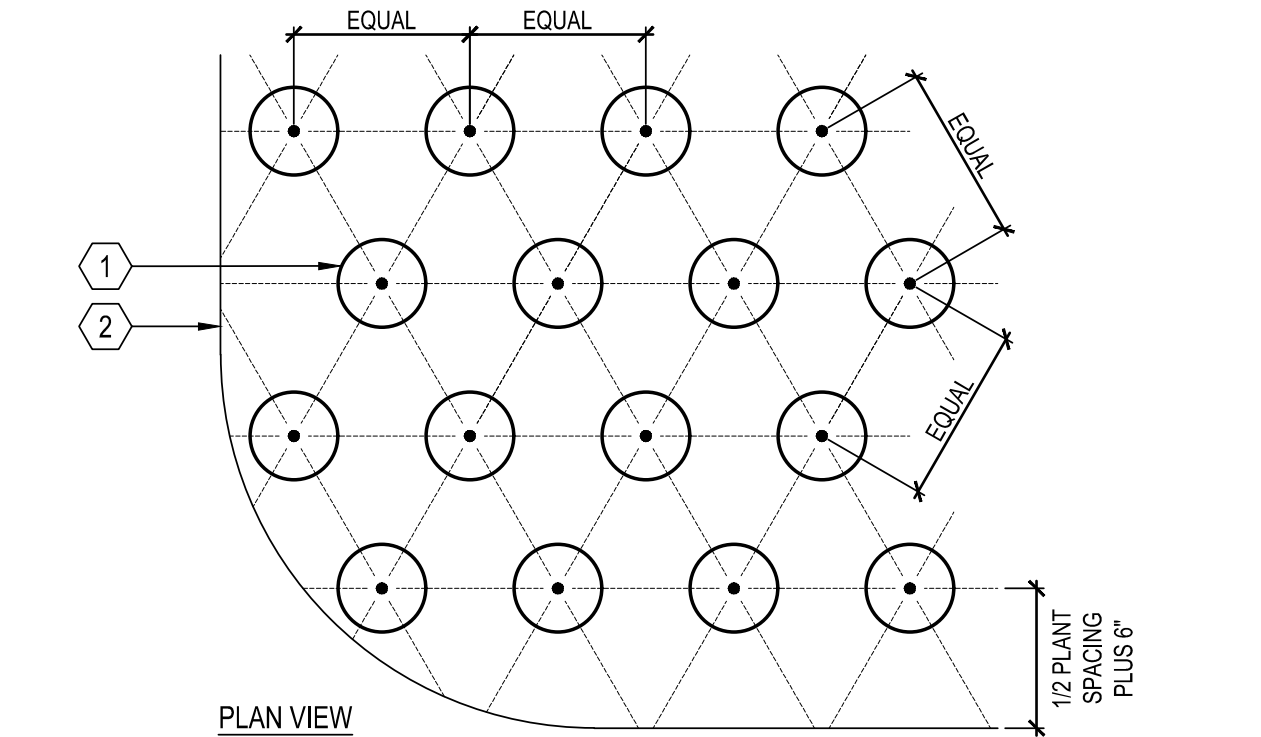
C SHRUB
SCALE: 1" = 1'-0"



A ROOT BARRIER
SCALE: N.T.S.



B GROUNDCOVER
SCALE: 1" = 1'-0"



PLANTING LEGEND

SYMBOL	SPACING	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	H&W	WUCOLS WATER USE
--------	---------	----------------	-------------	----------------	-----	------------------

ORNAMENTAL PLANTING

		ACHILLEA FILIPENDULINA	FERN LEAF YARROW	1 GALLON	3' X 3'	LOW
		ERIOPHYLLUM LANATUM 'SISKIYOU'	WOOLLY SUNFLOWER	1 GALLON	1' X 3'	LOW
		LOMANDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUSH	1 GALLON	2' X 3'	LOW
		SALVIA SPATHACEA	HUMMINGBIRD SAGE	1 GALLON	3' X 4'	LOW
	36" O.C.	CEANOTHUS 'CENTENNIAL'	CALIFORNIA LILAC	1 GALLON	1' X 5'	LOW
	18" O.C.	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY	1 GALLON	18" X 36"	LOW

HYDROSEED

		HYDROSEED MIX - SHALL BE CALIFORNIA NATIVE WILDFLOWER SEED MIX OR OWNER APPROVED EQUAL		1 GALLON		LOW
--	--	--	--	----------	--	-----

SYMBOL	SPACING	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	H&W	WUCOLS WATER USE
--------	---------	----------------	-------------	----------------	-----	------------------

BIOTREATMENT AREAS

	36" O.C.	CHONDROPETALUM TECTORUM 'EL CAMPO'	DWARF CAPE RUSH	5 GALLON	5' X 3'	LOW
	24" O.C.	JUNCUS PATENS 'ELKS BLUE'	GRAY RUSH	1 GALLON	2' X 2'	LOW

ALL BIO-TREATMENT CELLS WILL INCLUDE 3 INCHES OF COMPOSTED, NON-FLOATABLE MULCH IN AREAS BETWEEN STORMWATER TREATMENT PLANTINGS.

**AFFORDABLE HOUSING AT
VICTORY TEMPLE CHURCH**
KB HOME
SEASIDE, CA

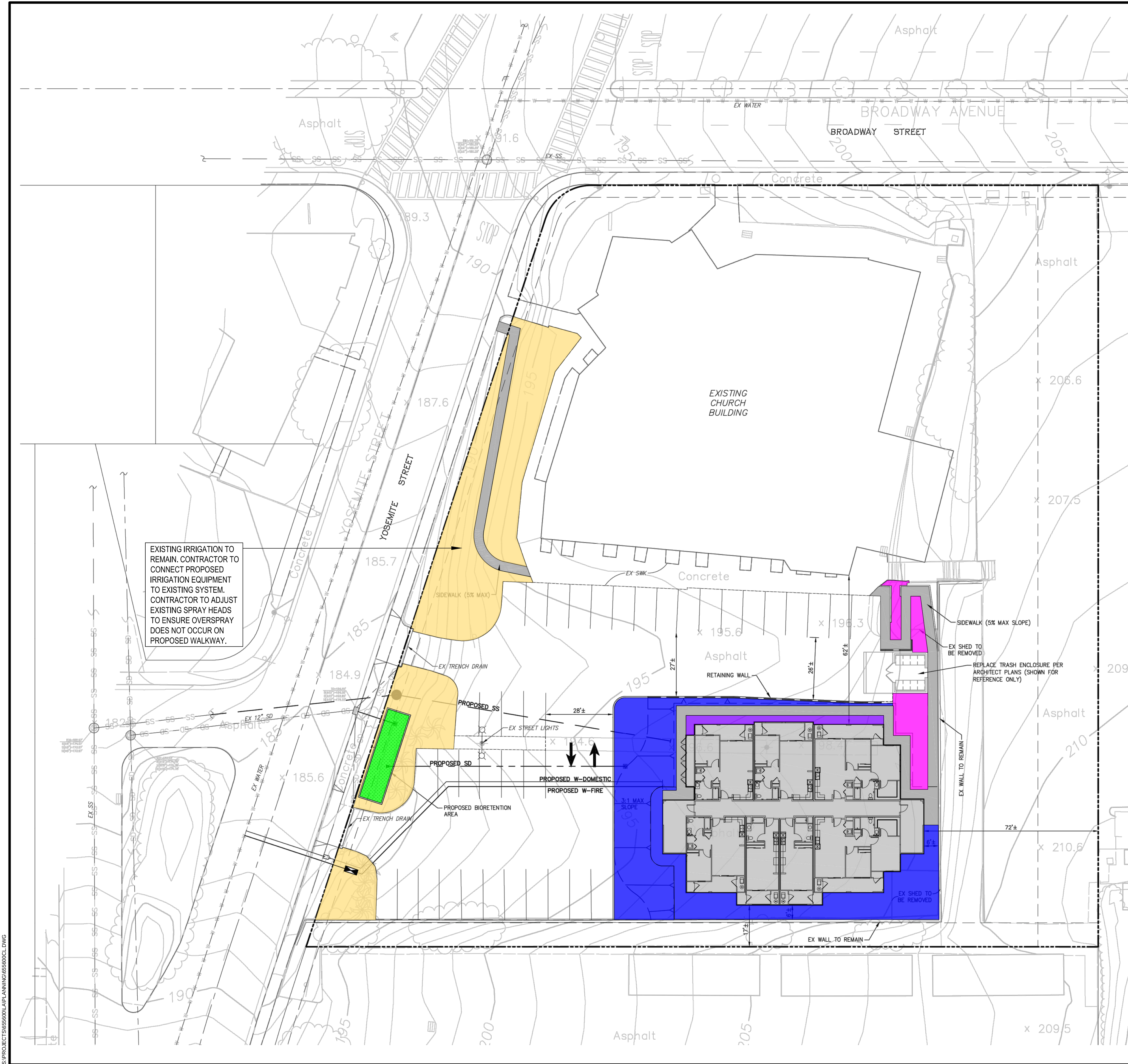
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CAD DWG FILE:		655600CL.DWG
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DRAWN BY:		JW
CHECKED BY:		CM
DATE:		OCT. 20, 2023
SCALE:		AS NOTED
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**LANDSCAPE
LEGEND AND
DETAILS**

L1.2

PLOTTED: 11/20/2023 5:01 PM

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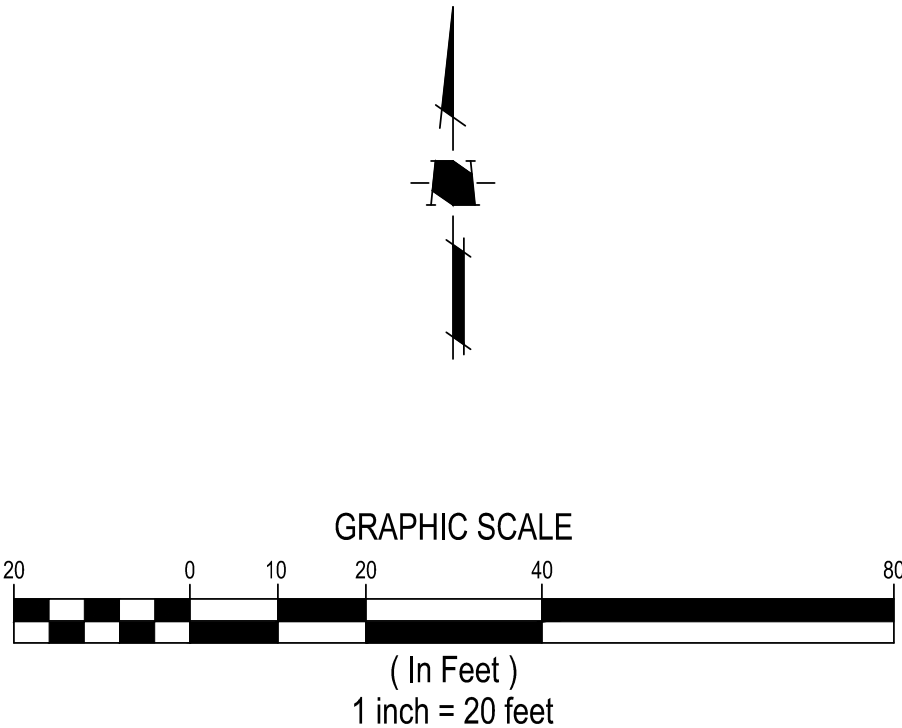
EXISTING IRRIGATION TO REMAIN. CONTRACTOR TO CONNECT PROPOSED IRRIGATION EQUIPMENT TO EXISTING SYSTEM. CONTRACTOR TO ADJUST EXISTING SPRAY HEADS TO ENSURE OVERSPRAY DOES NOT OCCUR ON PROPOSED WALKWAY.

