



A G E N D A
CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
440 HARCOURT AVE (COUNCIL CHAMBER)
Wednesday, May 13, 2026
6:00 PM

Virtual Participation Guide: <https://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>
<https://us02web.zoom.us/j/81555467580> | WEBINAR ID 815 5546 7580 | (669) 900-9128

1. CALL TO ORDER

2. ROLL CALL - PLANNING COMMISSION

William Silva	Chair
Dave Evans	Vice Chair
Keith Dodson	Commissioner
Arlington La Mica	Commissioner
Gonzalo Quintero Alcaraz	Commissioner
Robert Ward	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

6. BUSINESS ITEMS

- A. USE PERMIT APPLICATION UP-2026-005. HEATHER AND MATTHEW O'HARA, PROPERTY OWNERS, AND MATTHEW O'HARA, PROJECT APPLICANT, REQUEST USE PERMIT APPROVAL FOR A REAR YARD DECK PROJECTION AT 1265 MESCAL STREET (APN 012-682-007) IN THE SINGLE-FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(e) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**
- B. ZONING ORDINANCE AMENDMENT ZOA-2026-002. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO AMEND SECTION 17.52.230 OF THE SEASIDE MUNICIPAL CODE TO CREATE CONSISTENCY BETWEEN THE MUNICIPAL CODE AND**

CALIFORNIA LAW REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS. THIS ACTION CONSISTS OF A RECOMMENDATION ONLY AND IS THEREFORE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

- C. **ZONING ORDINANCE AMENDMENT ZOA-2026-003. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO AMEND THE SEASIDE MUNICIPAL CODE TO ALLOW ELECTRONIC MESSAGE DISPLAY SIGNS FOR PLACES OF WORSHIP AND PUBLIC AND PRIVATE MEETING FACILITIES ON LOCAL RESIDENTIAL STREETS. THIS ACTION CONSISTS OF A RECOMMENDATION ONLY AND IS THEREFORE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

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:

May 27, 2026

6:00 p.m.

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

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

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



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.A.

TO: Planning Commission

BY: Mitchell Wexler, Assistant Planner

DATE: May 13, 2026

SUBJECT: USE PERMIT APPLICATION UP-2026-005. HEATHER AND MATTHEW O'HARA, PROPERTY OWNERS, AND MATTHEW O'HARA, PROJECT APPLICANT, REQUEST USE PERMIT APPROVAL FOR A REAR YARD DECK PROJECTION AT 1265 MESCAL STREET (APN 012-682-007) IN THE SINGLE-FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(e) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION

Staff recommends the Commission approve Use Permit No. UP-2026-005 subject to the Conditions of Approval.

BACKGROUND

The project site is located at 1265 Mescal Street, a single-family residential (RS-8) zoned parcel with an existing single-family dwelling approximately 1,787.94 square feet (SF) in size and a 231.72 square foot (SF), nonconforming rear yard deck. The existing rear-yard deck projects into the rear setback by a distance of 7'-7/16". All surrounding properties share the same zoning as this parcel.

PROJECT DESCRIPTION

The project proposes the addition of a new, uncovered deck proposed to project five feet into the rear setback for a total deck area of 722.8 SF. The proposed deck is attached to, and will expand, the original deck alongside the rear yard, around the southern corner of the house, and alongside the southern side yard of the property.

With the exception of the five-foot projection into the rear setback, the proposal is compliant with all other development regulations, including the 5' side yard setback.

PROJECTION ANALYSIS

In accordance with SMC 17.30.100.E Table 3-5 *Allowed Architectural Projections Into Setbacks*, footnote 3, *Projections of more than three feet into the front or rear setback are subject to Use Permit approval by the Planning Commission, [in] compliance with Section 17.62.070 (Use Permit or Minor Use Permit).*

The deck addition is proposed to project five feet into the required 15-foot rear setback. This five-foot projection is proposed for the full length of the rear-facing portion of the proposed deck and the existing nonconforming deck’s projection will be reduced from 7’ - 7/16” to 5’. Table 3-5 allows for up to a six-foot projection, but only five is proposed for a 10’ observed rear setback.

CEQA FINDING

1. The project is Categorically Exempt, Class 3, from the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) of the CEQA Guidelines, which consists of projects characterized as new construction or conversion of small structures.

Evidence: The project is limited in scope to the construction of a new attached deck constructed along the rear of the existing single-family dwelling. Under subsection (e) of Section 15303, this project is exempted from CEQA.

FINDINGS

SMC 17.62.070.E *Findings and decisions* requires the review authority make the following findings prior to approving a Use Permit.

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

Evidence: The proposed deck addition is a permitted use in the RS-8 zone and, other than the projection, the proposal complies with the regulations of SMC 17.12.050, Table 2-3 Residential Zone Development Standards. With the approval of UP-2026-005, the deck projection into the rear yard will be consistent with the Zoning Code.

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

Evidence: The proposed use is consistent with the Land Use Design Goal No. 11, associated with creating compatible scales, relative to neighborhood and existing architecture. The proposed deck would have a similar design to the wraparound deck design of the neighboring property to the north. With the approval of UP-2026-005, the

deck projection into the rear yard will be consistent with the intent of the General Plan and Zoning Code.

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

Evidence: Multiple existing dwellings surrounding the property at 1265 Mescal Street include rear yard decks. The design, location, size, and operating characteristics of the proposed deck are compatible with the existing and planned future residential land uses and accessory structures in the vicinity.

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

Evidence: The 7,000 square foot (SF) parcel is physically suitable for the proposed deck addition, which will observe a 10' rear setback and 5' side setback.

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

Evidence: Allowing for a deck projection into the rear setback, within the limits provided by the code with an approved Use Permit, would not affect the neighbors or the neighborhood, as the deck is an accessory use to the existing dwelling on the property.

ATTACHMENTS

1. Attachment 1: Resolution
 2. Exhibit A to Attachment 1: Project Plans
-

**PLANNING COMMISSION
RESOLUTION NO. 26-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING USE PERMIT APPLICATION NO. UP-2026-005 FOR A REAR YARD DECK PROJECTION AT 1265 MESCAL STREET (APN: 012-682-007) IN THE SINGLE-FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT

WHEREAS, Matthew and Heather O’Hara, Property Owners, and Matthew O’Hara, Applicant, applied for Use Permit application No. UP-2026-005; 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 Use Permit application No. UP-2026-005 at a duly noticed public hearing that the Planning Commission held on May 13, 2026.

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

1. The project is Categorically Exempt, Class 3, from the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) of the CEQA Guidelines, which consists of projects characterized as new construction or conversion of small structures.
Evidence: The project is limited in scope to the construction of a new attached deck constructed along the rear of the existing single-family dwelling. Under subsection (e) of Section 15303, this project is exempted from CEQA.

BE IT FURTHER RESOLVED, that the Planning Commission adopts the following findings for Use Permit application No. UP-2026-005:

2. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.
Evidence: The proposed deck addition is a permitted use in the RS-8 zone and other than the projection, the proposal complies with the regulations of SMC 17.12.050, Table 2-3 Residential Zone Development Standards. With the approval of UP-2026-005, the deck projection into the rear yard will be consistent with the Zoning Code.

3. The proposed use is consistent with the General Plan and any applicable specific plan.
Evidence: The proposed use is consistent with the Land Use Design Goal No. 11, associated with creating compatible scales, relative to neighborhood and existing architecture. The proposed deck would have a similar design with the wraparound deck design of the neighboring property to the north. With the approval of UP-2026-005, the deck projection into the rear yard will be consistent with the intent of the General Plan and Zoning Code.

4. The design, location, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.
Evidence: Multiple existing dwellings surrounding the property at 1265 Mescal Street include rear yard decks. The design, location, size, and operating characteristics of the proposed deck are compatible with the existing and planned future residential land uses and accessory structures in the vicinity.

5. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
Evidence: The 7,000 square foot (SF) parcel is physically suitable for the proposed deck addition, which will observe a 10' rear setback and 5' side setback.

6. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.
Evidence: Allowing for a deck projection into the rear setback, within the limits provided by the code with an approved Use Permit, would not affect the neighbors or the neighborhood, as the deck is an accessory use to the existing dwelling on the property.

BE IT FURTHER RESOLVED, the Planning Commission approves Use Permit application No. UP-2026-005 subject to the following Conditions of Approval:

Planning:

1. 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.

Building:

2. 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:

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

Standard:

4. Except as modified by the conditions of approval, plans submitted for Building Permits must be in compliance with Exhibit A: Project Plans.
5. 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.
6. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner prior to the issuance of any building permit or establishment of any use authorized by the permit.
7. This approval shall become null and void unless a Building Permit application is submitted or authorized use is established within twelve (12) months of May 20, 2026 in accordance with Seaside municipal Code Section 17.64.080.A. Time extensions may be granted by the original review authority if a written request and associated fee are received by the Community Development Department at least 30 days prior to the expiration in accordance with Seaside Municipal Code section 17.64.080.B. This approval shall also become null and void if the implementing Building Permit application expires.