IRRIGATION ZONE LEGEND:

- DRIP IRRIGATION FOR ORNAMENTAL PLANTING. CONTRACTOR TO CONNECT TO EXISTING IRRIGATION SYSTEM.
- DRIP IRRIGATION FOR BIORETENTION AREAS
- HAND WATER BY OWNER (PLANTER BOXES)
- HYDROSEED. NO IRRIGATION NECESSARY
- EXISTING IRRIGATION TO REMAIN

IRRIGATION DESIGN CRITERIA:

- FINAL DESIGN SHALL CONFORM TO AB1881 OR CITY ADOPTED WATER EFFICIENT LANDSCAPE ORDINANCE.
- ALL PLANTING AREAS SHOWN WILL BE COMMONLY MAINTAINED BY THE OWNER AND IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM UNLESS OTHERWISE NOTED.
- IRRIGATION SYSTEMS WILL BE PERMANENT BELOW GROUND AUTOMATED SYSTEMS ADEQUATE FOR THE ESTABLISHMENT AND MAINTENANCE OF ALL PLANT MATERIAL. THESE SYSTEMS WILL BE INSTALLED AS SOON AS PRACTICAL AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND HYDROSEEDING.
- ALL TURF, SHRUB AND GROUND COVER AREAS WILL BE IRRIGATED BY A PERMANENT, AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM UNLESS OTHERWISE NOTED. ALL SPRAY AREAS WILL BE IRRIGATED BY HIGH EFFICIENCY MATCHED PRECIPITATION RATE POP-UP SPRAY HEADS. TURF, SHRUB, AND GROUND COVER AREAS SHALL BE ON SEPARATE VALVES ACCORDING TO PLANT WATER REQUIREMENTS AND EXPOSURE.
- ALL IRRIGATION SYSTEMS SHALL BE DESIGNED, MAINTAINED AND MANAGED TO MEET OR EXCEED MINIMUM EFFICIENCY.
- ALL IRRIGATION EQUIPMENT SHALL BE SCREENED APPROPRIATELY FROM VIEW IN PUBLIC AREAS TO THE MAXIMUM EXTENT POSSIBLE.
- THE FINAL IRRIGATION PLAN SHALL ACCURATELY AND CLEARLY IDENTIFY:
 - LOCATIONS AND SIZES OF WATER POINTS OF CONNECTION.
 - LOCATION, TYPE AND SIZE OF ALL COMPONENTS OF THE IRRIGATION SYSTEM, INCLUDING AUTOMATIC CONTROLLERS, MAIN AND LATERAL LINES, VALVES, SPRINKLER HEADS, RAIN SWITCHES, AND QUICK COUPLERS.
 - STATIC WATER PRESSURE AT THE POINTS OF CONNECTION.
 - FLOW RATE (GALLONS PER MINUTE), REMOTE CONTROL VALVE SIZE, AND DESIGN OPERATING PRESSURE (PSI) FOR EACH STATION.
 - HYDROZONE INFORMATION TABLE.
 - WATER USE CALCULATIONS.
- CONTRACTOR SHALL ENSURE THAT ALL EXISTING IRRIGATION EQUIPMENT IS OPERABLE AND MEETS CURRENT STATE MWELD STANDARDS. IF SYSTEM COMPONENTS ARE NOT OPERABLE OR NEED TO BE UPDATED TO MEET STATE STANDARDS, CONTRACTOR SHALL REPLACE WITH SIMILAR AND INSTALL PER DETAILS SHOWN ON SHEET L1.4.
- THIS SHEET IS INTENDED TO BE PLOTTED IN **COLOR**.