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

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Seaside, State of California, on the 13th day of May 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Will Silva, Chairperson

ATTEST:

Andrew Myrick, Secretary

Exhibits:

Exhibit A to Attachment 1: Project Plans

**USE PERMIT APPLICATION No. UP-2026-005
RESOLUTION No. 26-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).

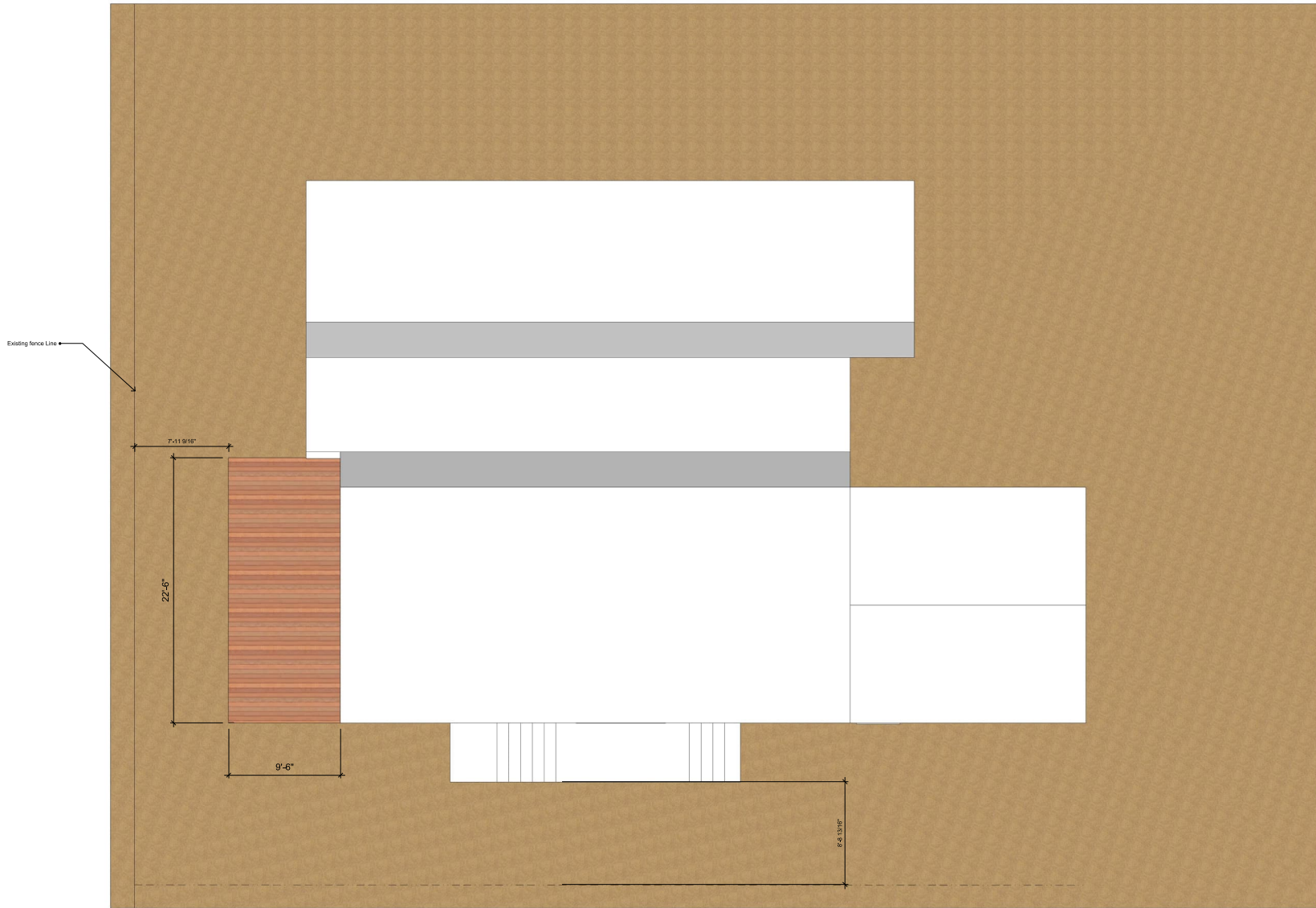
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

Date

Applicant's Signature

Date



Existing Deck
 1/8" = 1'-0"