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Stormwater Compliance

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AFFORDABLE HOUSING AT VICTORY TEMPLE CHURCH

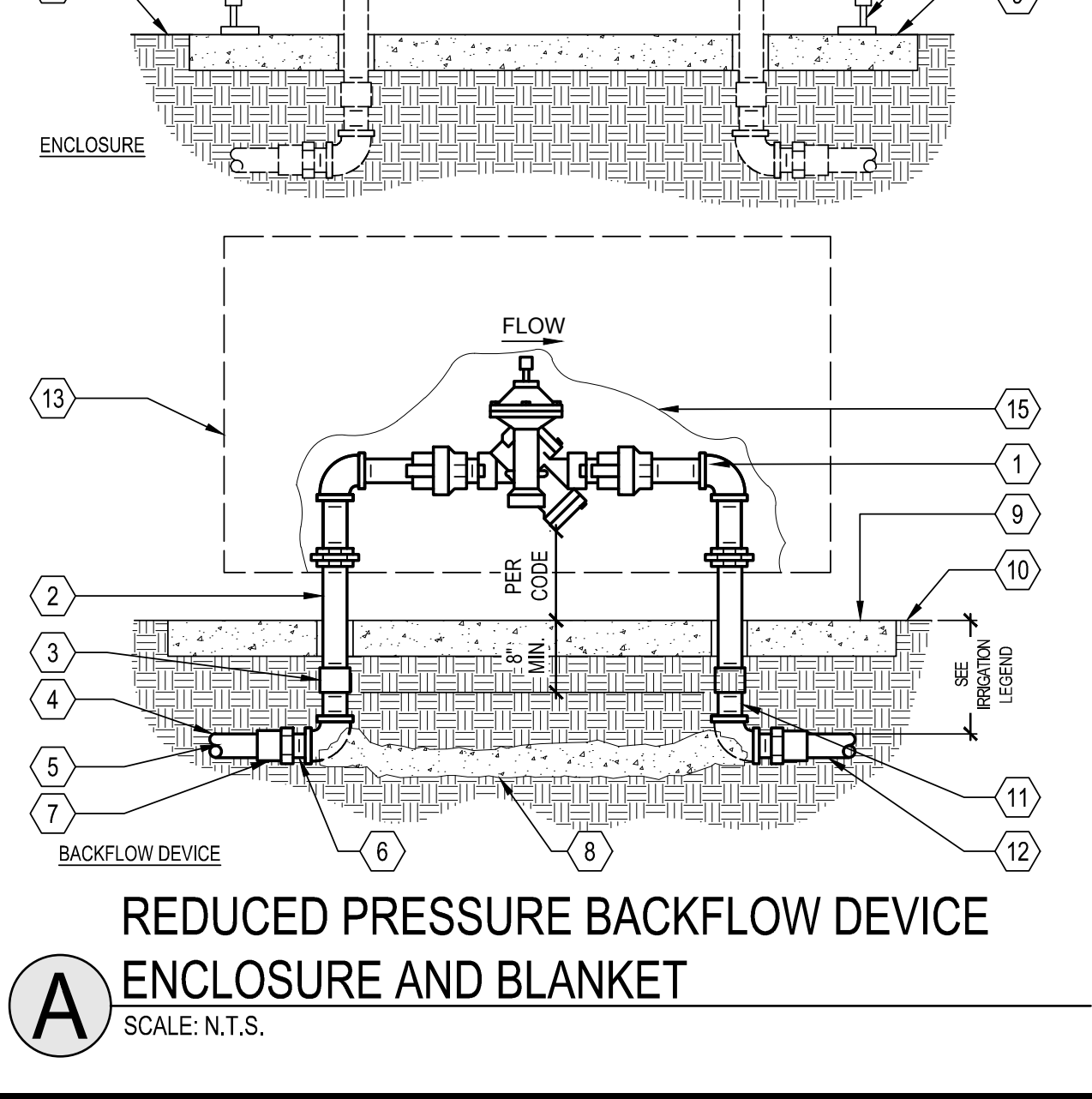