Crabbe Construction and Design
 1107 Lincoln Ave
 Pacific Grove, CA 93950

Heather O'Hara
 1265 Mesquite St
 Seaside, CA 93955

ISSUE
 8/6/26

RE-ISSUE
 MKLDD.1Y

PROJECT NO.
 245.170

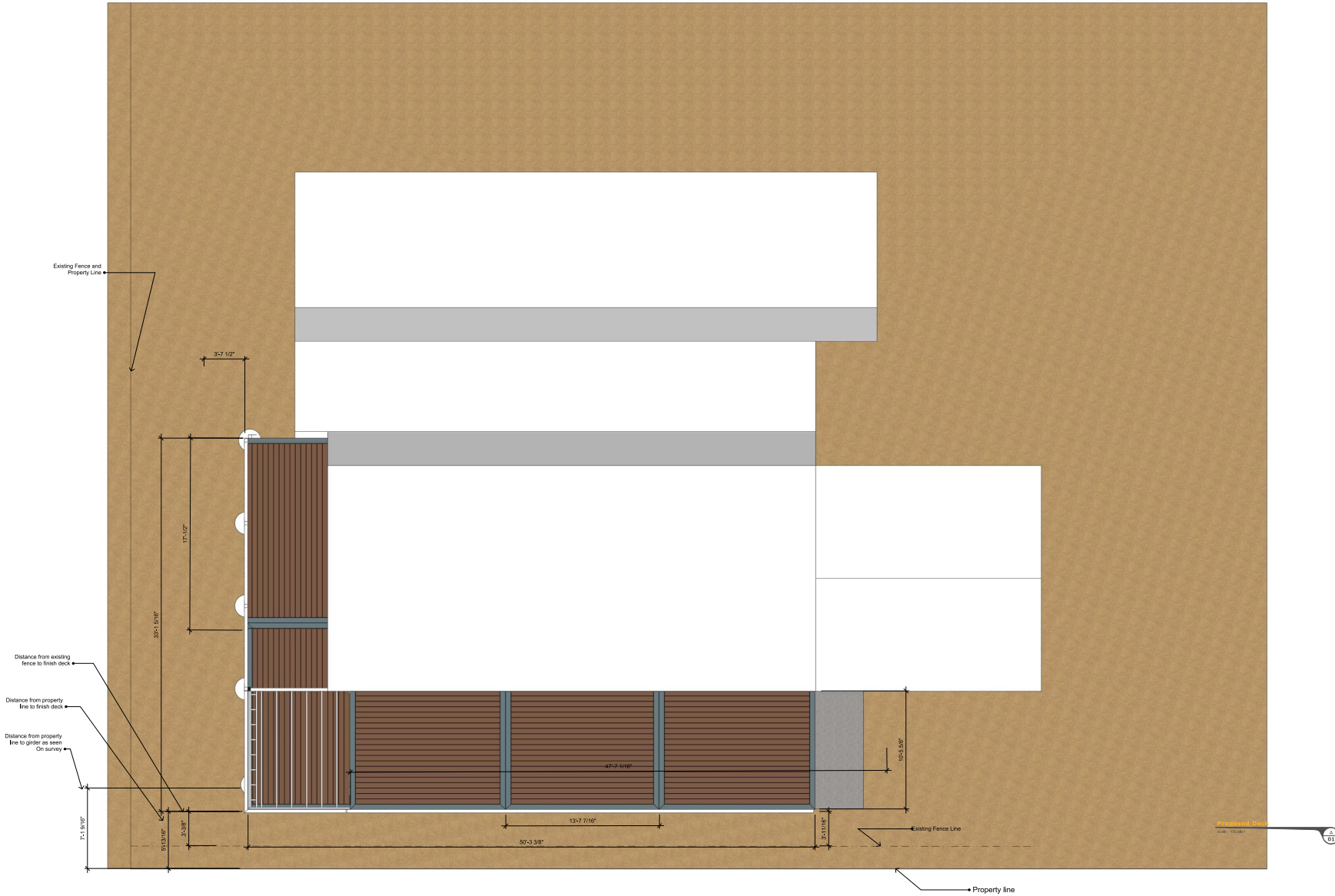
PROJECT
 Mesquite Deck

DRAWN BY
 Phillip Crabbe

DESCRIPTION
 Sheet Description

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01



Crabbe Construction and Design
 1107 Lincoln Ave
 Pacific Grove, CA 93950

Heather O'Hara
 1265 Mescal St
 Seaside, CA 93955

ISSUE
 8/6/26

RE-ISSUE
 MKLDD.11

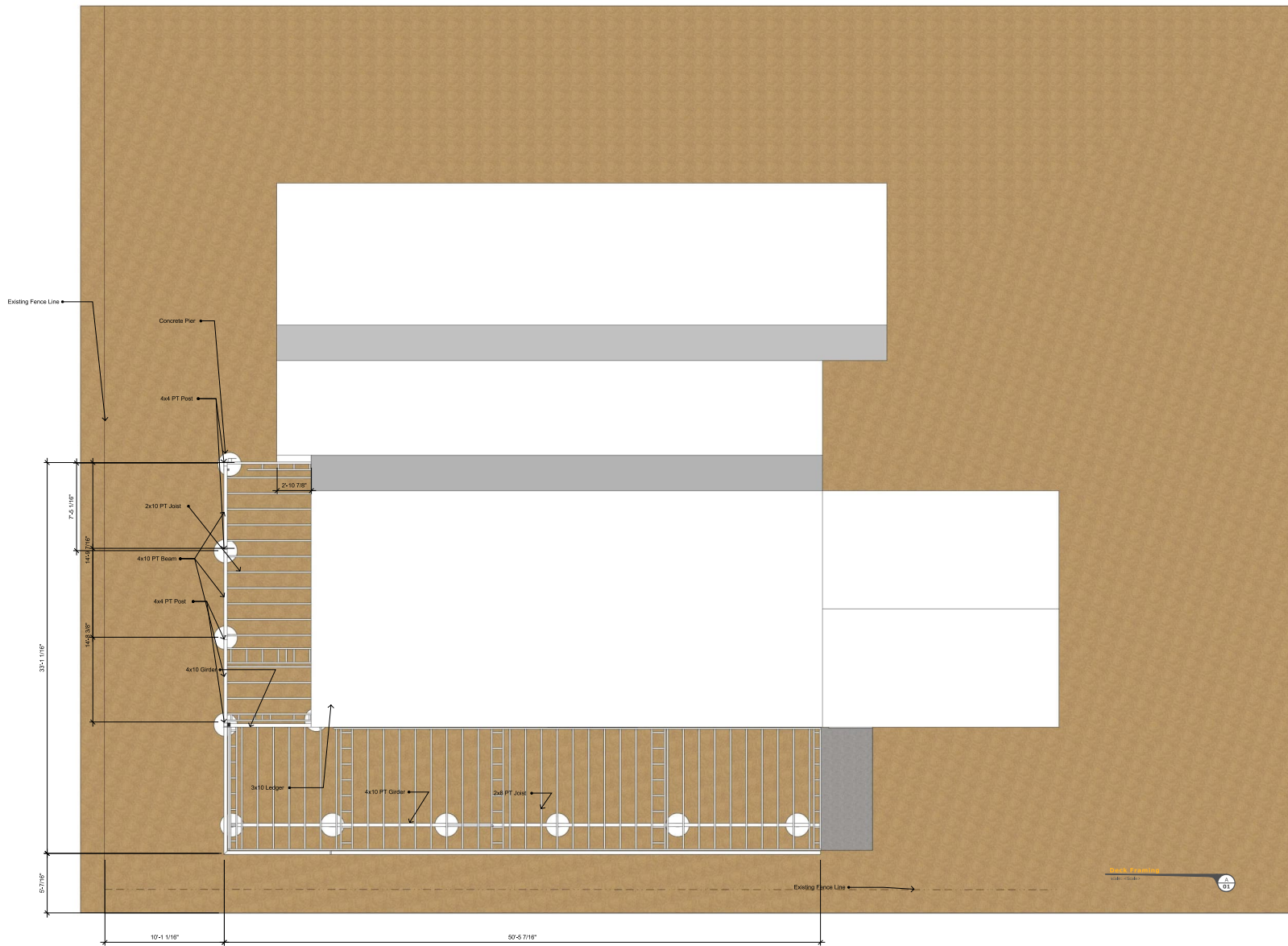
PROJECT NO.
 245.170

PROJECT
 Mescal Deck

DRAWN BY
 Phillip Crabbe

DESCRIPTION
 Sheet Description

a
 02



Crabbe Construction and Design
 1107 Lincoln Ave
 Pacific Grove, CA 93950

Heather O'Hara
 1265 Mesal St
 Seaside, CA 93955

ISSUE
 8/6/26

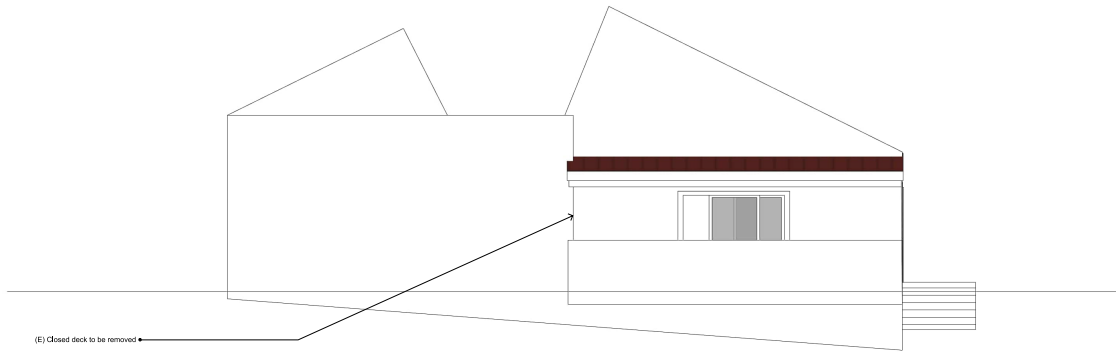
RE-ISSUE
 MKLDD.17

PROJECT NO.
 245.170

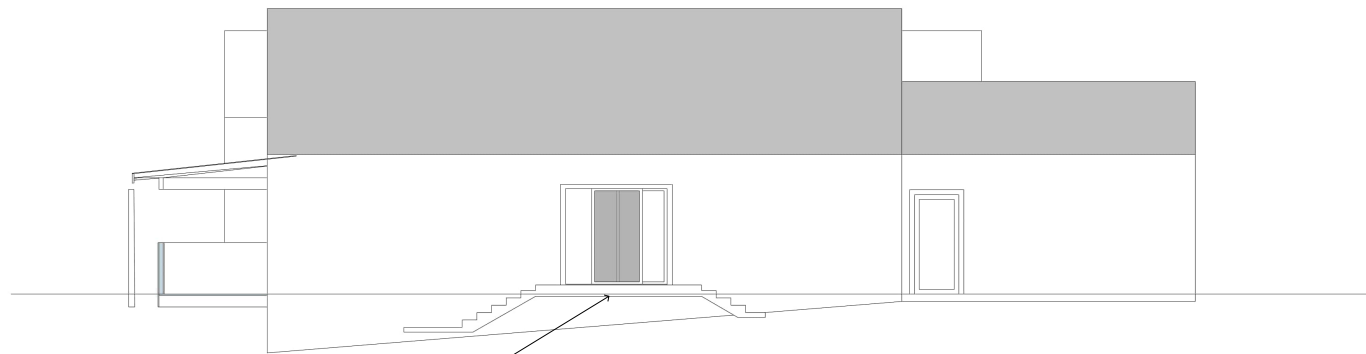
PROJECT
 Mesal Deck

DRAWN BY
 Phillip Crabbe

DESCRIPTION
 Sheet Description



Existing East Elevation
Scale: 1/8"=1'-0"



Existing North Elevation
Scale: 1/8"=1'-0"