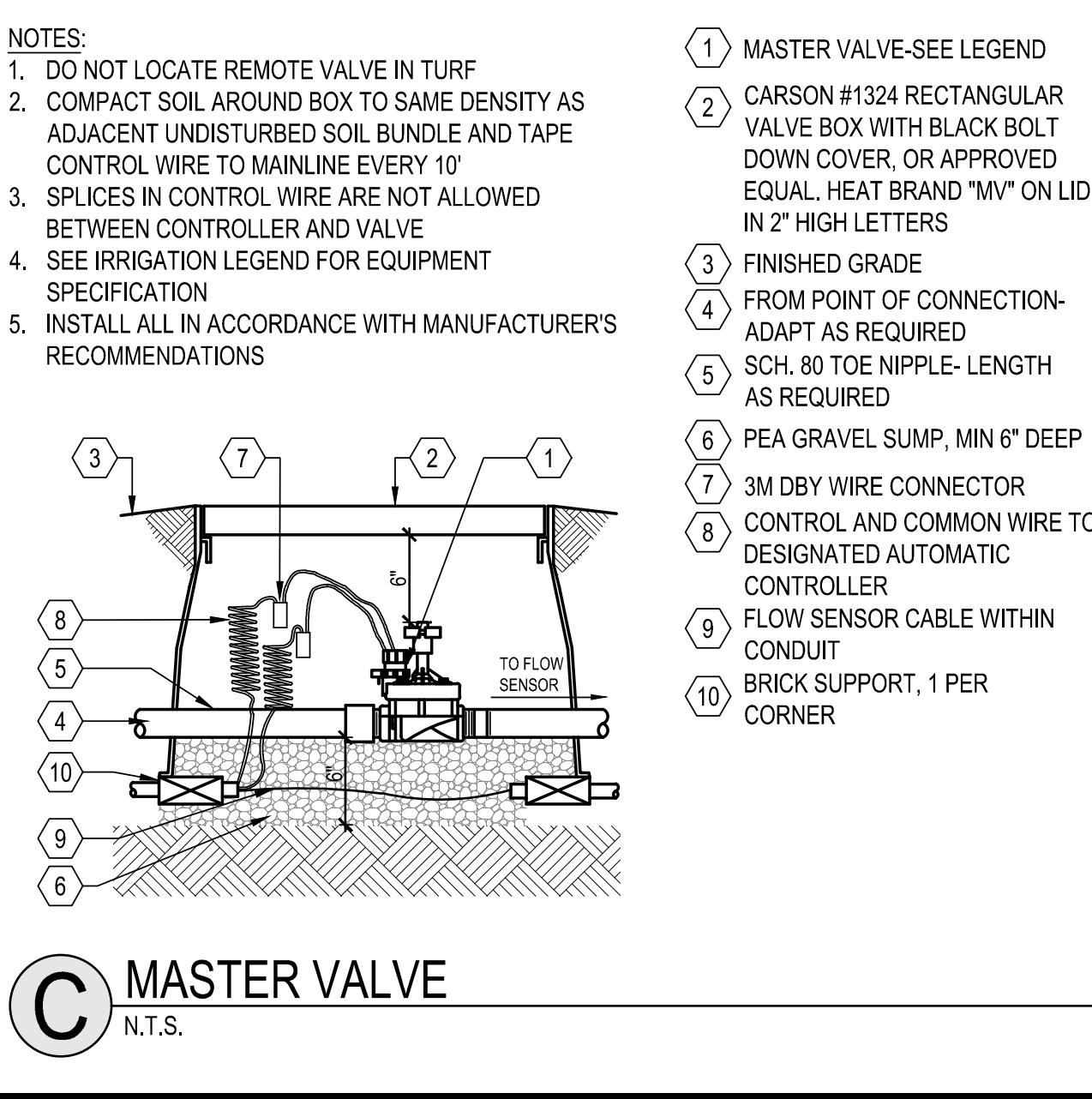
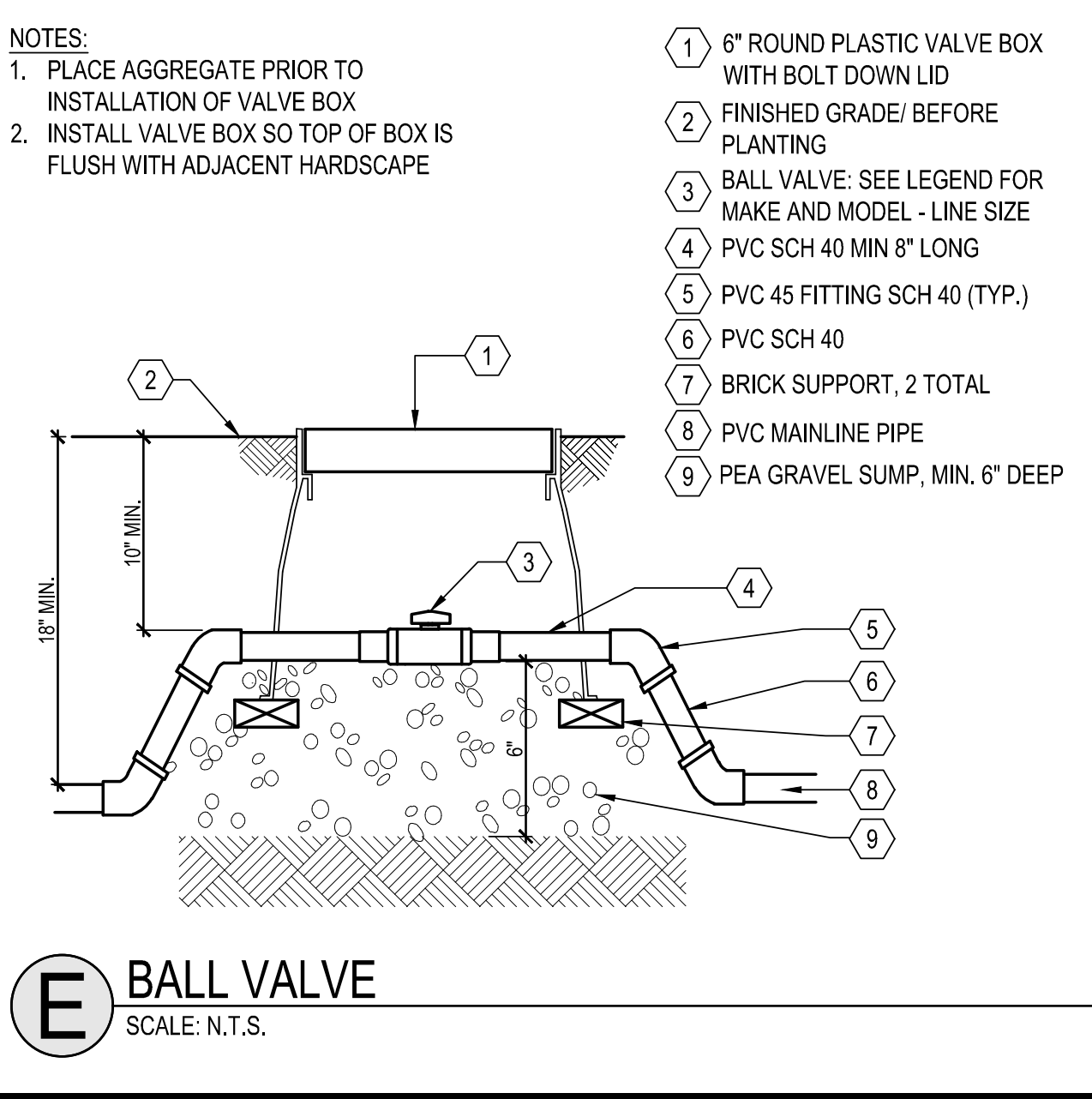
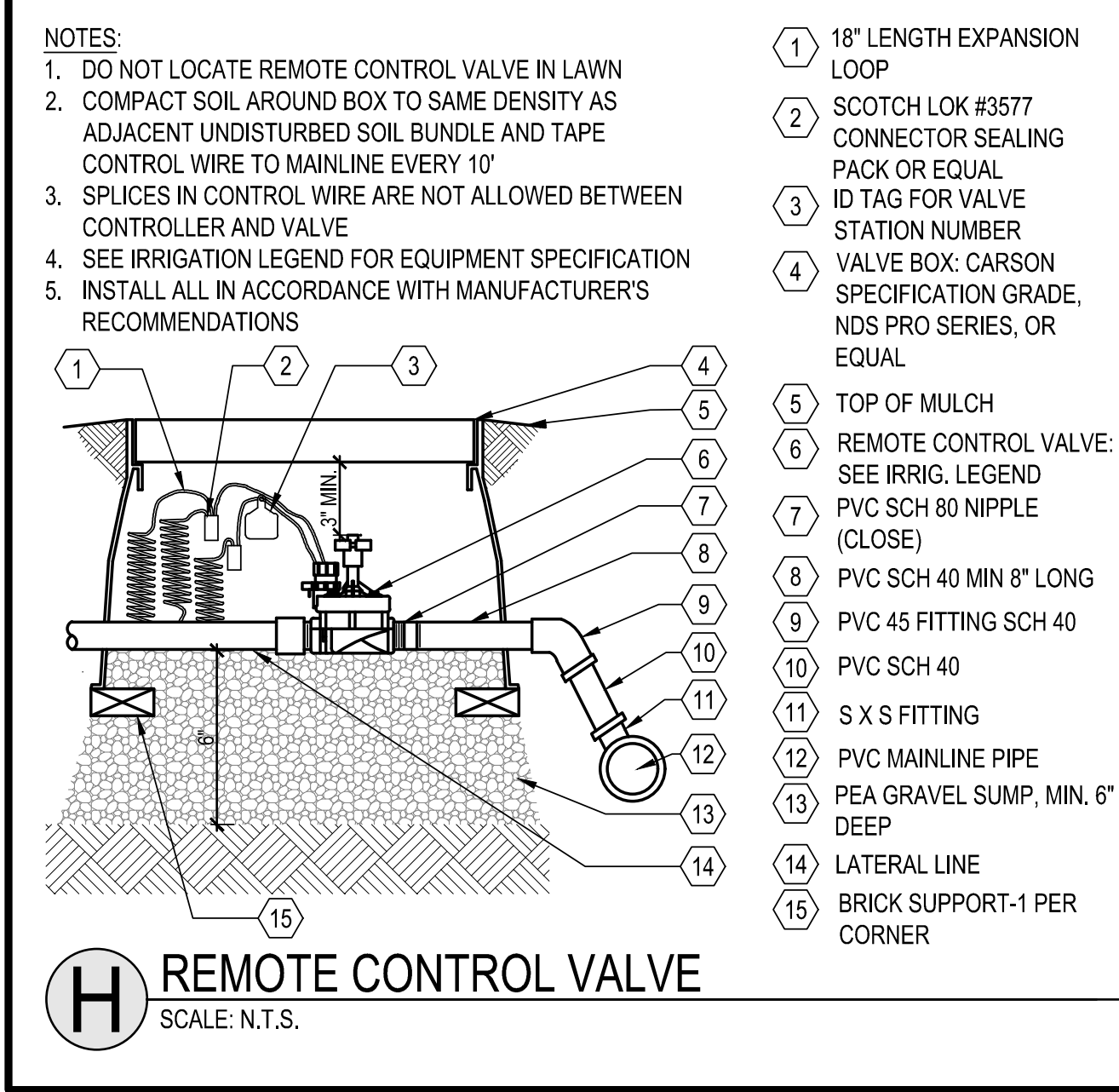
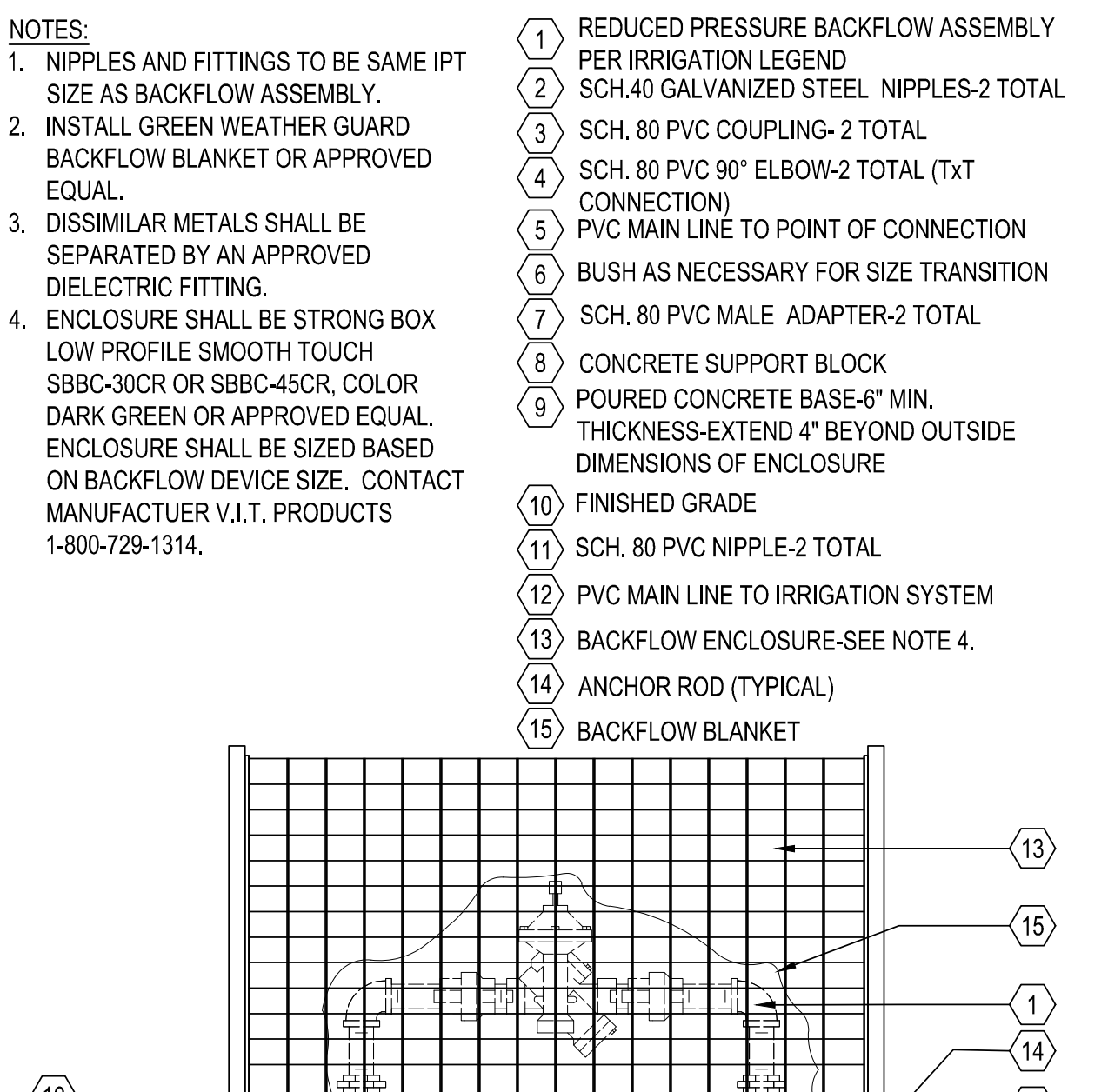
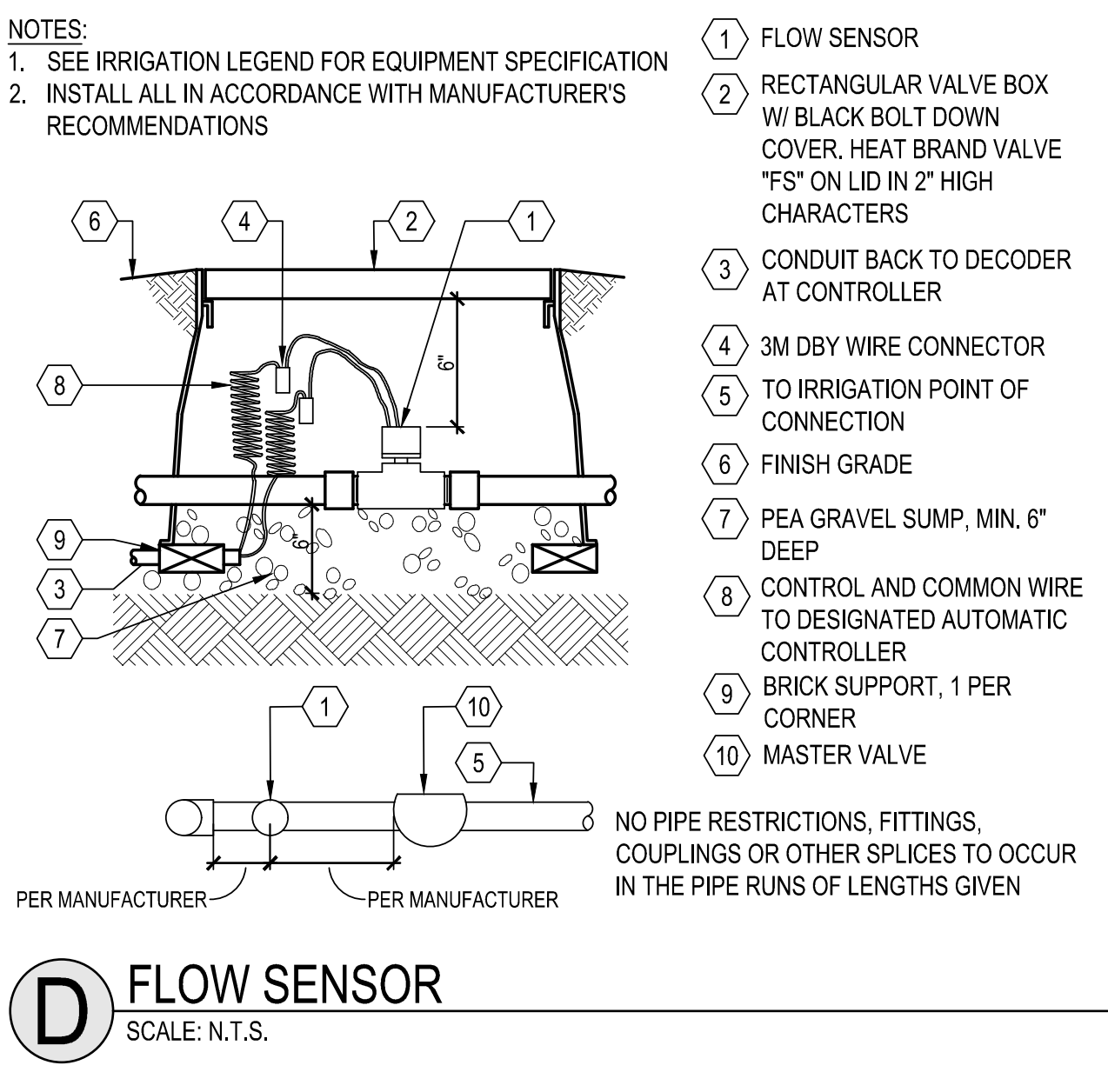