Crabbe Construction and Design
11107 Lincoln Ave.
Pacific Grove, CA 93950

Heather O' Hara
1265 Mesal St.
Seaside, CA 93955

ISSUE
8/6/26

RE-ISSUE
MIRLDD.11

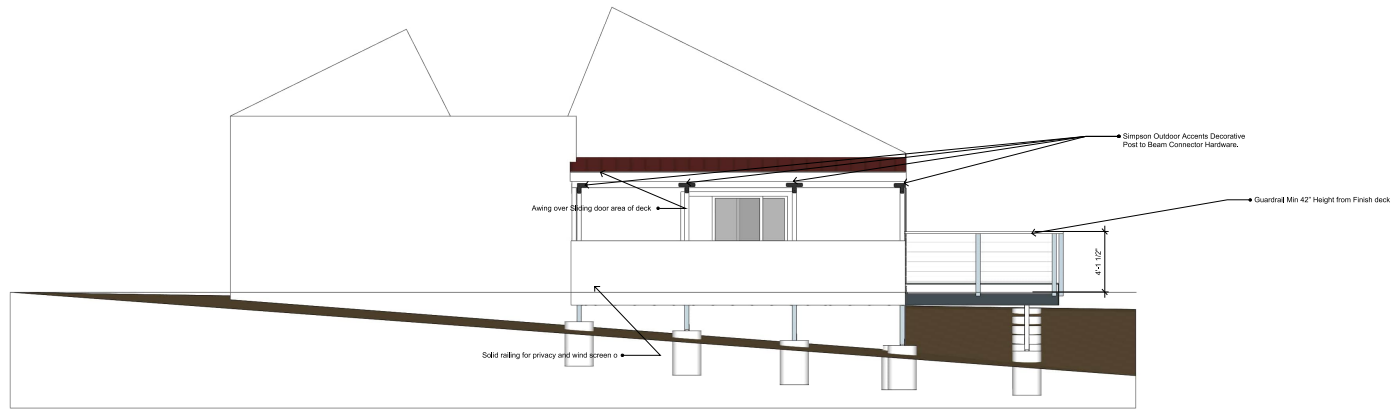
PROJECT NO.
245.170

PROJECT
Mesal Deck

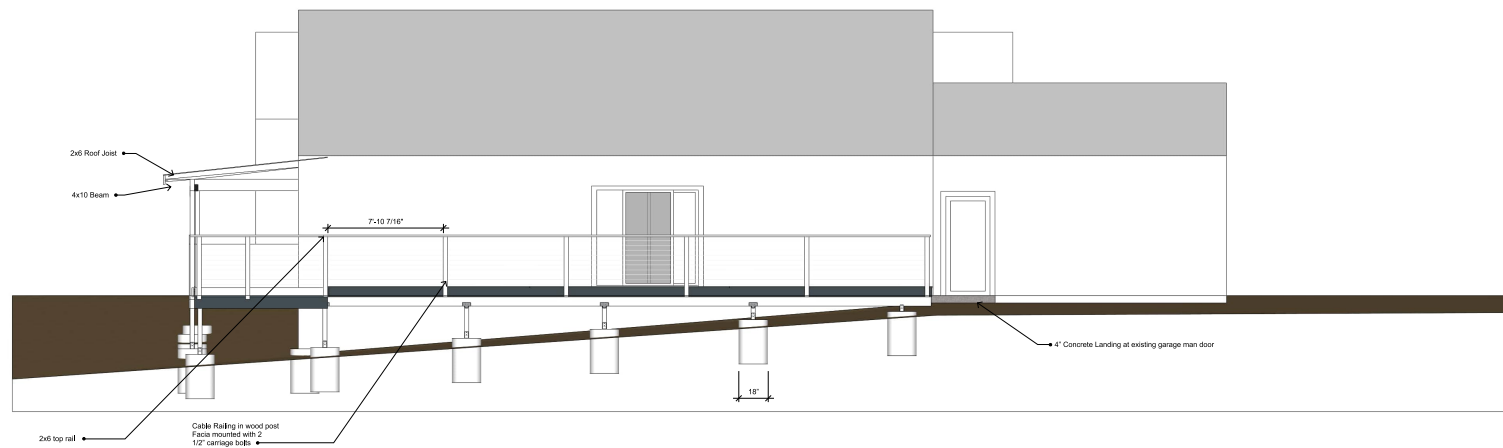
DRAWN BY
Philip Crabbe

DESCRIPTION
Sheet Description

a
04



Proposed East Elevation
Scale: 1/8" = 1'-0"



Proposed North Elevation
Scale: 1/8" = 1'-0"

Crabbe Construction and Design
1107 Lincoln Ave.
Pacific Grove, CA 93950

Heather O' Hara
1265 Mesal St.
Seaside, CA 93955

ISSUE
8/6/26
RE-ISSUE
MRLDD.17

PROJECT NO.
245.170
PROJECT
Mesal Deck

DRAWN BY
Phillip Crabbe
DESCRIPTION
Sheet Description

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05



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.B.

TO: Planning Commission

BY: Andrew Myrick, Housing & Planning Manager

DATE: May 13, 2026

SUBJECT: **ZONING ORDINANCE AMENDMENT ZOA-2026-002. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO AMEND SECTION 17.52.230 OF THE SEASIDE MUNICIPAL CODE TO CREATE CONSISTENCY BETWEEN THE MUNICIPAL CODE AND CALIFORNIA LAW REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS. THIS ACTION CONSISTS OF A RECOMMENDATION ONLY AND IS THEREFORE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

RECOMMENDATION

Adopt the attached Resolution recommending that the City Council approve the proposed Zoning Ordinance Amendment.

BACKGROUND

Over the past several years, the State of California has passed a series of laws pertaining to the construction of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). These laws provide the rules and regulations under which ADUs and JADUs are processed and constructed. These laws are generally updated on an annual basis, taking effect in January of each year.

When reviewing applications for ADUs, staff takes the most recent California rules into consideration. However, staff does periodically update the Zoning Ordinance to

maintain consistency with California rules. The rules were last updated in March 2023 to incorporate changes made to California law through 2022 into the Zoning Ordinance. The proposed Ordinance would incorporate additional changes made in 2023 through 2025. These include the following significant changes:

- Define that the size of ADUs and JADUs will be based upon the interior living space (ie excluding the exterior walls).
- Clarify that an ADU may not be denied based on an existing nonconforming zoning condition.
- Allow for different types of exempt ADUs to be constructed on the same parcel.
- Allow for a maximum of eight detached ADUs at the site of an existing multi-family dwelling.
- Provide that uncovered parking stalls that are removed to accommodate an ADU do not need to be replaced.
- Provide language relating to Deed Restrictions for JADUs
- Provide updated material regarding timelines for the processing of applications for ADUs and JADUs.
- Establish a new appeal process for determinations of application incompleteness or application denial through the Planning Commission.

Additional material includes minor updates to requirements, language, and references (to adjust for a renumbering of ADU regulations within the California Government Code).

Staff is already processing applications with these provisions in place. However, the adoption of this Ordinance would bring the Municipal Code into compliance with California Law.

Following adoption of the Ordinance, staff will provide a copy of the Ordinance to the California Department of Housing and Community Development (HCD) as required by law.

FISCAL IMPACT

There is no fiscal impact associated with this Item.

ATTACHMENTS

1. ZOA 26-02 ADU PC Resolution
-
-

RESOLUTION NO. 26-__ PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE
RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO
AMEND SECTION 17.52.230 OF THE SEASIDE MUNICIPAL CODE TO CREATE
CONSISTENCY BETWEEN THE MUNICIPAL CODE AND CALIFORNIA LAW
REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY
DWELLING UNITS.**

WHEREAS, on March 2, 2023, the City Council passed and adopted Ordinance No. 2023 to set forth requirements for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) within the City of Seaside; and

WHEREAS, the State of California has continued to pass legislation imposing requirements on local governments regarding the processing and evaluation of applications for ADUs and JADUs; and

WHEREAS, due to these changes in State law regarding ADUs and JADUs, Section 17.52.230 of the Seaside Municipal Code (SMC) relating to ADUs and JADUs must be updated; and

WHEREAS, the proposed Zoning Ordinance Amendment consists of a recommendation only and therefore is not subject to the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, BE IT RESOLVED, THAT THE PLANNING COMMISSION
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:**

1. The Planning Commission finds that: a) the facts set forth in the recitals in this Resolution are true and correct and incorporated by reference; b) the recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the action taken in this Resolution; c) the provisions in this Resolution and the proposed permanent Ordinance (Section 17.52.230) are consistent with the General Plan, Seaside Municipal Code and applicable federal and state law; and d) neither this Resolution nor the Ordinance and associated fee schedule amendments will be detrimental to the public interest, health, safety, convenience or welfare.
2. The Planning Commission hereby recommends that the City Council adopt an Ordinance amending Section 17.52.230 as described in the attached Exhibit "A" and make the findings contained therein.

PASSED AND ADOPTED at a meeting of the Planning Commission of the City of Seaside, State of California, on the 13th day of May, 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Will Silva, Chairperson

ATTEST:

Andrew Myrick, Secretary

Attach:

Exhibit "A" – Zoning Ordinance Amendment Text

Exhibit "A"

Zoning Ordinance Amendment Text

17.52.230 Accessory Dwelling Units

Sections:

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

A. Purpose and intent. The purpose of this Chapter is to allow and regulate ~~A~~accessory ~~D~~dwelling ~~u~~Units (ADUs) and ~~J~~junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units (JADUs) in compliance with Chapter 13 of Division 1 of Title 7 of the California Government Code ~~sections 65852.2 and 65852.22~~, as may be amended. These regulations shall be in addition to any requirements imposed by any other applicable law, including, but not limited to, the Seaside Building Code and Seaside Fire Code.

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

"Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit located on a parcel with a proposed or existing primary residence that provides a complete independent living facility containing ~~separate~~ kitchen, bath, sleeping, ~~or and~~ living facilities. The term "attached accessory dwelling unit" means an accessory dwelling unit that is structurally attached to the main residence but which has independent, direct access from the exterior. The term "detached accessory dwelling unit" means an accessory dwelling unit that

is not structurally attached to the main residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17858.1 of the California Health and Safety Code, as may be amended; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code, as may be amended.

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

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

1. A cooking facility with appliances. Appliances shall mean a range cooktop with a minimum of two burners, or the combination of an oven and cooktop with a minimum of two burners;
2. A sink that facilitates hot and cold water;
3. A food preparation counter or counters that are adequate for the size of the unit;
4. Food storage cabinets adequate for the size of the unit.

"Junior ~~a~~ Accessory d D welling u Unit" or "JADU" means a residential unit that:

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

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

"Livable space" means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

"Multifamily ADU" means either:

1. ADUs established within the portions of multifamily structures previously used as livable space, not exceeding 25 percent of the existing multifamily structures; or
2. Detached single family ADUs on a lot that has existing multifamily dwellings being subject to height limits and 4-foot rear yard setbacks.

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

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

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

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

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

"Utility ADU" means an ADU no larger than 800 square feet of interior livable space and meeting four-foot required side and rear yard setbacks.

C. Locations Permitted. Accessory dwelling units are permitted on parcels of any size in conjunction with a proposed or existing residential use in any zone that allows residential uses. Unless specifically stated otherwise, nothing in this Section shall be interpreted to render any requirements applicable to the primary dwelling unit(s) on the site inapplicable.

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

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

E. Legal use requirements. ADUs and JADUs shall comply with the following:

- 1. Short-term rental prohibited.** Any rental term of an ADU or JADU that was legally created on or after January 1, 2017 shall be longer than 30 days.
- 2. Sale of units.** The accessory dwelling unit may not be sold separately from the existing ~~single-family home or multifamily~~ dwelling(s) except as provided in California Government Code Section ~~65852.2666341~~.

F. Exempt Projects. The following Exempt Projects shall not be subject to the requirements set forth in Subsections G and H, below, when said projects are located within a residential or

mixed use zoning district; however, these Exempt Projects shall comply with all applicable requirements of the Seaside Building and Fire Codes, including requirements for separation between structures and fire-resistance ratings: Each parcel may make use of any combination of the following:

1. One Accessory Dwelling Unit and one Junior Accessory Dwelling Unit per lot with a proposed or existing Single-Family Dwelling if all of the following apply:
 - a. The Accessory Dwelling Unit or Junior Accessory Dwelling Unit is within the proposed space of a Single-Family Dwelling or is within the existing space of a Single-Family Dwelling or Accessory Structure. If within the space of an existing Accessory Structure, the structure may be expanded a maximum of 150 square feet beyond its existing physical dimensions solely for the purpose of accommodating ingress and egress.
 - b. The ADU or JADU has its own exterior access without need to travel through the existing or proposed Single-Family Dwelling.
 - c. The side and rear yard setbacks are sufficient for fire and safety, as determined by the City Building Official and Fire Chief.
 - d. Any JADU complies with the requirements of California Government Code 65852.22, as such may be amended from time to time.

2. One new construction Detached Accessory Dwelling Unit, ~~which may also include a JADU within the same building,~~ on a lot with an existing or proposed Single-Family Dwelling, if all of the following apply:
 - a. The structure ~~shall be~~ set back a minimum of four feet from the side and rear property lines.
 - b. The total floor area of the structure ~~shall~~ does not exceed 800 square feet of interior livable space.
 - c. The height of the structure shall be limited to no more than the heights specified in Section 17.52.230 ~~(G)(2)~~.

3. Multiple Accessory Dwelling Units within the portions of existing buildings used for Multifamily Dwelling Units that are not used as livable space, including, but not limited

to, storage rooms, boiler rooms, passageways, attics, basements, or garages. Spaces converted in this manner must meet applicable Building Code standards for dwelling units. The number of Accessory Dwelling Units created in this manner shall not exceed 25% of the originally existing Multifamily Dwelling Units, except that at least one Accessory Dwelling Unit shall be allowed.

4. ~~Not more than two~~ Detached Accessory Dwelling Units that are located on a lot that has existing Multifamily Dwelling Units, where the Detached Accessory Dwelling Units have a height that does not exceed the heights specified in Section 17.52.230.G.2 ~~(G)(2)~~ and are set back a minimum of four feet from all side and rear yard property lines. Up to eight ADUs may be constructed, although in no case shall the number of ADUs exceed the number of existing Multifamily Dwelling Units on the lot. In the case of a proposed Multifamily Dwelling Unit project, a maximum of two ADUs are permitted.

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

1. **Maximum Number.** ~~Except as provided in 17.52.230.F, one ADU and/or one JADU shall be allowed on each lot or parcel with a residential zoning designation. Multifamily ADUs shall comply with Government Code Section 65852.2.~~

2. **Height limit.** Accessory Dwelling Units shall comply with the following:

- a. An attached accessory dwelling unit shall not exceed the maximum height specified for the Zoning District in which the ADU is located or 25 feet, whichever is less.
- b. A newly constructed detached ADU shall be limited to one story and shall not exceed a maximum overall height of sixteen feet (16'), except that a detached ADU may be constructed to a height of 18 feet if:
 - 1) The detached ADU is located on a lot with an existing multistory multifamily dwelling unit; or
 - 2) The detached ADU is located within one-half mile of a major transit stop

or a high-quality transit corridor, as defined in Section 21155 of the Public Resources Code, in which case an additional two feet of height is also permitted if necessary to align the roof pitch of the ADU with the roof pitch of the primary dwelling.

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

3. Setbacks. ADUs and JADUs shall comply with the setback standards of the primary dwelling(s) for the applicable zone, except that ~~minimum~~-side and rear setbacks ~~of shall be at least~~ four feet ~~shall be required~~.

a. A detached ADU shall be located behind the rear building line of the primary residence, and be clearly subordinate by location and size. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

b. ~~Existing Garage.~~ No setback beyond that which already exists shall be required for an existing, ~~legal,~~ attached or detached garage and/or other existing structure that is converted to an ADU or JADU, or that is demolished and reconstructed in the same location as an ADU.

4. Maximum unit size.

a. The maximum square footage of an ADU shall not exceed 850 square feet for a studio or one-bedroom unit, and 1000 square feet for units with two or more bedrooms. In no case shall a detached ADU exceed fifty percent of the floor area of the living area of the primary dwelling. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

b. The floor area of a JADU shall not exceed a maximum of 500 square feet, and shall be contained within a proposed or existing single-family dwelling or within

~~an converted attached garage, carport or covered patio.~~

~~b.c. For the purposes of this Section, all references to the area of the unit shall refer to the area of the interior livable space.~~

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

5. Separate entrance required. An attached ADU and/or JADU shall provide a separate exterior access from the existing primary residence. Entry doors cannot be on the same facade as the primary entry/front door of the primary residence and exterior staircases or ramps shall be placed in the area furthest from any property lines if said staircase encroaches into a side or rear yard setback. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

6. Window placement. Windows facing an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping may be required to provide screening. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

7. Addressing. ADUs or JADUs constructed or established on the same parcel or lot as an existing or proposed single-family dwelling shall be distinguished by utilizing the same address numbers as the primary dwelling followed by the letter "B", then "C", and so forth. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

8. Exterior. ADUs or JADUs proposed in Master Planned Communities, areas regulated by Specific Plans, and any tract housing that obtained approval by the Board of Architectural Review shall substantially conform to the originally approved design elements, such as building materials, architectural style, roof pitch, height, scale, and exterior colors and finishes. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

9. Vehicular Door. A garage converted to an accessory dwelling unit shall include removal or exterior concealment of the garage door(s), which shall be replaced or concealed with a wall meeting Building Code requirements and including architectural treatment and features, including if appropriate walls, doors, windows, trim, and accent details, consistent with the primary dwelling. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

10. Lighting Restrictions. Any lighting associated with an ADU or JADU shall be shielded or down-lit and shall not shine onto adjoining properties, while meeting the minimum building code. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this Section.

11. Landscaping. No less than 20 percent of the lot shall be landscaped. All areas of the site that are not utilized for buildings, patios, parking, pedestrian, or vehicular access shall be landscaped and provided with a permanent irrigation system. The front yard shall be landscaped, exclusive of walkways and driveways. As site conditions allow, and concurrent with each newly established ADU or JADU, a minimum of one (1) tree of not less than (5) gallon size stock, shall be planted upon the same parcel or lot as the ADU or JADU. Upon request, the Zoning Administrator shall provide property owners with a pre-approved list of acceptable tree species. The removal or loss of any tree in conjunction with an ADU or JADU shall be replaced with three (3) or more trees of the same species using at least (5) gallon size stock, as determined by the Zoning Administrator, and comply with the requirements of Chapter 8.54.040. All required yards and setback areas shall be attractively landscaped primarily with drought tolerant and native plant materials. This requirement shall not prevent the establishment of a Utility ADU that would otherwise comply with all other provisions of this section.

12. Private Open Space/Patios and Decks. Each ADU or JADU shall have a deck or a patio, directly adjoining individual units. The minimum private open space required for each unit shall be no less than 96 square feet with a minimum width of six feet (6') for a deck/patio and eight feet (8') for landscaped area. This requirement shall not prevent the

establishment of a Utility ADU that would otherwise comply with all other provisions of this section.

H. Off-street parking requirements. At least one off-street paved parking space shall be provided for an ~~accessory dwelling unit~~ADU, and may be located within the required interior side or rear property setback areas, or as tandem parking in compliance with Chapter 17.34 (Off-Street Parking).

1. Notwithstanding the above, no additional parking shall be required if one or more of the following conditions applies to the ADU:
 - a. The ADU is located within one-half mile walking distance of public transit.
 - b. The accessory dwelling unit is located within an architecturally and historically significant historic district within which the parking requirement would be inconsistent.
 - c. The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
 - d. When on-street parking permits are required but have not been offered to the occupant of the accessory dwelling unit.
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.
 - f. When a permit application for an ADU is submitted at the same time as a permit application for a new single-family or multifamily dwelling or dwellings located upon the same lot and the ADU meets any of the criteria specified in this subsection.
2. When a garage, carport, ~~or~~ covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU, or converted to an ADU, those off-street parking spaces are not required to be replaced.
3. A new driveway approach or curb cut for an ADU or JADU, if needed, may require a separate encroachment permit from the City's Engineering Department.

4. Notwithstanding Section 17.34.120 ~~.(A).1).d)~~ of the Seaside Municipal Code, when an existing, ~~legally constructed~~ garage or carport served by an existing driveway is converted to an ADU or JADU, it is unnecessary to remove ~~any-the~~ existing driveway ~~access~~ or curb cut that formerly served said garage or carport, provided that the driveway is a minimum of 20 feet in length.

I. JADU development requirements. JADUs which shall be subject to recordation of a Deed Restriction. Deed Restrictions shall be in a form provided by the City and executed by the applicant prior to a determination of completeness by the City. Deed Restrictions shall be recorded against the property prior to issuance of a Building Permit. The Deed Restriction shall include the following provisions:

1. If the JADU shares the use of a bathroom with the primary dwelling unit, a prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the Deed Restriction may be enforced against future purchasers;

2. A restriction on the size and attributes of the JADU to comply with the size requirements of the Municipal Code and California Law; and

3. If the JADU has shared sanitation facilities and is not owned by another governmental agency, land trust, or housing organization, a notice that owner occupancy shall be required in either the single-family residence or the JADU.