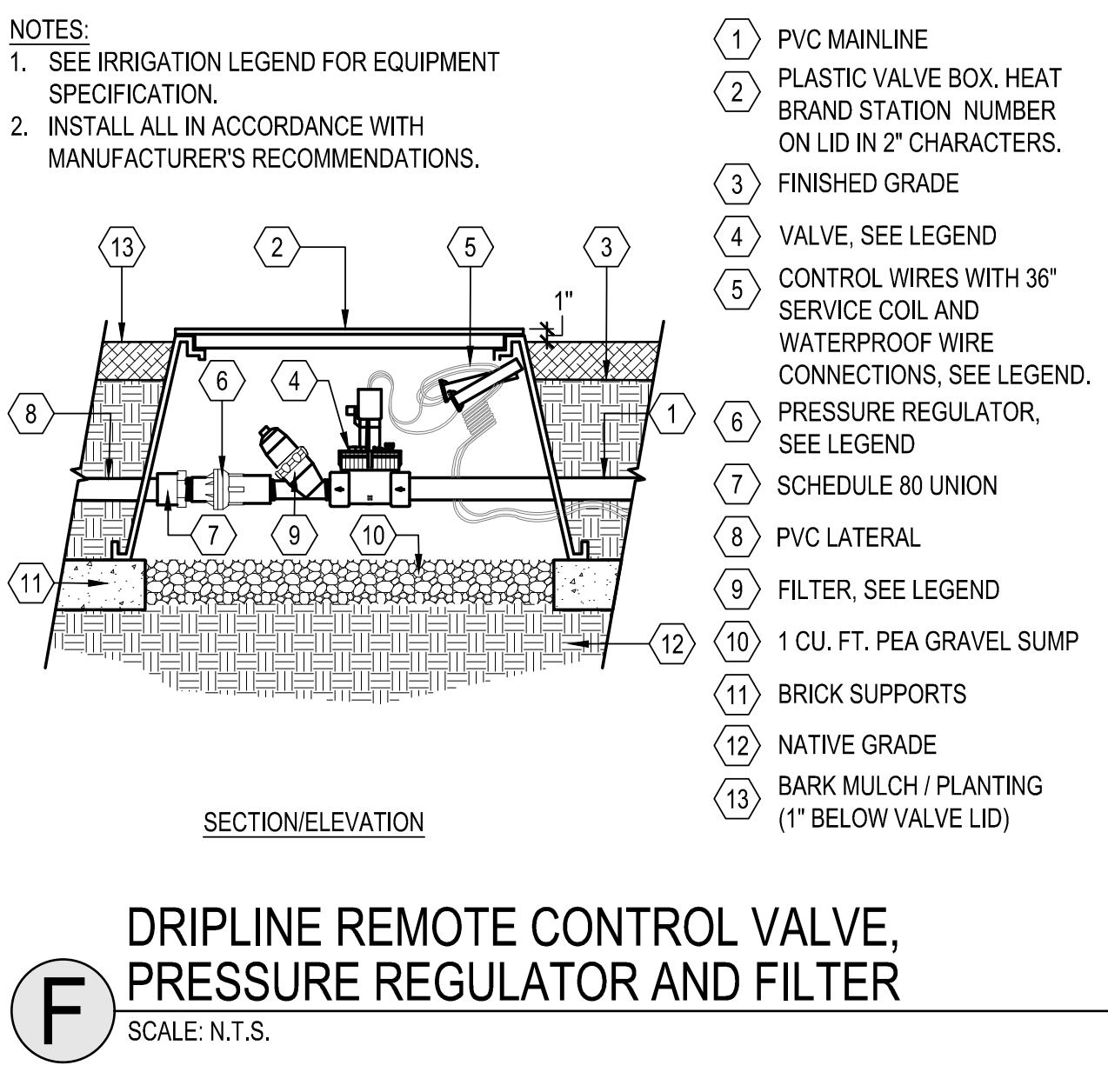
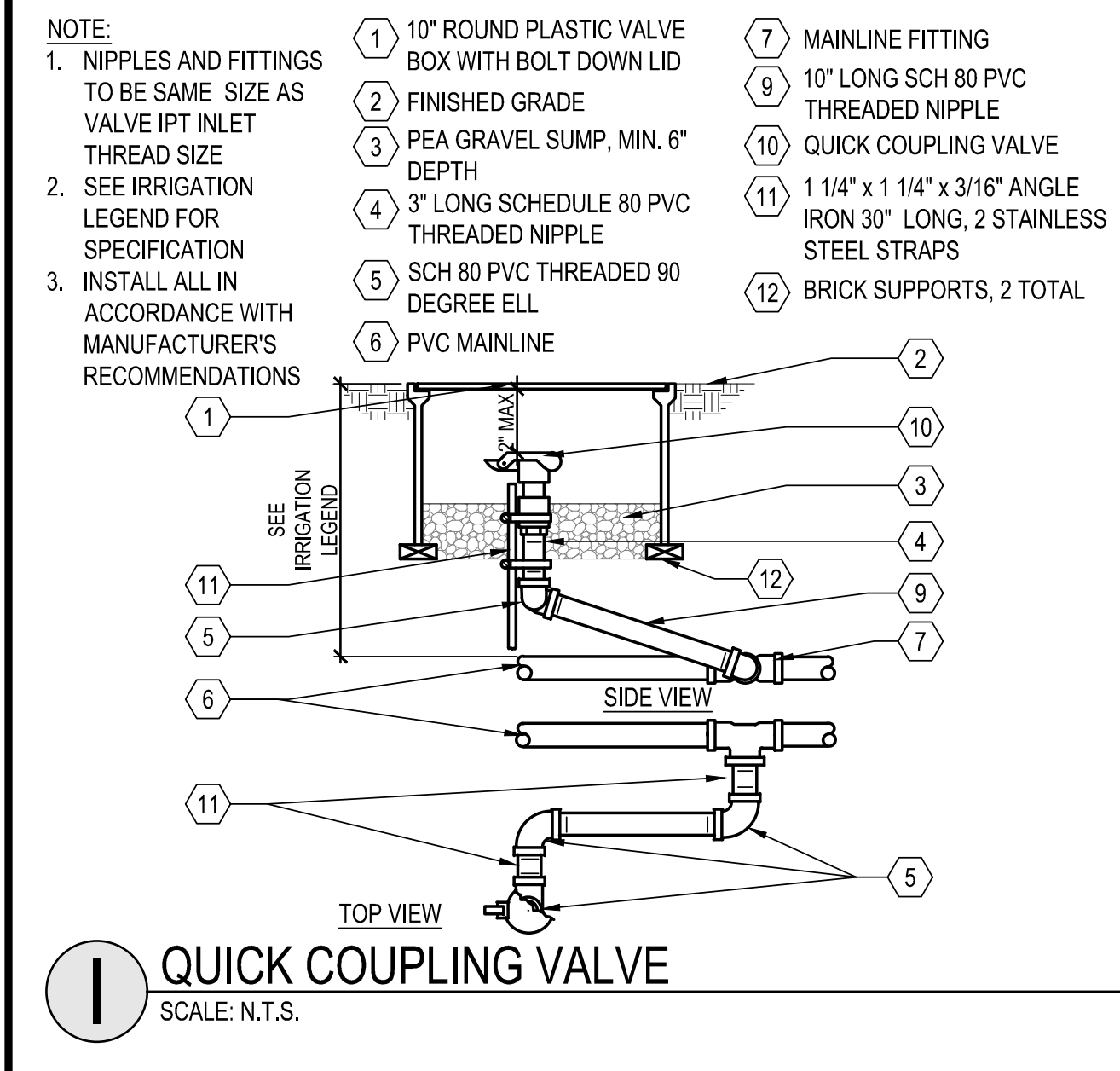
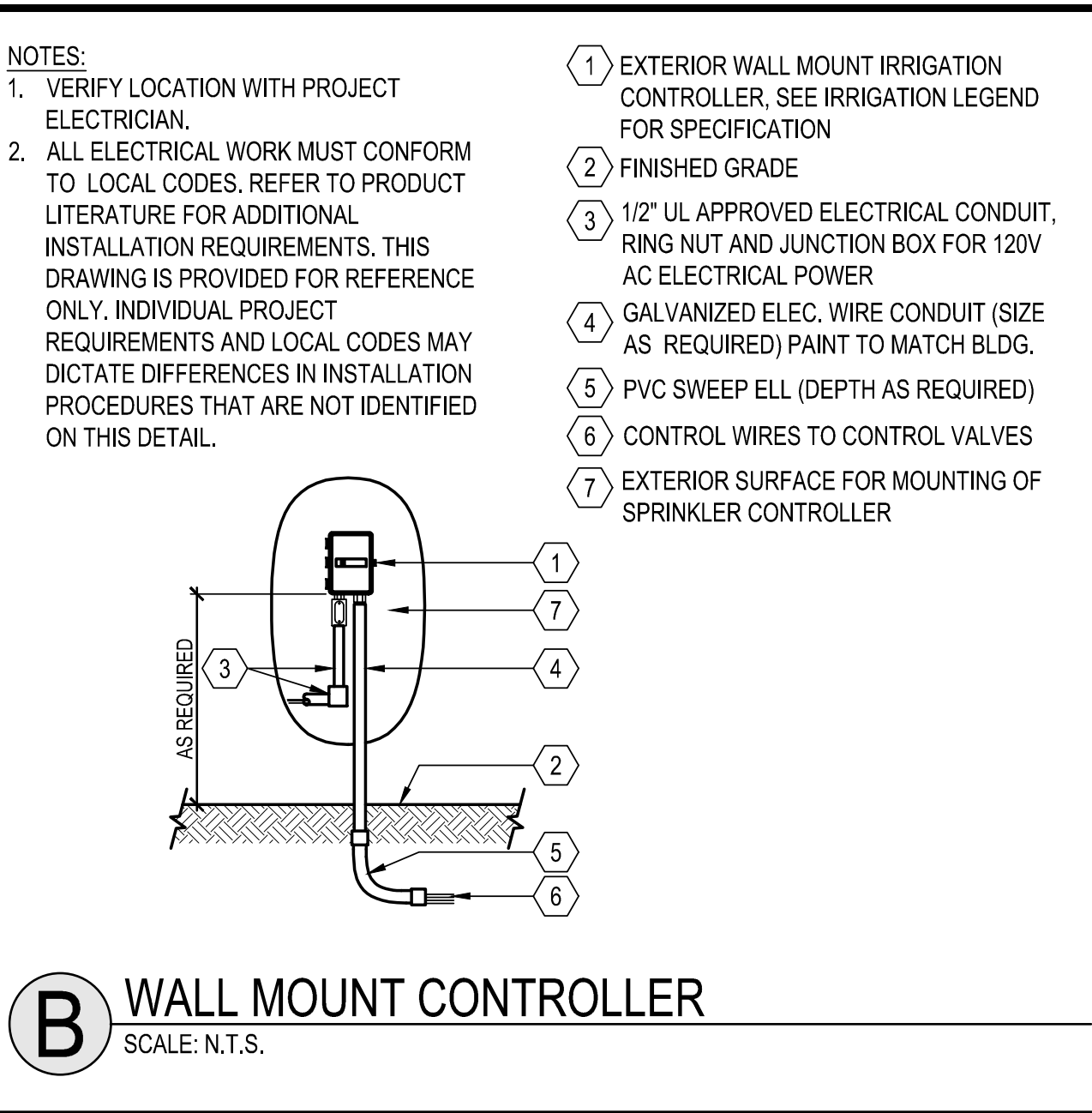
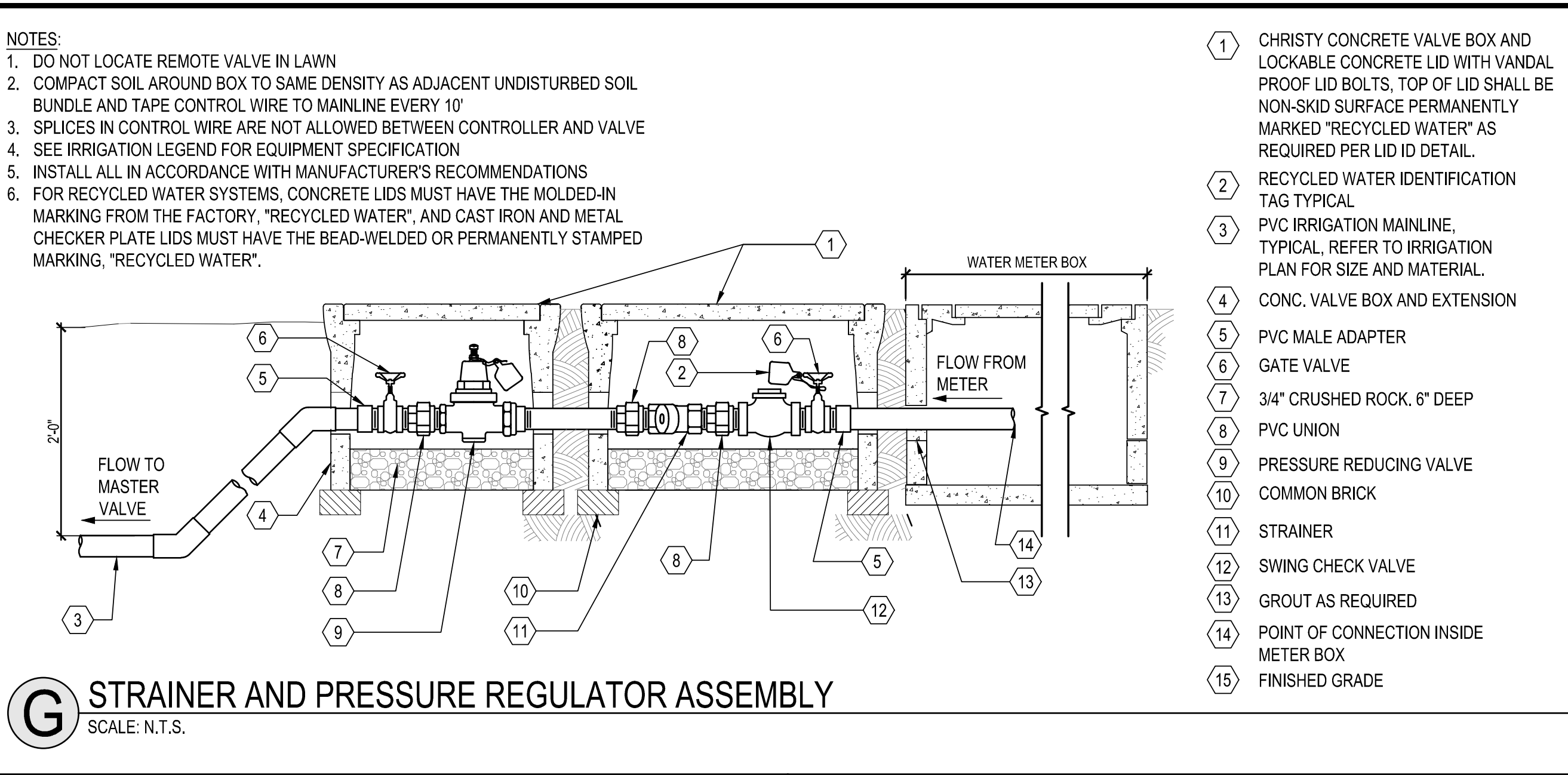
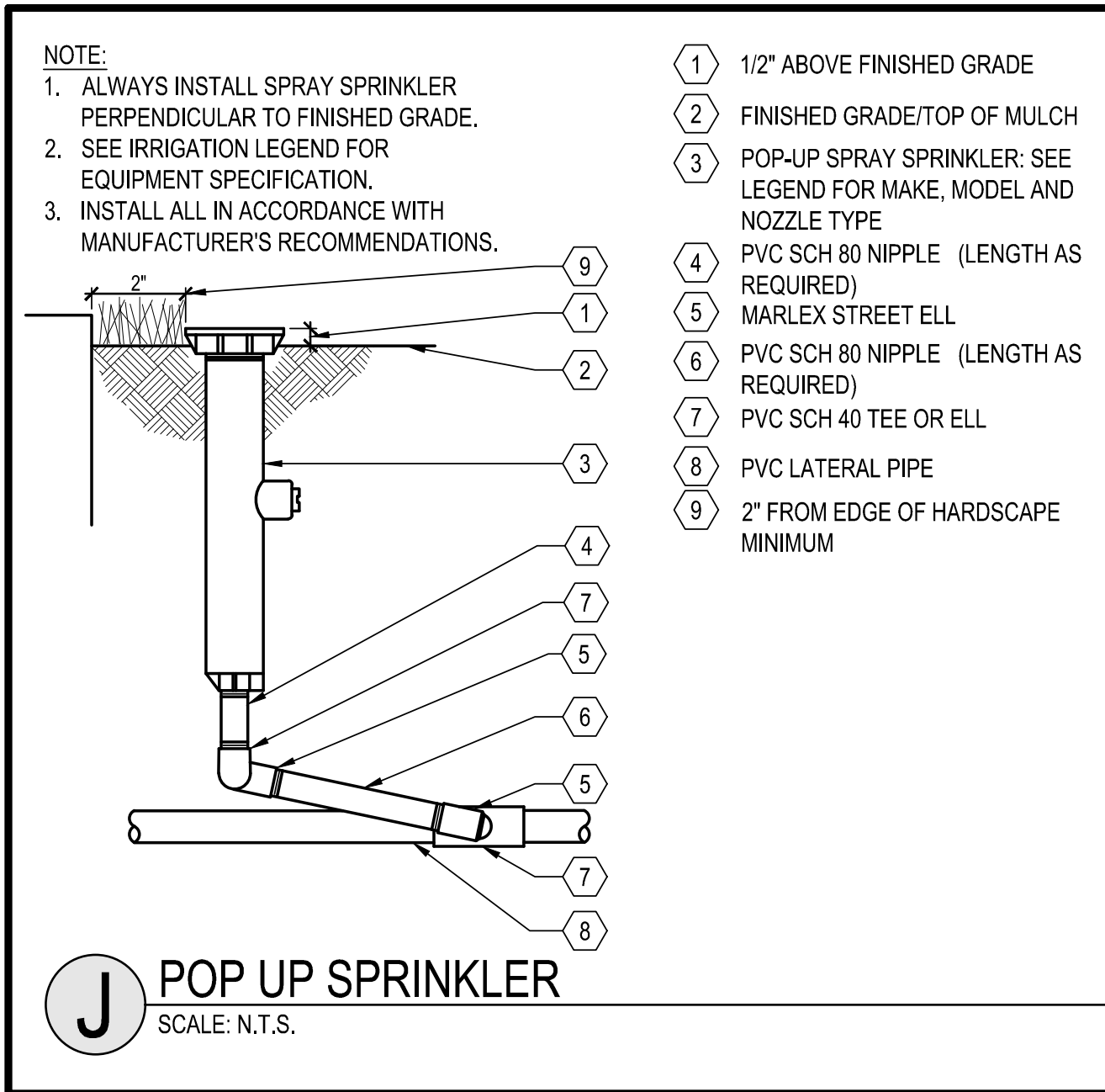
KB HOME
SEASIDE, CA

NO	DATE	DESCRIPTION
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CAD DWG FILE:	655600CL.DWG	
DESIGNED BY:	KY	
DRAWN BY:	JW	
CHECKED BY:	CM	
DATE:	OCT. 20, 2023	
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HYDROZONE PLAN

L1.3

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AFFORDABLE HOUSING AT VICTORY TEMPLE CHURCH

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SEASIDE, CA

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IRRIGATION DETAILS

L1.4



Teaming confidence with nature since 1922

Technical Guide

ESTABLISHMENT AND CARE OF WILDFLOWERS

Wildflowers are beautiful, useful and inexpensive additions to any home landscape. Their colors span the rainbow, and their varying heights, forms and flower shapes will spark your imagination. Many are fast growing, hardy and drought tolerant once established. Furthermore, by using seeds instead of bedding plants, you'll get healthier, more robust plants at maturity-and save money too!

Use wildflowers for:

- Borders and edgings
- Beds in small spaces, such as courtyards and side yards
- Spot color in rock gardens
- Meadows
- Quick color near new shrubs
- Erosion control on slopes
- Replacement for thirsty lawns
- Containers, window boxes and hanging baskets
- Cut flower arrangements
- Wildlife habitats

The following information is designed to give you helpful tips for growing wildflowers.

When To Plant. The best time to plant depends upon watering and soil temperatures. Determine whether the area will be watered by a sprinkler system (irrigated) or other form of supplemental irrigation or whether it will be watered only by rainfall (non-irrigated). Irrigated sites can be established once the soil temperatures reach 65 to 70°F. Non-irrigated sites are best planted just before the rainy season. Generally, in southern and western portions of the U.S., planting should be done in the fall. In northern and eastern regions, planting should be done in the spring. Annual wildflowers develop leaves and stems during the cool periods and begin flowering during warmer temperatures. The longer plants are allowed to develop, the more substantial the root and leaf structures are and the longer and more spectacular the flowering period.

Where to plant. Most species of wildflowers require six to eight hours of sunlight. Less sunlight will produce

plants that are leggy, weak and without flowers. A few species, and one of our mixtures, will tolerate partial shade (at least four hours of sunlight). Do not attempt to seed areas that have dense shade.

Providing good drainage. Good drainage is essential for the best plant growth. If water doesn't soak in, runs off quickly or keeps the soil continually soggy, you may need to till the soil and add amendments to improve drainage. On slopes, use low-volume irrigation such as mini- or micro-sprinklers to minimize surface runoff and erosion of the seed and soil.

Controlling weeds. Weeds are a great threat to the success of your wildflowers. Weeds generally grow taller and faster than wildflowers, robbing the soil of moisture and nutrients and eventually sunlight. Therefore, it is important to remove weeds before seeding. For a non-chemical approach you can try soil solarization. Information can be found at: <http://ipm.ucanr.edu/PMG/PESTNOTES/pn74145.html> If tilling is necessary to improve soil structure, it should be done before weed control. If tilling is not necessary, move on to watering.

Tilling. It is best not to heavily till the area as it may bring dormant weed seeds to the surface where they will germinate and compete with the wildflowers. However, if there is soil compaction or poor drainage, you should till. When tilling, incorporate organic material, such as humus mulch or compost, and then grade the soil into a firm seed bed.

For large areas, it might be necessary to use a flail mower or tractor to rough up the soil surface and remove existing vegetation. It is important to remove enough vegetation to ensure that the seed is in firm contact with the soil. If the seed is not in direct contact with the soil, it will germinate and die because the root will be unable to obtain water and nutrients essential for growth.

For small areas, lightly rake to scalp or scarify the soil, loosening as much as two inches of the soil surface.

Practice weed germination and removal as described in "Controlling weeds."



STOVER SEED.

9180 San Fernando Rd. * P.O. Box 1579 * Sun Valley, CA 91353

213-626-9668 * 800-621-0315 * FAX 213-626-4920 * www.stoverseed.com

Watering. After weeds have been removed and the soil has been tilled, water the area frequently for two to three weeks to allow weed seeds to germinate. Once the weeds have germinated, apply the non-selective herbicide but do not disturb the soil any further as this could cause new weed growth. Seeding should take place about two weeks after applying the herbicide. Consult the instructions on the herbicide package for specific waiting periods.

Determine the seeding rates. Carefully measure the area to be seeded and check your seed package or product sheet for the seeding rate, such as ounces to square feet of area. Check each package or species you purchase as coverage can vary considerably. Be sure that you have enough seed to cover the entire area all at once.

Make good contact with soil. We can't overemphasize the importance of seed-to-soil contact. Be sure that the surface is clear of vegetation and that it is roughed up a bit so that seeds have direct contact with the soil.

Distribute seed evenly. It is important that you distribute the seed evenly over the planting area. It is often helpful to mix the seed with sand or vermiculite to help spread the seed more evenly. Usually a mixture of one part seed to two parts sand is best, although more sand is fine. Mixing with sand also helps to mark the area that you have seeded. Divide the seed/sand mixture into two equal parts and apply one half of the seed in one direction over the entire area and then the second half in the opposite direction over the entire area. For small areas, seeding by hand will work, however you'll need to use a hand-held rotary spreader for larger areas. For very large areas or slopes, hydroseeding or drill seeding is the best method. Consult a professional contractor for more information.

Cover the seed. Once the seed has been broadcast, press the seed into the soil either by foot, a sheet of plywood, or a roller in order to insure good contact with the soil. The seed should then be covered with no more than 1/8 to 1/4 inch of mulch which will hold moisture better than soil. Problems with germination are typically the result of burying seeds too deep.

Irrigating with sprinklers. Wildflower seeds usually need four to six weeks of ample, consistent moisture to germinate and begin establishment. A new seeding must not be allowed to dry out! The irrigation schedule for a new planting site should be light and frequent until the first signs of germination, which is usually two to four weeks after initial watering. In warmer arid regions, the frequency of light irrigation can be up to three times daily. Once plants reach one to two inches in height, the daily frequency of irrigation can be reduced. Established wildflowers will need supplemental

irrigation when they exhibit signs of wilting or during periods of high temperature and/or low rainfall. In arid regions of the country without consistent rainfall, supplemental irrigation of up to half an inch a week may be necessary for plants to perform their best.

Irrigating with rainfall. If you are relying solely on Mother Nature to provide irrigation, you'll need to time your planting to coincide with the rainy season. However, you'll have a better chance of germination and establishment if you can provide some supplemental irrigation, particularly during periods of high temperature.

Controlling weeds. Periodic weed control helps maintain a steady show of wildflowers. It is much easier to eliminate weeds when they are young, rather than fully grown plants. Weeds can be eliminated by pulling, hoeing or spot spraying with an herbicide. Be careful to keep spray away from desirable plants.

Mowing. After flowering and seed has been set, your wildflower garden can be mowed. Mow no lower than six inches. This technique will encourage any perennials that you may have.

Fertilizing. Wildflowers do best in soils with low fertility. High nitrogen soils only encourage the growth of weeds and vegetative growth at the expense of flowering. Fertilizing should be only done on soils with no nutrients. Use organic fertilizers with very low nitrogen (five percent or less) content.

Reseeding. To enable your wildflowers to reseed, leave the flowers on the plants after blooming and allow them to develop seeds. After seed development, wildflowers can be mowed or cut down which will help to scatter the new seed. If you have planted a wildflower mixture, you may want to reseed some of the annuals in the mixture. Although some will reseed, you will get a better show of flowers if you do some additional re-seeding yourself.

Enjoying. If you're new to wildflower gardening, you may not have realized that wildflowers are not a throw-and-grow proposition. Only the best seed combined with the proper choices, preparation, planting and maintenance will ensure a successful experience with wildflowers. You'll relish the experience and the resulting beauty wildflowers will bring to your gardens!

We guarantee that the seed we offer has been tested by a certified seed-testing laboratory and conforms to federal and state seed laws. We make no other guarantees, either express or implied. Because of varying factors beyond our control, there is no guarantee of establishment.



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GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 4.2. Housing Development Approvals [65913 - 65914.7] (*Chapter 4.2 added by Stats. 1980, Ch. 1152.*)

(a) For purposes of this section, all of the following definitions shall apply:

65913.6. (1) “Housing development project” means a housing development project as defined in paragraph (2) of subdivision (h) of Section 65589.5.

(2) “Local agency” means any county, city, or city and county, including a charter city, or city and county.

(3) “Place of worship” means a property owned or operated by a religious institution, that is used for the purpose of regular assembly by members of the institution.

(4) “Religious institution” means an institution owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization composed of multid denominational members of the same well-recognized religion, lawfully operating as a nonprofit religious corporation pursuant to Part 4 (commencing with Section 9110) of Division 2 of Title 1 of the Corporations Code.

(5) “Religious institution affiliated housing development project” means a housing development project that meets all of the following criteria:

(A) The housing development project is located on one or more contiguous parcels that are each owned entirely, whether directly or through a wholly owned company or corporation, by a religious institution.

(B) The housing development project qualifies as being near colocated religious-use parking spaces by being any of the following:

(i) Located on one or more parcels that collectively contain religious-use parking spaces.

(ii) Located adjacent to a parcel owned by the religious institution that contains religious-use parking spaces.

(iii) Located on one or more parcels separated by no more than 0.1 miles from a parcel owned by the religious institution that contains religious-use parking spaces.

(C) The housing development project qualifies for a density bonus under Section 65915.

(6) “Religious-use parking spaces” means parking spaces that are required under the local agency’s parking requirements for existing places of worship, or parking spaces that would be required in a proposed development for a new place of worship.

(b) (1) Notwithstanding any other law or ordinance, a local agency shall not require the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate, or reduce in the case of a plan for a new development, as part of that housing development project pursuant to this

section.

(2) The number of religious-use parking spaces requested to be eliminated, or reduced in the case of a plan for a new development, by a developer of a religious institution affiliated housing development project pursuant to this section shall not exceed the following:

(A) In the case of an existing place of worship to be retained, 50 percent of the number of religious-use parking spaces that are available at the time the request is made.

(B) In the case of a newly constructed place of worship, 50 percent of the number of religious-use parking spaces that would be required for a newly constructed place of worship.

(3) The elimination of religious-use parking spaces pursuant to a religious institution affiliated housing development project that has been approved by a local agency does not constitute a concession pursuant to Section 65915.

(c) Notwithstanding any other law or ordinance, a local agency shall not require the curing of any preexisting deficit of the number of religious-use parking spaces as a condition of approval of a religious institution affiliated housing development project.

(d) Notwithstanding any other law or ordinance, a local agency shall allow the number of religious-use parking spaces that will be available after completion of a religious institution affiliated housing development project to count toward the number of parking spaces otherwise required for approval of the housing development project under any other law or ordinance.

(e) Notwithstanding any other law or ordinance, a local agency shall not deny a proposed religious institution affiliated housing development project solely on the basis that the project will reduce the total number of parking spaces available at the place of worship provided that the total reduction does not exceed 50 percent of existing parking spaces, or 50 percent of the parking spaces that would be required of a new development of a place of worship.

(f) (1) Notwithstanding any provision of this section, except as provided in paragraph (3), the reduction in parking spaces authorized in this section shall not reduce the minimum parking standards that a local agency may require of a religious institution affiliated housing development project below one space per unit.

(2) For the purposes of this subdivision, a local agency shall not be required to allow the remaining religious-use parking spaces to count toward the number of parking spaces otherwise required for approval of the housing development project as provided in subdivision (d) to the extent that the application of subdivision (d) would prohibit a local agency from requiring up to one parking space per unit.

(3) This subdivision shall not apply to a religious institution affiliated housing development project if either of the following is true:

(A) The parcel is located within one-half mile walking distance of public transit. For the purposes of this paragraph, “public transit” means either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(g) This section shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new development to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities that otherwise applies.

(h) The Legislature finds and declares that the provision of adequate housing, in light of the severe shortage of housing at all income levels in this state, is a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution, and therefore this section applies to all cities, including

charter cities.

(Amended by Stats. 2022, Ch. 122, Sec. 1. (AB 2244) Effective January 1, 2023.)



GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 4. Zoning Regulations [65800 - 65912] (*Chapter 4 repealed and added by Stats. 1965, Ch. 1880.*)

ARTICLE 2. Adoption of Regulations [65850 - 65863.13] (*Article 2 added by Stats. 1965, Ch. 1880.*)

- 65863.2.** (a) A public agency shall not impose or enforce any minimum automobile parking requirement on a residential, commercial, or other development project if the project is located within one-half mile of public transit.
- (b) Notwithstanding subdivision (a), a city, county, or city and county may impose or enforce minimum automobile parking requirements on a project that is located within one-half mile of public transit if the public agency makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact, supported by a preponderance of the evidence in the record, on any of the following:
- (1) The city's, county's, or city and county's ability to meet its share of the regional housing need in accordance with Section 65584 for low- and very low income households.
 - (2) The city's, county's, or city and county's ability to meet any special housing needs for the elderly or persons with disabilities identified in the analysis required pursuant to paragraph (7) of subdivision (a) of Section 65583.
 - (3) Existing residential or commercial parking within one-half mile of the housing development project.
- (c) For a housing development project, subdivision (b) shall not apply if the housing development project satisfies any of the following:
- (1) The development dedicates a minimum of 20 percent of the total number of housing units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities.
 - (2) The development contains fewer than 20 housing units.
 - (3) The development is subject to parking reductions based on the provisions of any other applicable law.
- (d) Notwithstanding subdivision (a), an event center shall provide parking, as required by local ordinance, for employees and other workers.
- (e) For purposes of this section:
- (1) "Housing development project" means a housing development project as defined in paragraph (2) of subdivision (h) of Section 65589.5.
 - (2) "Low- and very low income households" means the same as "lower income households" as defined in Section 50079.5 of the Health and Safety Code.

(3) “Moderate-income households” means the same as “persons and families of moderate income,” as defined in Section 50093 of the Health and Safety Code.

(4) “Public agency” means the state or any state agency, board, or commission, any city, county, city and county, including charter cities, or special district, or any agency, board, or commission of the city, county, city and county, special district, joint powers authority, or other political subdivision.

(5) “Public transit” means a major transit stop as defined in Section 21155 of the Public Resources Code.

(6) “Project” does not include a project where any portion is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except where a portion of a housing development project is designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.

(f) This section shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential or nonresidential development that is located within one-half mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development if this section did not apply.

(g) When a project provides parking voluntarily, a public agency may impose requirements on that voluntary parking to require spaces for car share vehicles, require spaces to be shared with the public, or require parking owners to charge for parking. A public agency may not require that voluntarily provided parking is provided to residents free of charge.

(h) (1) Subdivision (a) shall not apply to commercial parking requirements if it conflicts with an existing contractual agreement of the public agency that was executed before January 1, 2023, provided that all of the required commercial parking is shared with the public. This subdivision shall apply to an existing contractual agreement that is amended after January 1, 2023, provided that the amendments do not increase commercial parking requirements.

(2) A project may voluntarily build additional parking that is not shared with the public.

(i) The Legislature finds and declares that the imposition of mandatory parking minimums can increase the cost of housing, limit the number of available units, lead to an oversupply of parking spaces, and increased greenhouse gas emissions. Therefore, this section shall be interpreted in favor of the prohibition of the imposition of mandatory parking minimums as outlined in this section.

(Added by Stats. 2022, Ch. 459, Sec. 2. (AB 2097) Effective January 1, 2023.)



GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.)*

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.)*

CHAPTER 4.3. Density Bonuses and Other Incentives [65915 - 65918] (*Chapter 4.3 added by Stats. 1979, Ch. 1207.)*

65915. (a) (1) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall comply with this section. A city, county, or city and county shall adopt an ordinance that specifies how compliance with this section will be implemented.

Except as otherwise provided in subdivision (s), failure to adopt an ordinance shall not relieve a city, county, or city and county from complying with this section.

(2) A local government shall not condition the submission, review, or approval of an application pursuant to this chapter on the preparation of an additional report or study that is not otherwise required by state law, including this section. This subdivision does not prohibit a local government from requiring an applicant to provide reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p).

(3) In order to provide for the expeditious processing of a density bonus application, the local government shall do all of the following:

(A) Adopt procedures and timelines for processing a density bonus application.

(B) Provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete. This list shall be consistent with this chapter.

(C) Notify the applicant for a density bonus whether the application is complete in a manner consistent with the timelines specified in Section 65943.

(D) (i) If the local government notifies the applicant that the application is deemed complete pursuant to subparagraph (C), provide the applicant with a determination as to the following matters:

(I) The amount of density bonus, calculated pursuant to subdivision (f), for which the applicant is eligible.

(II) If the applicant requests a parking ratio pursuant to subdivision (p), the parking ratio for which the applicant is eligible.

(III) If the applicant requests incentives or concessions pursuant to subdivision (d) or waivers or reductions of development standards pursuant to subdivision (e), whether the applicant has provided adequate information for the local government to make a determination as to those incentives, concessions, or waivers or reductions of development standards.

(ii) Any determination required by this subparagraph shall be based on the development project at the time the application is deemed complete. The local government shall adjust the amount of density bonus and parking ratios awarded pursuant

to this section based on any changes to the project during the course of development.

(b) (1) A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p), if an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:

(A) Ten percent of the total units of a housing development, including a shared housing building development, for rental or sale to lower income households, as defined in Section 50079.5 of the Health and Safety Code.

(B) Five percent of the total units of a housing development, including a shared housing building development, for rental or sale to very low income households, as defined in Section 50105 of the Health and Safety Code.

(C) A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code. For purposes of this subparagraph, "development" includes a shared housing building development.

(D) Ten percent of the total dwelling units of a housing development are sold to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

(E) Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

(F) (i) Twenty percent of the total units for lower income students in a student housing development that meets the following requirements:

(I) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible under this subclause, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the city, county, or city and county that the developer has entered into an operating agreement or master lease with one or more institutions of higher education for the institution or institutions to occupy all units of the student housing development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this subclause is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.

(II) The applicable 20-percent units will be used for lower income students.

(III) The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.

(IV) The development will provide priority for the applicable affordable units for lower income students experiencing homelessness. A homeless service provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code, or institution of higher education that has knowledge of a person's homeless status may verify a person's status as homeless for purposes of this subclause.

(ii) For purposes of calculating a density bonus granted pursuant to this subparagraph, the term “unit” as used in this section means one rental bed and its pro rata share of associated common area facilities. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years.

(G) One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code. For purposes of this subparagraph, “development” includes a shared housing building development.

(2) For purposes of calculating the amount of the density bonus pursuant to subdivision (f), an applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), (D), (E), (F), or (G) of paragraph (1).

(c) (1) (A) An applicant shall agree to, and the city, county, or city and county shall ensure, the continued affordability of all very low and low-income rental units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

(B) (i) Except as otherwise provided in clause (ii), rents for the lower income density bonus units shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(ii) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), rents for all units in the development, including both base density and density bonus units, shall be as follows:

(I) The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(II) The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee.

(2) (A) An applicant shall agree to ensure, and the city, county, or city and county shall ensure, that a for-sale unit that qualified the applicant for the award of the density bonus meets either of the following conditions:

(i) The unit is initially occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code and is subject to an equity sharing agreement.

(ii) The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code and that includes all of the following:

(I) A repurchase option that requires a subsequent purchaser of the property that desires to resell or convey the property to offer the qualified nonprofit corporation the right to repurchase the property prior to selling or conveying that property to any other purchaser.

(II) An equity sharing agreement.

(III) Affordability restrictions on the sale and conveyance of the property that ensure that the property will be preserved for lower income housing for at least 45 years for owner-occupied housing units and will be sold or resold only to persons or families of very low, low, or moderate income, as defined in Section 50052.5 of the Health and Safety Code.

(B) For purposes of this paragraph, a “qualified nonprofit housing corporation” is a nonprofit housing corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

(C) The local government shall enforce an equity sharing agreement required pursuant to clause (i) or (ii) of subparagraph (A), unless it is in conflict with the requirements of another public funding source or law or may defer to the recapture provisions of the public funding source. The following apply to the equity sharing agreement:

(i) Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller’s proportionate share of appreciation.

(ii) Except as provided in clause (v), the local government shall recapture any initial subsidy, as defined in clause (iii), and its proportionate share of appreciation, as defined in clause (iv), which amount shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.

(iii) For purposes of this subdivision, the local government’s initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

(iv) For purposes of this subdivision, the local government’s proportionate share of appreciation shall be equal to the ratio of the local government’s initial subsidy to the fair market value of the home at the time of initial sale.

(v) If the unit is purchased or developed by a qualified nonprofit housing corporation pursuant to clause (ii) of subparagraph (A) the local government may enter into a contract with the qualified nonprofit housing corporation under which the qualified nonprofit housing corporation would recapture any initial subsidy and its proportionate share of appreciation if the qualified nonprofit housing corporation is required to use 100 percent of the proceeds to promote homeownership for lower income households as defined by Health and Safety Code Section 50079.5 within the jurisdiction of the local government.

(3) (A) An applicant shall be ineligible for a density bonus or any other incentives or concessions under this section if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity’s valid exercise of its police power; or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies:

(i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in subdivision (b).

(ii) Each unit in the development, exclusive of a manager’s unit or units, is affordable to, and occupied by, either a lower or very low income household.

(B) For the purposes of this paragraph, “replace” shall mean either of the following:

(i) If any dwelling units described in subparagraph (A) are occupied on the date of application, the proposed housing development shall provide at least the same number of units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy. If the income category of the household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter

households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. For unoccupied dwelling units described in subparagraph (A) in a development with occupied units, the proposed housing development shall provide units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as the last household in occupancy. If the income category of the last household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(ii) If all dwelling units described in subparagraph (A) have been vacated or demolished within the five-year period preceding the application, the proposed housing development shall provide at least the same number of units of equivalent size as existed at the highpoint of those units in the five-year period preceding the application to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those persons and families in occupancy at that time, if known. If the incomes of the persons and families in occupancy at the highpoint is not known, it shall be rebuttably presumed that low-income and very low income renter households occupied these units in the same proportion of low-income and very low income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(C) Notwithstanding subparagraph (B), for any dwelling unit described in subparagraph (A) that is or was, within the five-year period preceding the application, subject to a form of rent or price control through a local government's valid exercise of its police power and that is or was occupied by persons or families above lower income, the city, county, or city and county may do either of the following:

(i) Require that the replacement units be made available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(ii) Require that the units be replaced in compliance with the jurisdiction's rent or price control ordinance, provided that each unit described in subparagraph (A) is replaced. Unless otherwise required by the jurisdiction's rent or price control ordinance, these units shall not be subject to a recorded affordability restriction.

(D) For purposes of this paragraph, "equivalent size" means that the replacement units contain at least the same total number of bedrooms as the units being replaced.

(E) Subparagraph (A) does not apply to an applicant seeking a density bonus for a proposed housing development if the applicant's application was submitted to, or processed by, a city, county, or city and county before January 1, 2015.

(d) (1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a development in which the units are for sale.

(B) Two incentives or concessions for projects that include at least 17 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a development in which the units are for sale.

(C) Three incentives or concessions for projects that include at least 24 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a development in which the units are for sale.

(D) Four incentives or concessions for a project meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.

(E) One incentive or concession for projects that include at least 20 percent of the total units for lower income students in a student housing development.

(3) The applicant may initiate judicial proceedings if the city, county, or city and county refuses to grant a requested density bonus, incentive, or concession. If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This subdivision shall not be interpreted to require a local government to grant an incentive or concession that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require a local government to grant an incentive or concession that would have an adverse impact on any real property that is listed in the California Register of Historical Resources. The city, county, or city and county shall establish procedures for carrying out this section that shall include legislative body approval of the means of compliance with this section.

(4) The city, county, or city and county shall bear the burden of proof for the denial of a requested concession or incentive.

(e) (1) In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and

costs of suit. This subdivision shall not be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law.

(2) A proposal for the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(3) A housing development that receives a waiver from any maximum controls on density pursuant to clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f) shall only be eligible for a waiver or reduction of development standards as provided in subparagraph (D) of paragraph (2) of subdivision (d) and clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f), unless the city, county, or city and county agrees to additional waivers or reductions of development standards.

(f) For the purposes of this chapter, “density bonus” means a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the city, county, or city and county, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b).

(1) For housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35
21	38.75
22	42.5
23	46.25
24	50

(2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

(3) (A) For housing developments meeting the criteria of subparagraph (C) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of senior housing units.

(B) For housing developments meeting the criteria of subparagraph (E) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of the type of units giving rise to a density bonus under that subparagraph.