J. Processing. An application for an ADU or JADU may be made by submitting a Building Permit application pursuant to Title 15 of the Municipal Code. The City shall review the application in accordance with the following criteria:

1. The City shall determine whether an application for an ADU or JADU is complete within 15 business days of a submittal. The City shall deem ADU applications complete that include all of the information and materials required in the application submittal checklist, comply with the provisions of the Municipal Code and California Law, and include full payment of applicable review fees. If the application is deemed incomplete, City staff shall provide the applicant with a list of incomplete items and a description of how the application can be made complete. Applicants shall have the opportunity to cure and address the items deemed to be incomplete.

2. Once an application has been deemed complete, the City shall provide an approval or denial of ADU and/or JADU applications within (60) sixty days from the date of receipt of

~~the complete application date such application is deemed complete~~, unless the applicant requests a processing delay, in which case the sixty-day period is tolled for the period of the requested delay, up to a maximum of 180 days. If a permit application for an ADU or JADU is submitted along with a permit application to create a new primary dwelling on the same parcel or lot, the City may delay acting on the ADU or JADU application until the City permits the new primary dwelling.

3. A determination that an application is incomplete or denied may be appealed to the Planning Commission. Such appeal shall follow the procedures set forth in Chapter 17.76 of the Municipal Code, except that the decision of the Planning Commission shall be final and not subject to appeal to the City Council. A final written determination regarding the appeal shall be provided to the applicant no later than 60 business days following the request for an appeal.

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

1. Completed Residential Building Permit Application;
2. Completed Monterey Peninsula Water Management District (MPWMD) residential water release form and permit application.
3. Plan Set - Signed and Dated (If Required). A single PDF file containing all plan sheets, 24"x 36" minimum size, to include:
 - a. COVER SHEET: Project address; assessor parcel number; legal property owner's name, address, phone number; plan preparer's title and license number (If Applicable), address, phone number; scope of work identifying all work proposed, clearly showing existing and proposed work and descriptions, and demonstrating compliance with all applicable CA codes and regulations, California Building or Residential Code, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building Codes and City of Seaside Municipal Code; project data, property type, type of construction, occupancy classification, square footage of existing/remodeled/new proposed structure(s) and addition(s), overall building height, fire sprinkler (Yes / No), number of stories; sheet index; deferred submittal list – trusses, sprinklers, etc. (If Applicable); special inspections noted (If Required);

- b. SITE PLAN: North arrow; scale; setbacks; lot dimensions; property boundaries; street names; new and existing structures; building footprint and roofline with all projections dimensioned to property lines; gates; walls; fences; driveways; walks; easements; utilities; meter locations; Cal Green Mandatory Measures Checklist legibly reproduced on the plans; site improvements, including grading, drainage, and landscape irrigation;
- c. DEMOLITION PLAN (if Applicable): Showing any existing structure(s), or portion(s) of a structure to be removed with floor plan(s) and framing details;
- d. FLOOR PLAN (Existing/Proposed): Drawn to scale, dimensioned, rooms labeled, doors and window types, sizes, schedules; framing details;
- e. EXTERIOR ELEVATIONS: All sides of the exterior of the building; existing & proposed exterior wall finishes and special finishes; roof materials and roof pitches; door, window, skylight, and other openings, locations, materials, and configurations; vertical dimensions showing the height of structure(s) and heights of finished floors; locations and extent of shear walls, let-in bracing, or other methods of shear transfer;
- f. FOUNDATION PLAN: Detailed and dimensioned plans showing slabs and foundations for garages, patios, breezeways, driveways, walks; footings, piers, slabs, grade beams, retaining walls (sizes and locations); hold-downs, connections of new foundations to existing foundations; any special construction required by structure, site conditions, or expansive soils; required compressive strength of concrete; crawl access openings and screened vents under raised wood floors; North arrow;
- g. ROOF FRAMING PLAN: Size and spacing of beams, rafters, headers, trusses, roof openings; layout of roof sheathing; nailing; North arrow;
- h. STRUCTURAL CALCULATIONS: Signed and dated; CRC Braced Walls or CBC Shear Walls; schedule (If Modified); Soils Report (If Applicable), signed and dated;
- i. PLUMBING, MECHANICAL, ELECTRICAL PLANS: Location of new or existing mechanical equipment serving the added or altered area; electrical plan with receptacles, lighting, and panel schedule (If Modified); gas line diagram and

calculations (If Modified); Energy Certificate of Compliance Forms reproduced on plan sheets; and

- j. Monterey Peninsula Unified School District (MPUSD): Release for any payment of school district fees.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.C.

TO: Planning Commission

BY: Andrew Myrick, Housing & Planning Manager

DATE: May 13, 2026

SUBJECT:

ZONING ORDINANCE AMENDMENT ZOA-2026-003. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO AMEND THE SEASIDE MUNICIPAL CODE TO ALLOW ELECTRONIC MESSAGE DISPLAY SIGNS FOR PLACES OF WORSHIP AND PUBLIC AND PRIVATE MEETING FACILITIES ON LOCAL RESIDENTIAL STREETS. THIS ACTION CONSISTS OF A RECOMMENDATION ONLY AND IS THEREFORE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

RECOMMENDATION

Staff recommends that the Planning Commission consider potential amendments to the Zoning Ordinance and then adopt the attached Resolution recommending that the City Council approve the proposed Zoning Ordinance Amendment.

BACKGROUND

Signs in the City of Seaside are regulated by Chapter 17.40 of the Municipal Code. Among the provisions of this Chapter is Section 17.40.080.I pertaining to electronic message board display signs at public and private meeting facilities in residential zones. Public and private meeting facilities most commonly include religious assembly but can also include secular uses such as civic auditoriums or other meeting spaces. This portion of the Zoning Ordinance was adopted by the City Council in 2017 through Ordinance 1045, and includes provisions to allow for such signage while including operating standards to mitigate potential impacts on nearby residences. This was

adopted to provide a simpler option for churches in the City to update message boards that are commonly found in front of churches, enabling the churches to replace manual updating of the letters with an electronic update.

The full text of the Ordinance is included as Attachment 2 to this Report, but in summary, existing law indicates that such signs must abide by the following operating standards:

- Signs must be located so that they do not interfere with visibility or functioning of traffic signals or signage;
- Signs must be at least 50 feet from the nearest residence;
- Animated messages shall be limited to fading and dissolving, with no other effect to give the appearance of movement;
- Signs shall not include any audio message;
- Message shall have a minimum hold time of 30 seconds;
- Signs shall not illuminate between 9:00 PM and 6:00 AM;
- Illumination shall direct light towards the ground and shall not include excessive illumination (as defined in detail in Section 17.40.080.I.7);
- Signs shall employ light detectors so that they automatically dim after dusk and before dawn.

This item is being brought forward due to language in Section 17.40.080.I.1 which provides that electronic signs must be located on an arterial or collector street. Local streets, which include the majority of residential streets in the City, are specifically excluded. Staff has received inquiries from a church located on a local street regarding the possibility of replacing an existing backlit message board with an electronic message board. Staff has proposed an Ordinance that would simply eliminate the requirement that signs be located on an arterial or collector street, instead allowing them on any street. The existing operating standards would remain and would apply to any proposed sign.

Staff is seeking additional input from the Commission before taking it to Council. It is not immediately clear whether the rules that exist are also sufficient for local streets or if additional standards, limitations, or processes should be applied to such signs. Some potential items to consider:

- Should the same application process be applied for signs on local vs. arterial and collector streets?
- Should the same size limits be applied?
- Should there be any modifications to the operational restrictions?

Another potential topic is the application process for consideration of the sign. The previously adopted Ordinance does not specify an application process, which would generally indicate that a ministerial Sign Permit process would be sufficient. However, shortly after adoption of the Ordinance, a Use Permit was considered by the Planning

Commission for the installation of an electronic message display sign. It is not clear why a Use Permit was required in that case. It may be valuable to clarify the desired application type in the Zoning Ordinance Amendment.

Staff recommends a conversation to discuss these issues with the potential of referring an Ordinance to Council for consideration.

FISCAL IMPACT

There is no fiscal impact associated with this Item.

ATTACHMENTS

1. ZOA 26-03 Electronic Signs PC Resolution
 2. Attachment 2 Ordinance 1045
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RESOLUTION NO. 26-__ PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE
RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO
AMEND THE SEASIDE MUNICIPAL CODE TO ALLOW ELECTRONIC MESSAGE
DISPLAY SIGNS FOR PLACES OF WORSHIP AND PUBLIC AND PRIVATE MEETING
FACILITIES ON LOCAL RESIDENTIAL STREETS.**

WHEREAS, on November 17, 2017, the City Council passed and adopted Ordinance No. 1045 to set forth requirements for the installation of electronic message display signs at public and private meeting facilities in residential zones; and

WHEREAS, when initially adopted, the Ordinance prohibited the installation of electronic message display signs on local streets; and

WHEREAS, on May 13, 2026, the Planning Commission met and discussed the potential for a modification to the Zoning Ordinance to provide the criteria under which electronic message display signs could be installed on local streets in residential zones; and

WHEREAS, the proposed Zoning Ordinance Amendment consists of a recommendation only and therefore is not subject to the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, BE IT RESOLVED, THAT THE PLANNING COMMISSION
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:**

1. The Planning Commission finds that: a) the facts set forth in the recitals in this Resolution are true and correct and incorporated by reference; b) the recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the action taken in this Resolution; c) the provisions in this Resolution and the proposed permanent Ordinance are consistent with the General Plan, Seaside Municipal Code and applicable federal and state law; and d) neither this Resolution nor the Ordinance will be detrimental to the public interest, health, safety, convenience or welfare.
2. The Planning Commission hereby recommends that the City Council adopt an Ordinance amending the Zoning Ordinance as described in the attached Exhibit "A" and make the findings contained therein.

PASSED AND ADOPTED at a meeting of the Planning Commission of the City of Seaside, State of California, on the 13th day of May, 2026, by the following vote:

AYES:

NOES:
ABSENT:
ABSTAIN:

APPROVED:

Will Silva, Chairperson

ATTEST:

Andrew Myrick, Secretary

Attach:

Exhibit "A" – Zoning Ordinance Amendment Text

Exhibit "A"

Zoning Ordinance Amendment Text

17.40.080 Standards for specific sign types

I. Electronic message display signs. The following standards apply to electronic message display signs where allowed by Section [17.40.070](#) (Zoning District Sign Standards) (see Tables 3-15 and 3-16):

1. Location.

a. Signs shall be located ~~on a either an arterial roadway or collector street~~ in a manner that the Zoning Administrator determines will not adversely interfere with the visibility or functioning of traffic signals or traffic signage, taking into consideration physical elements of the sign and surrounding area, such as information analyzing physical obstruction issues, line of sight issues, brightness issues, and visual obstruction or impairment issues. ~~No electronic changeable message sign shall be permitted on a local street.~~

b. Signs must be 50 feet or more from the nearest residence on the same street as the sign.

2. Sign area measurement. The area of an electronic message display sign does not count toward area limits for other signs in Section [17.40.070](#).

3. Animation. Animated messages shall be limited to fading and dissolving, with no other effect to give the appearance of movement.

4. Audio. No sign shall include any audio message.

5. Duration. Signs messages shall have a minimum hold time of 30 seconds.

6. Timing. The sign will not illuminate from the message display area between 9:00 p.m. and 6:00 a.m.

7. Illumination. Electronic changeable message signs may be illuminated with continuous internal LED lighting. No sign shall be illuminated so that the primary source of the light is visible beyond the property line or in any way will cause excessive glare or brightness in excess of 0.3 foot candles. The Zoning Administrator reserves the right to require and/or complete a post-installation inspection of the sign illumination. If, as a result of this inspection, it is determined that the illumination is so bright as to adversely impact adjacent properties and uses, the Zoning Administrator may require shielding or a reduction and/or adjustment in the intensity of the sign illumination, so that it is in keeping with the general level of illumination of the surrounding

properties. Such intensity restriction may vary by time of day and ambient light conditions. Illuminated signs located adjacent to any residential area shall be shielded to direct light downward and away from adjacent properties such that there is no spillover light and shall be controlled by a rheostat or functional equivalent to avoid excessive glare to residential properties.

8. Light detector. No permit for such sign shall be issued unless the sign is installed with an automatic or a scheduled dimming time by which the sign's light intensity will reduce when ambient light conditions darken. Such dimming feature shall reduce the light intensity from the sign from dusk to dawn to a level that does not impair the visibility on any adjacent roadway, or be directed onto a residential property.

ORDINANCE NO. 1045

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE,

AMENDING CHAPTER 17.40 OF THE SEASIDE MUNICIPAL CODE TO ALLOW IN CERTAIN CIRCUMSTANCES ELECTRONIC CHANGEABLE MESSAGE SIGNS FOR PUBLIC AND PRIVATE MEETING FACILITIES.

The City Council of the City of Seaside does hereby ordain as follows:

Section 1. Findings and Purpose. The City Council finds and declares as follows:

A. The Planning Commission held duly noticed public hearings on August 23, 2017 and September 27, 2017 at which time it considered all evidence presented, both written and oral and at the end of the hearing on September 27, 2017 voted to adopt Resolution No. 17-08 recommending that the City Council adopt the Draft Ordinance to include text changes which would allow for the placement of Electronic Changeable Message Signs at Private and Public Meeting places.

B. The City Council held a duly noticed public hearing to consider the first reading on this Ordinance on October 19, 2017, at which time it considered all evidence presented, both written and oral.

C. The City Council held a duly noticed public hearing to consider the second reading on this Ordinance on November 2, 2017, at which time it considered all evidence presented, both written and oral.

Section 2. Authority. This ordinance is adopted pursuant to the authority granted by the California Constitution and State law and the Seaside Municipal Code for legislative text amendments.

Section 3. Chapter 17.40 of the Seaside Municipal Code is amended to read as follows with proposed text identified with an underline (Underline) and proposed text to be deleted identified with a strikethrough (~~Strikethrough~~):

1. 17.40.050 Prohibited Signs

B. Animated signs, including electronic message display signs, and variable intensity, blinking or flashing signs, or signs that emit a varying intensity of light or color, except time and temperature displays (which are not considered signs) and for electronic message display signs for places of worship and public and private meeting facilities;

2. 17.40.060.H.3: Sign illumination shall not blink, flash, flutter, or change light brightness, color, or intensity, except for electronic message display signs per 17.40.80.I Electronic Changeable Message Display Signs.

3. 17.40.060.I.6 All electronic message display signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

4. 17.40.070 Zoning District Sign Standards

TABLE 3-15 - SIGN STANDARDS FOR RESIDENTIAL ZONES

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
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Single-Family Residential Use

No signs allowed

Multi-Family Residential Use (apartments, condominiums, or residential subdivisions of greater than 5 lots)

Wall or freestanding	Wall signs: below edge of roof Freestanding: 6 ft	1 of either allowed sign type	24 sf
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Nonresidential Use

Wall or freestanding	Wall signs: below edge of roof no higher than 12 feet above grade Freestanding: 6 ft (See Figure 3-17 for sign height measurement)	1 of either allowed sign type	32 sf
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<u>Electronic Message Display Signs for Private and Public Meeting Facility</u>	<u>Up to 8 feet permitted; minor use permit for signs up to 14 feet</u>	<u>1 per parcel [may be double-sided with a maximum cabinet depth of 24-inches]</u>	<u>40 sf per side with a maximum digital screen area of 24 square feet (Maximum of two sides)</u>
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TABLE 3-16 - SIGN STANDARDS FOR COMMERCIAL AND INDUSTRIAL ZONES

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
Awning (17.40.080.B)	Below roof ⁽¹⁾ ; at least 8 ft above walking surface	Single tenant site or structure: 3 of any combination of allowed sign types per primary structure frontage. 1 of any allowed sign type on a secondary frontage.	Maximum sign area per parcel. The total sign area on a parcel shall comply with the following requirements. 1. 1 sf for each linear foot of primary building frontage not to exceed 100 sf. 2. 0.5 additional sf for each linear foot of secondary building frontage not to exceed 50 sf. 3. Each site is allowed a total sign area of at least 25 sf regardless of frontage length. Site with 2 or more tenants: Allowed an additional freestanding identification sign of 0.25 sf for each linear foot of total primary structure frontage, up to a maximum of 100 sf.
Freestanding/Pole Sign (17.40.080.C)	14 ft		
Marquee, Projecting, Wall (17.40.080.E, 17.40.080.G)	Below roof ⁽¹⁾ ; a marquee or projecting sign shall be at least 8 ft above walking surface	Site or structure with 2 or more tenants: The number, and type of all signs shall within a multi-tenant commercial building shall be determined in accordance with a Master Sign Program.	
Suspended (17.40.080.E)	Below eave/canopy; at least 8 ft above a walking surface		
Temporary/Portable	See Sections 17.40.080.A and 17.40.080.F		

Electronic Message Display Signs.	Up to 8 feet permitted; minor use permit for signs up to 14 feet	1 per parcel [may be double-sided with a maximum cabinet depth of 24-inches]	40 sf per side with a maximum screen area of digital display at 24 square feet (Maximum of two sides)
------------------------------------------	-------------------------------------------------------------------------	-------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------

5. 17.40.080 Standards for Specific Sign Types

I. Electronic Message Display Signs. The following standards apply to electronic message display signs where allowed by Section 17.40.070 (Zoning District Sign Standards) (see Tables 3-15 and 3-16):

1. Location.

a. Signs shall be located on a either an arterial roadway or collector street in a manner that the zoning administrator determines will not adversely interfere with the visibility or functioning of traffic signals or traffic signage, taking into consideration physical elements of the sign and surrounding area, such as information analyzing physical obstruction issues, line of sight issues, brightness issues and visual obstruction or impairment issues. No electronic changeable message sign shall be permitted on a local street

b. Signs must be 50 feet or more from the nearest residence on the same street as the sign.

2. Sign Area Measurement. The area of an Electronic Message Display sign does not count toward area limits for other signs in 17.40.070.

3. Animation. Animated messages shall be limited to fading and dissolving, with no other effect to give the appearance of movement.