(C) For housing developments meeting the criteria of subparagraph (F) of paragraph (1) of subdivision (b), the density bonus shall be 35 percent of the student housing units.

(D) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), the following shall apply:

(i) Except as otherwise provided in clauses (ii) and (iii), the density bonus shall be 80 percent of the number of units for lower income households.

(ii) If the housing development is located within one-half mile of a major transit stop, the city, county, or city and county shall not impose any maximum controls on density.

(iii) If the housing development is located in a very low vehicle travel area within a designated county, the city, county, or city and county shall not impose any maximum controls on density.

(4) For housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Moderate-Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9

15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35
41	38.75
42	42.5
43	46.25
44	50

(5) All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

(g) (1) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county in accordance with this subdivision, the applicant shall be entitled to a 15-percent increase above the

otherwise maximum allowable residential density for the entire development, as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

(2) This increase shall be in addition to any increase in density mandated by subdivision (b), up to a maximum combined mandated density increase of 35 percent if an applicant seeks an increase pursuant to both this subdivision and subdivision (b). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:

(A) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

(B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.

(C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned with appropriate development standards for development at the

density described in paragraph (3) of subdivision (c) of Section 65583.2, and is or will be served by adequate public facilities and infrastructure.

(D) The transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the local government may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the local government before the time of transfer.

(E) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with paragraphs (1) and (2) of subdivision (c), which shall be recorded on the property at the time of the transfer.

(F) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.

(G) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.

(H) A proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.

(h) (1) When an applicant proposes to construct a housing development that conforms to the requirements of subdivision (b) and includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the project, the city, county, or city and county shall grant either of the following:

(A) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility.

(B) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.

(2) The city, county, or city and county shall require, as a condition of approving the housing development, that the following occur:

(A) The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).

(B) Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).

(3) Notwithstanding any requirement of this subdivision, a city, county, or city and county shall not be required to provide a density bonus or concession for a childcare facility if it finds, based upon substantial evidence, that the community has adequate childcare facilities.

(4) "Childcare facility," as used in this section, means a child daycare facility other than a family daycare home, including, but not limited to, infant centers, preschools, extended daycare facilities, and schoolage childcare centers.

(i) "Housing development," as used in this section, means a development project for five or more residential units, including mixed-use developments. For the purposes of this section, "housing development" also includes a subdivision or common interest development, as defined in Section 4100 of the Civil Code, approved by a city, county, or city and county and consists of residential

units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

(j) (1) The granting of a concession or incentive shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval. For purposes of this subdivision, “study” does not include reasonable documentation to establish eligibility for the concession or incentive or to demonstrate that the incentive or concession meets the definition set forth in subdivision (k). This provision is declaratory of existing law.

(2) Except as provided in subdivisions (d) and (e), the granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.

(k) For the purposes of this chapter, concession or incentive means any of the following:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(2) Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(l) Subdivision (k) does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(m) This section does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which the applicant is entitled under this section shall be permitted in a manner that is consistent with this section and Division 20 (commencing with Section 30000) of the Public Resources Code.

(n) If permitted by local ordinance, nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.

(o) For purposes of this section, the following definitions shall apply:

(1) “Designated county” includes the Counties of Alameda, Contra Costa, Los Angeles, Marin, Napa, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Solano, Sonoma, and Ventura.

(2) “Development standard” includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, a minimum lot area per unit requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

(3) “Located within one-half mile of a major transit stop” means that any point on a proposed development, for which an applicant seeks a density bonus, other incentives or concessions, waivers or reductions of development standards, or a vehicular parking ratio pursuant to this section, is within one-half mile of any point on the property on which a major transit stop is located, including any parking lot owned by the transit authority or other local agency operating the major transit stop.

(4) “Lower income student” means a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in paragraph (1) of subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student to occupy a unit for lower income students under this section shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.

(5) “Major transit stop” has the same meaning as defined in subdivision (b) of Section 21155 of the Public Resources Code.

(6) “Maximum allowable residential density” or “base density” means the maximum number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the maximum number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:

(A) Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.

(B) Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.

(7) (A) (i) “Shared housing building” means a residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(ii) A “shared housing building” may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.

(B) “Shared housing unit” means one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of “guestroom” in Section R202 of the California Residential Code. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(8) (A) “Total units” or “total dwelling units” means a calculation of the number of units that:

(i) Excludes a unit added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.

(ii) Includes a unit designated to satisfy an inclusionary zoning requirement of a city, county, or city and county.

(B) For purposes of calculating a density bonus granted pursuant to this section for a shared housing building, “unit” means one shared housing unit and its pro rata share of associated common area facilities.

(9) “Very low vehicle travel area” means an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita. For purposes of this paragraph, “area” may include a travel analysis zone, hexagon, or grid. For the purposes of determining “regional vehicle miles traveled per capita” pursuant to this paragraph, a “region” is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan planning organization, or the entirety of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.

(p) (1) Except as provided in paragraphs (2), (3), and (4), upon the request of the developer, a city, county, or city and county shall not require a vehicular parking ratio, inclusive of parking for persons with a disability and guests, of a development meeting the criteria of subdivisions (b) and (c), that exceeds the following ratios:

(A) Zero to one bedroom: one onsite parking space.

(B) Two to three bedrooms: one and one-half onsite parking spaces.

(C) Four and more bedrooms: two and one-half parking spaces.

(2) (A) Notwithstanding paragraph (1), if a development includes at least 20 percent low-income units for housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b) or at least 11 percent very low income units for housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per unit. Notwithstanding paragraph (1), if a development includes at least 40 percent moderate-income units for housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, and the residents of the development have unobstructed access to the major transit stop from the development then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per bedroom.

(B) For purposes of this subdivision, “unobstructed access to the major transit stop” means a resident is able to access the major transit stop without encountering natural or constructed impediments. For purposes of this subparagraph, “natural or constructed impediments” includes, but is not limited to, freeways, rivers, mountains, and bodies of water, but does not include residential structures, shopping centers, parking lots, or rails used for transit.

(3) Notwithstanding paragraph (1), if a development meets the criteria of subparagraph (G) of paragraph (1) of subdivision (b), then, upon the request of the developer, a city, county, or city and county shall not impose vehicular parking standards if the development meets any of the following criteria:

(A) The development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development.

(B) The development is a for-rent housing development for individuals who are 55 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code and the development has either paratransit service or unobstructed access, within

one-half mile, to fixed bus route service that operates at least eight times per day.

(C) The development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

(4) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking.

(5) This subdivision shall apply to a development that meets the requirements of subdivisions (b) and (c), but only at the request of the applicant. An applicant may request parking incentives or concessions beyond those provided in this subdivision pursuant to subdivision (d).

(6) This subdivision does not preclude a city, county, or city and county from reducing or eliminating a parking requirement for development projects of any type in any location.

(7) Notwithstanding paragraphs (2) and (3), if a city, county, city and county, or an independent consultant has conducted an areawide or jurisdictionwide parking study in the last seven years, then the city, county, or city and county may impose a higher vehicular parking ratio not to exceed the ratio described in paragraph (1), based upon substantial evidence found in the parking study, that includes, but is not limited to, an analysis of parking availability, differing levels of transit access, walkability access to transit services, the potential for shared parking, the effect of parking requirements on the cost of market-rate and subsidized developments, and the lower rates of car ownership for low-income and very low income individuals, including seniors and special needs individuals. The city, county, or city and county shall pay the costs of any new study. The city, county, or city and county shall make findings, based on a parking study completed in conformity with this paragraph, supporting the need for the higher parking ratio.

(8) A request pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(q) Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number. The Legislature finds and declares that this provision is declaratory of existing law.

(r) This chapter shall be interpreted liberally in favor of producing the maximum number of total housing units.

(s) Notwithstanding any other law, if a city, including a charter city, county, or city and county has adopted an ordinance or a housing program, or both an ordinance and a housing program, that incentivizes the development of affordable housing that allows for density bonuses that exceed the density bonuses required by the version of this section effective through December 31, 2020, that city, county, or city and county is not required to amend or otherwise update its ordinance or corresponding affordable housing incentive program to comply with the amendments made to this section by the act adding this subdivision, and is exempt from complying with the incentive and concession calculation amendments made to this section by the act adding this subdivision as set forth in subdivision (d), particularly subparagraphs (B) and (C) of paragraph (2) of that subdivision, and the amendments made to the density tables under subdivision (f).

(t) When an applicant proposes to construct a housing development that conforms to the requirements of subparagraph (A) or (B) of paragraph (1) of subdivision (b) that is a shared housing building, the city, county, or city and county shall not require any minimum unit size requirements or minimum bedroom requirements that are in conflict with paragraph (7) of subdivision (o).

(u) (1) The Legislature finds and declares that the intent behind the Density Bonus Law is to allow public entities to reduce or even eliminate subsidies for a particular project by allowing a developer to include more total units in a project than would otherwise be allowed by the local zoning ordinance in exchange for affordable units. It further reaffirms that the intent is to cover at least some of the financing gap of affordable housing with regulatory incentives, rather than additional public subsidy.

(2) It is therefore the intent of the Legislature to make modifications to the Density Bonus Law by the act adding this subdivision to further incentivize the construction of very low, low-, and moderate-income housing units. It is further the intent of the Legislature in making these modifications to the Density Bonus Law to ensure that any additional benefits conferred upon a developer are balanced with the receipt of a public benefit in the form of adequate levels of affordable housing. The Legislature further intends that these modifications will ensure that the Density Bonus Law creates incentives for the construction of more housing across all areas of the state.

(Amended by Stats. 2022, Ch. 653, Sec. 1.5. (AB 2334) Effective January 1, 2023.)

**City Clerk's Office**

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Public Hearing Notice

NOTICE IS HEREBY GIVEN that the City of Seaside Planning Commission will conduct the following public hearing on **Wednesday, January 10, 2024 at 6:00 PM** (or as soon thereafter as the Agenda permits) in the City of Seaside City Council Chambers located at **440 Harcourt Avenue**. Members of the public may watch the live stream meetings at <https://bit.ly/SeasideYouTube>.

ARCHITECTURAL REVIEW APPLICATION AR-23-16, CHARLIE HAZELBAKER OF KB BAKEWELL, APPLICANT, AND GREATER VICTORY TEMPLE CHURCH, OWNER, REQUEST ARCHITECTURAL REVIEW APPROVAL FOR A NEW THREE-STORY, 21-UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT LOCATED AT 1620 BROADWAY AVENUE (APN: 012-631-003) ON THE GREATER VICTORY TEMPLE CHURCH SITE IN THE HIGH-DENSITY RESIDENTIAL (RH) ZONING DISTRICT. THIS PROJECT IS EXEMPT CLASS 32 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15332.

Renderings showing the proposed building as viewed from Yosemite Street and a nearby walkway at Villa Del Monte may be found on the reverse of this Notice. Additional images and project plans may be found at the following website:

<https://www.ci.seaside.ca.us/809/Seaside-Apartments-1620-Broadway-Ave>

If you have difficulty accessing the images on the website, or if you have questions regarding the project, please contact the City of Seaside Planning Division at (831) 899-6728 or via email at planning@ci.seaside.ca.us.

NOTICE IS FURTHER GIVEN that members of the public may participate before the meeting by submitting comment(s) to cityclerk@ci.seaside.ca.us. All comments received up to 5:00 pm on the meeting date will be provided to the Commission prior to the meeting. In the subject line of a public comment email, please specify the meeting body and date and indicate the relevant agenda item number (or "general") to help staff easily receive and organize public comments. Visit <http://www.ci.seaside.ca.us> for a full copy of the Agenda and Staff Report detailing all project locations and information about the public hearing.

/S/ Dominique L. Davis, City Clerk, City of Seaside

View from Yosemite Street



View from Villa Del Monte