4. Audio. No sign shall include any audio message.

5. Duration. Signs messages shall have a minimum hold time of 30 seconds.

6. Timing. The sign will not illuminate from the message display area between 9:00 PM and 6:00 AM.

7. Illumination. Electronic changeable message signs may be illuminated with continuous internal LED lighting. No sign shall be illuminated so that the primary source of the light is visible beyond the property line or in any way will cause excessive glare or brightness in excess of 0.3 foot candles. The zoning administrator reserves the right to require and/or complete a post-installation inspection of the sign illumination. If, as a result of this inspection, it is determined that the illumination is so bright as to adversely impact adjacent properties and uses, the zoning administrator may require shielding or a reduction and/or adjustment in the intensity of the sign illumination, so that it is in keeping with the general level of illumination of the surrounding properties. Such intensity restriction may vary by time of day and ambient light conditions. Illuminated signs located adjacent to any residential area shall be shielded to direct light downward and away from adjacent properties such that there is no spillover light and shall be controlled by a rheostat or functional equivalent to avoid excessive glare to residential properties.

8. Light detector. No permit for such sign shall be issued unless the sign is installed with an automatic, or a scheduled dimming time by which the signs light intensity will reduce when ambient light conditions darken. Such dimming feature shall reduce the light intensity from the sign from dusk to dawn to a level that does not impair the visibility on any adjacent roadway, or be directed onto a residential property.

Section 4. Nothing in this Ordinance shall be interpreted to mean that the City's permissive zoning scheme allows any other use not specifically listed therein.

Section 5. CEQA. This ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibits all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

Section 6. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 7. To the extent the provisions of the Seaside Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 8. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of adoption and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

Section 9. This ordinance shall be in full force and effect thirty days after passage of second reading.

INTRODUCED at a Regular Meeting of the City Council duly held on October 19, 2017.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 2nd day of November, 2017, by the following vote:

AYES:	5	COUNCILMEMBERS: Alexander, Campbell, Jones, Pacheco, Rubio
NOES:	0	COUNCILMEMBERS: None
ABSENT:	0	COUNCILMEMBERS: None
ABSTAIN:	0	COUNCILMEMBERS: None

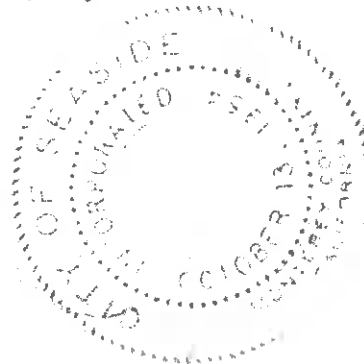


Ralph Rubio, Mayor

ATTEST:



Lesley Milton-Rerig, City Clerk





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: October 19, 2017

SUBJECT: **INTRODUCTION OF ORDINANCE AUTHORIZING TEXT AMENDMENT TO CHAPTER 17.40 OF THE SEASIDE MUNICIPAL CODE THAT SETS FORTH STANDARDS FOR ELECTRONIC MESSAGE DISPLAY SIGNS RELATED TO PUBLIC AND PRIVATE MEETING FACILITIES WITHIN RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS CITYWIDE, AND ADDRESSING OTHER MATTERS PROPERLY RELATING THERETO THAT ARE IN CONFLICT WITH THE PROPOSED TEXT AMENDMENT.**

PURPOSE

In accordance with Section 17.74.050 of the Seaside Municipal Code (SMC), the purpose of this item is for the City Council to consider a text amendment to Chapter 17.40 of the Seaside Municipal Code to allow for the installation of electronic changeable message signs at places of worship and meeting facilities in residential and commercial zones (First Reading).

RECOMMENDATION

It is recommended that the City Council conduct the first reading of the draft Ordinance and pass to print the final Ordinance for adoption at a second reading on the regular City Council Meeting of November 2, 2017.

BACKGROUND

The proposed text amendment has been initiated by City staff in response to discussions City staff has had with the Pastor Ronald Britt. Pastor Ronald Britt has expressed that the replacement of the existing manual message board with a modern electronic changeable message display at his meeting facility would enable his meeting facility (Greater Victory Temple) to communicate their messages both safely and in sync with modern social media technologies. A sample of the typical manual reader message boards that are currently being used by the City's private meeting facilities in Seaside is provided as Attachment 2.

The Zoning Code Amendment has been initiated by City staff based on the changing dynamics in the technology of electronic messaging and how electronic messaging in combination with the emergence of social media has become an integral form of communication. The use of electronic changeable signs would also provide a visible, safe, and noticeable sign to the motoring public from collector and arterial surface streets.

Planning Commission Review

In accordance with Section 17.74.040 of the Seaside Municipal Code, the proposed text amendment has been reviewed by the Planning Commission at its August 23, 2017 meeting and September 27, 2017 meeting.

On August 23, 2017 the Planning Commission opened its discussion of the Zoning Code Amendment and acted to continue the item to a future meeting with direction to have City staff address the following land use concerns/issues that were raised by the Planning Commission:

1. Provide list of existing private and public meeting facilities located within the city to provide perspective on the overall number and location of public and private meeting facilities; and
2. Identify the locations of existing private and public meeting facilities that would have a location of the meeting facility site where an electronic message board would maintain at least a minimum distance of 50 feet from an adjoining residential use; and
3. Provide information on recommended industry standards related to minimum brightness levels for LED type electronic changeable message signs; and
4. Include regulations in the Draft Ordinance to address standards for the measurement of the light source emanating from the sign and requirement to obtain a use permit so that the adjacent property owners would receive notice of a public hearing in order provide comment on any proposed electronic changeable message sign application near their property

On September 27, 2017, the Planning Commission conducted its second review of the proposed text amendments and found that the revisions made by City staff to the text amendments per the direction received from the Planning Commission adequately addressed the Commission's comments listed above. The Commission voted to unanimously recommend the adoption of the Draft Ordinance as revised (See Attachment 1).

Project Description

The proposed text amendment will include the following changes to the Sign Code:

1. Modification to Section 17.40.050.B that would add new text to allow the installation of electronic changeable message signs on premises of places of worship and public meeting facilities with the issuance of a Use Permit by the Planning Commission.
2. Modification to Section 17.40.060.H.3 to allow for an electronic changeable message sign to change its message display by fading or dissolving and to allow for the brightness to be adjusted via an automatic light detector/photocell, or a scheduled dimming time by

- which the signs light intensity will reduce when ambient light conditions darken.
3. Add new Section 17.40.060.I.6 to require a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.
 4. Modification to Table 3-15 (Sign Standards for Residential Zones) adding Electronic Changeable Message Display Signs for Private and Public Meeting Facilities as an allowed sign type.
 5. Modification to Table 3-16 (Sign Standards for Commercial and Industrial Zones) adding Electronic Changeable Message Display Signs for Private and Public Meeting Facilities as an allowed sign type.
 6. Add new Section 17.40.080.I to include development standards for Electronic, LED or Digital Signs.

The text amendments are provided as Exhibit "A" to Attachment 1. The proposed revisions are highlighted in bold and underlined.

The text amendments would allow, with the issuance of a Use Permit, the installation of electronic changeable message signs on the premises of private and public meeting facilities as either a freestanding sign or a wall sign. The text amendments include performance standards to regulate the size, location, duration of sign message being displayed, brightness, and the minimum distance an electronic changeable message sign board must be from a residential dwelling/structure.

STAFF ANALYSIS

The use of an Electronic Sign display would provide an alternative to the existing manual sign displays used by most places of worship in Seaside (See Attachment 2). The use of an electronic changeable message signs would also achieve a modern method to provide an overall project identification of meeting facility programs and services and comply with energy efficient technology. Response to Planning Commission comments raised at the Commission meetings are listed below:

- Provide list of places of worship and meeting facilities located within the City. The location of places of worship and meeting facilities has been included as Attachment 3.
- Potential locations within the City which could accommodate the placement of an electronic changeable message sign meeting the minimum distance parameter of minimum 50 feet from an adjoining residential use. The location of places of worship which could meet the minimum 50 distance requirement has been included as Attachment 4.
- Provide information on recommended brightness levels of LED type electronic changeable message signs.

The majority of electronic message signs are illuminated with LED's (Light Emitting Diodes). The perceived brightness of an LED sign is dependent on a variety of factors. Ambient light conditions play the largest role in affecting the brightness of the display. An LED sign communicates its messages by emitting light. It therefore must not be too dim, since it couldn't be distinguished during sunlight; nor should it be too bright, as the image will be distorted and difficult to read. The electronic sign must adjust its brightness over the course of the day. Today's electronic signs can dim from 100%

during a bright sunny day, to around 4% during the darkest night. That means the sign is only 4% as bright at night as during the daytime. During the course of the day, the LED sign boards are equipped that will automatically dim the sign board to ambient light levels to further maintain appropriate brightness levels throughout the day.

- Regulations to Control Sign Board Brightness.

It is recommended, based on industry research, that electronic sign boards in an urban environment should be limited to 0.3 foot-candles above ambient light levels. The 0.3 foot-candle limit is supported by research, which found that an eye illuminance limit of 0.3 foot-candles in areas of low ambient electric light is a level that is unlikely to be objectionable to most persons. This information complies with the recommended brightness levels for On-Premises Electronic Message Signs, which is a compilation summary prepared for evaluating brightness for electronic message signs. This report has been included as Attachment 5.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Attachment 1 - Draft Ordinance
2. Attachment 2 - Sample Reader Board Signs
3. Attachment 3 - Meeting Place Locations
4. Attachment 4 - Meeting Place Locations in compliance with 50-foot setback from Residential Zone
5. Attachment 5 - LED Lighting Report

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager