



AGENDA

CITY OF SEASIDE
ZONING
ADMINISTRATION

SPECIAL MEETING
Council Chamber
440 Harcourt Avenue
Monday, April 17, 2017
5:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

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

Ralph Rubio	Mayor
Dennis Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member
Kayla Jones	Council Member

3. **PUBLIC COMMENT**

4. **APPROVAL OF MINUTES**

5. **BUSINESS ITEMS**

- A. **Minor Use Permit Application No. MUP-17-03: Ken Yow, Property Owner, and James Smith, applicant, are requesting the approval of a minor use permit application to construct a three car garage located at 1351 Kimball Avenue (APN# 012-109-027) in the Single Family Residential (RS-8) Zoning District. The project is Categorically Exempt Class 1, Section 15301(e)(1), from the California Environmental Quality Act.**

PURPOSE: In accordance with Section 17.72.030.B.1.b.2 of the Seaside Municipal Code (SMC), the applicant is seeking a Minor Use Permit to construct a three car garage that will encroach into a rear setback no further than the existing dwelling encroaches into the rear yard setback of a single family residence located at 1351 Kimball Avenue.

RECOMMENDATION: City staff recommends approval of the construction of the three car garage subject to the findings, evidence, and Conditions of Approval provided as Exhibit A and Attachment 1 – Project Plans.

6. **BOARD MEMBERS COMMENTS**

7. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
Special

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, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cyp.telvue.com/player?id=T01629&video=52314&noplaylists=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

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.

**ZONING ADMINISTRATOR
RESOLUTION NO. 17-03**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING MINOR USE PERMIT APPLICATION NO. MUP-17-03 TO ALLOW THE CONSTRUCTION OF A THREE CAR GARAGE, A PORTION OF WHICH WILL ENCROACH INTO A REAR SETBACK NO FURTHER THAN THE EXISTING DWELLING ENCROACHES INTO THE REAR YARD SETBACK OF A SINGLE FAMILY RESIDENCE LOCATED IN THE SINGLE FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT LOCATED AT 1351 KIMBALL AVENUE, SEASIDE, CALIFORNIA.

WHEREAS, Ken Yow, Property Owner, and James Smith, applicant, have applied for a Minor Use Permit for the purpose of allowing the construction of a three care garage, a portion of which will encroach into a rear setback no further than the existing dwelling encroaches into the rear yard setback of a single family residence located at 1351 Kimball Avenue; and

WHEREAS, the proposed project requires approval by the Zoning Administrator, and it is the responsibility of the Zoning Administrator 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 Zoning Administrator considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing that the Zoning Administrator held on April 17, 2017; and

WHEREAS, the project is a Categorically Exempt from the California Environmental Quality Act pursuant to Class1, Section 15301(e)(1): Existing Facilities, meeting the following conditions:

The proposed floor area added to the garage is less than 50 percent of the floor area of the structures before the addition.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator adopts the following findings for Minor Use Permit Application No.MUP-17-03:

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

Evidence: The proposed project would allow an encroachment into the rear setback of an existing single-family residence no further than the existing dwelling encroaches into the setback and the area of the addition within the required setback is less than or equal to 25 percent of the total floor area of the existing structure. The area of the proposed encroachment is 286 square feet which is 24 percent of the total floor area (1,173 square feet) of the existing structure. The proposed garage will have a 5 in 12 hip roof to match the composition hip roof of the existing residence. The new garage will have a stucco exterior to match the existing residence. The proposed three-car garage will comply with all other requirements of the SMC.

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

Evidence: The General Plan land use designation for the proposed project site is RLS, (Low Density Single Family Residential). This designation applies to areas with existing or planned detached single-family residential units. The proposed project would continue the single-family residential use of the property in keeping with its Low Density Single Family Residential General Plan land use designation and the character of the surrounding neighborhood. The size and mass of the addition would not impact the surrounding neighborhood.

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

Evidence: The project site is developed with an existing single-family residence. The proposed addition of a three-car garage would not alter the site's existing operating characteristics. All existing and planned future adjacent uses would continue to be single family in nature and would be compatible with the existing and future allowed uses in the vicinity.

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

Evidence: The site is currently served by all necessary municipal services and utilities. All land use requirements of the SMC are being met. The proposed construction of the three-car garage will match the existing residence with regards to roof design and exterior building materials.

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

Evidence: The construction of the proposed three-car garage will match existing nonconforming setbacks of the existing residence and the height and mass of the structure will not be detrimental to the public interest, health, safety, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

BE IT FURTHER RESOLVED, the Zoning Administrator hereby grants Minor Use Permit Application No. MUP-17-03 subject to the following terms and agreements:

Building:

1. Compliance shall be maintained with the 2016 California Building Codes.

Public Works

1. The proposed project must implement storm water best management practices (BMPs) during construction. (SMC 8.46)
2. 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)
3. 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 Works Department.

Standard:

1. Except as modified by the conditions of approval, plans submitted for Minor Use Permit application must be in compliance with the plans stamped "Received City of Seaside February 28, 2017, Community Development Department" provided as Attachment 1 Exhibit "A" to these Conditions.
2. Minor Use Permit approval is subject to revocation procedures contained in S.M.C. Section 17.69.060 in the event any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
4. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
5. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within 15 days from the date of its approval.
6. Project approval will become null and void if a building permit is not obtained within one (1) year from the date of approval to begin construction on the project.

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

PASSED AND ADOPTED by the Zoning Administrator of the City of Seaside, State of California, on the 17th of April, 2017.

Rick Medina
Zoning Administrator

MINOR USE PERMIT APPLICATION NO. MUP-17-03
Resolution No. 17-XXX

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 Zoning Administrator.

Applicant's Signature

Date

Property Owner's Signature *(if different from above)*

Date

ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK AND ARE THE PROPERTY OF THE ARCHITECT, JAMES N. SMITH. THE DRAWINGS AND WRITTEN MATERIALS ARE DEVELOPED FOR THIS PROJECT ONLY, AND SHALL NOT BE DUPLICATED OR DISCLOSED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.



PROJECT/CLIENT

1351 KIMBALL AVE
SEASIDE, CA.



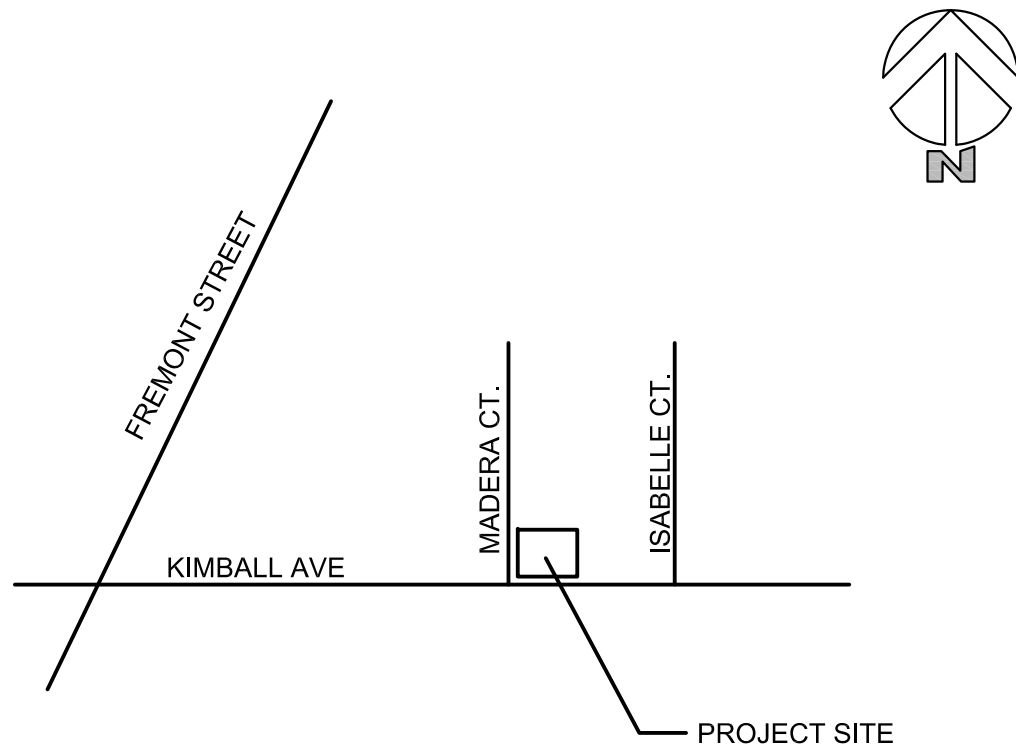
○ ISSUE △ REVISIONS

DATE _____

PROJECT NUMBER

SHEET NUMBER

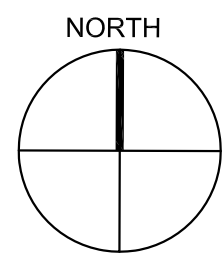
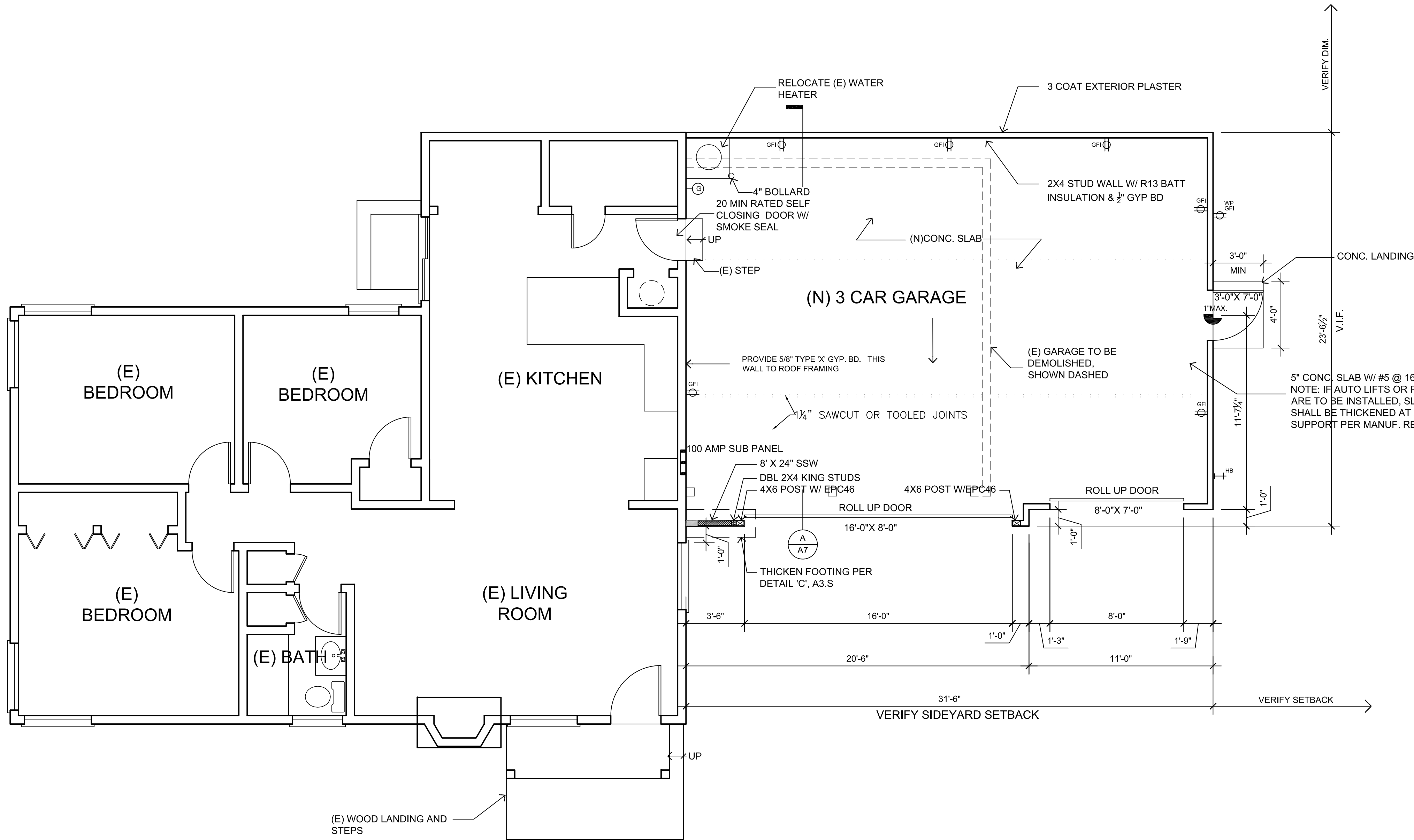
PROJECT DIRECTORY

VICINITY MAP N.T.S.

SITE PLAN AS SHOWN IS CONCEPTUAL. IT IS NOT
BASED ON A RECENT SURVEY BY A LICENSED
SURVEYOR. ALL LOT LINES, SETBACKS, POSITION OF
STRUCTURES RELATIVE TO SAME, SLOPE CONDITIONS
AND DISTANCES SHALL BE VERIFIED IN THE FIELD.

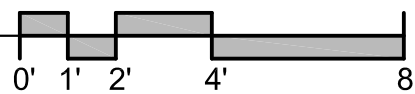
5. SEE ROOF PLAN SHEET A5.0 FOR DOWNSPOUT LOCATIONS. ROOF RUN-OFF SHALL BE COLLECTED BY GUTTERS AND DOWNSPOUTS. DOWNSPOUTS SHALL BE CONVEYED TO AN UNDERGROUND PIPING SYSTEM PER CITY/COUNTY STANDARDS.
6. ALL UNDERGROUND ROOF WATER PIPING SHALL BE SMOOTH WALLED, SOLID P.V.C. MIN. PIPING DIAMETER SHALL BE 4". SEE DRAINAGE PLAN
7. MINIMUM COVER FOR UNDERGROUND PIPING SHALL BE 6".
8. CLEAN-OUT CONNECTIONS SHALL BE CONSTRUCTED AT ALL PIPING ANGLES AND CHANGES IN DIRECTION.

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FLOORPLAN

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



ELECTRICAL PLAN NOTES

SEE SHEET A2.N

WALL LEGEND

- 2X EXISTING WALL TO REMAIN
- 2X EXISTING WALL TO BE REMOVED
- 2X STUD FRAMED WALL

ELECTRICAL SYMBOLS LEGEND

- DUPLEX OUTLET
- DUPLEX OUTLET RECESSED INTO WALL
- HALF SWITCHED OUTLET
- DEDICATED CIRCUIT (20 amps)
- 220 VOLT OUTLET
- 4 PLEX OUTLET
- GROUND FAULT INTERRUPT
- WATERPROOF OUTLET (EXTERIOR)
- RECESSED FLOOR MOUNTED OUTLET, BRASS, BY HUBBELL, UL #514A, OR EQ.
- TELEPHONE JACK
- HIGH SPEED DATA LINE
- RECESSED FLOOR MOUNTED TELEPHONE JACK, BRASS
- THERMOSTAT CONTROL
- TELEVISION CABLE
- DOORBELL
- CENTRAL VACUUM OUTLET
- GAS OUTLET
- GAS KEY VALVE, VERIFY MOUNT LOCATION WITH OWNER
- HOSE BIB VALVE (WITH NON-REMOVABLE BACKFLOW PREVENTION DEVICE, (CPC 603.4.7, TYP.))
- WALL MOUNTED AIR SUPPLY REGISTER
- RETURN AIR REGISTER
- FLOOR MOUNTED SUPPLY AIR REGISTER
- ELECTRICAL MAIN PANEL-SEE PLAN FOR LOCATION AND SIZE
- ELECTRICAL SUB-PANEL-SEE PLAN FOR LOCATION(S) AND SIZE(S)

ELECTRICAL LEGEND NOTES

- NOT ALL OF THE ABOVE SYMBOLS ARE NECESSARILY USED FOR THIS PROJECT.
- THE ELECTRICIAN IS REQUIRED TO CONDUCT AN ON-SITE WALK THROUGH WITH THE OWNERS TO DETERMINE FINAL LOCATIONS AND HEIGHTS FOR ALL RECEPTACLES, FIXTURES, PHONES, CABLE, STEREO, SECURITY, DATA LINES, ETC. PRIOR TO ROUGH-IN.
- POLESWITCH AND SWITCHPLATE STYLE AND COLOUR TO BE DETERMINED BY OWNER.
- LIGHT FIXTURES IN TUB OR SHOWER ENCLOSURES SHALL BE LABELED "SUITABLE FOR WET LOCATIONS" OR "SUITABLE FOR DAMP LOCATIONS" (CEC ARTICLE 410-4(a)).
- FOR JACUZZI-TYPE TUBS SEE DETAIL SHEETS FOR ADDITIONAL REQUIREMENTS AND CODE RESTRICTIONS.
- PERMANENTLY LABEL EACH DISCONNECT (CIRCUIT BREAKER) ON THE MAIN AND ALL SUB ELECTRICAL PANEL(S) WITH THE APPLIANCE OR ROOM(S) SERVED BY THE CIRCUIT.
-

JAMES
NEWHALL
SMITH
ARCHITECT, Inc.

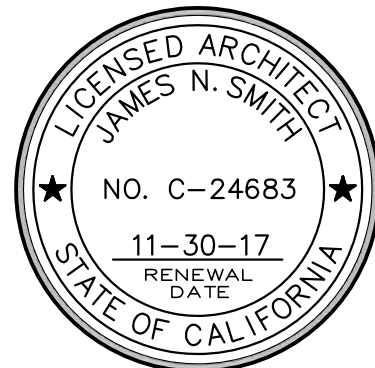
716 LIGHTHOUSE AVE
PACIFIC GROVE, CA.
93950

TEL: 831.372-7251
FAX: 831.372-7252
CEL: 831.915-9518

PROJECT/CLIENT

YOW
ADDITION

1351 KIMBALL AVE
SEASIDE, CA.



SHEET TITLE

FLOOR PLAN

ISSUE REVISIONS

1 5-19-16
BLDG SUBMITTAL

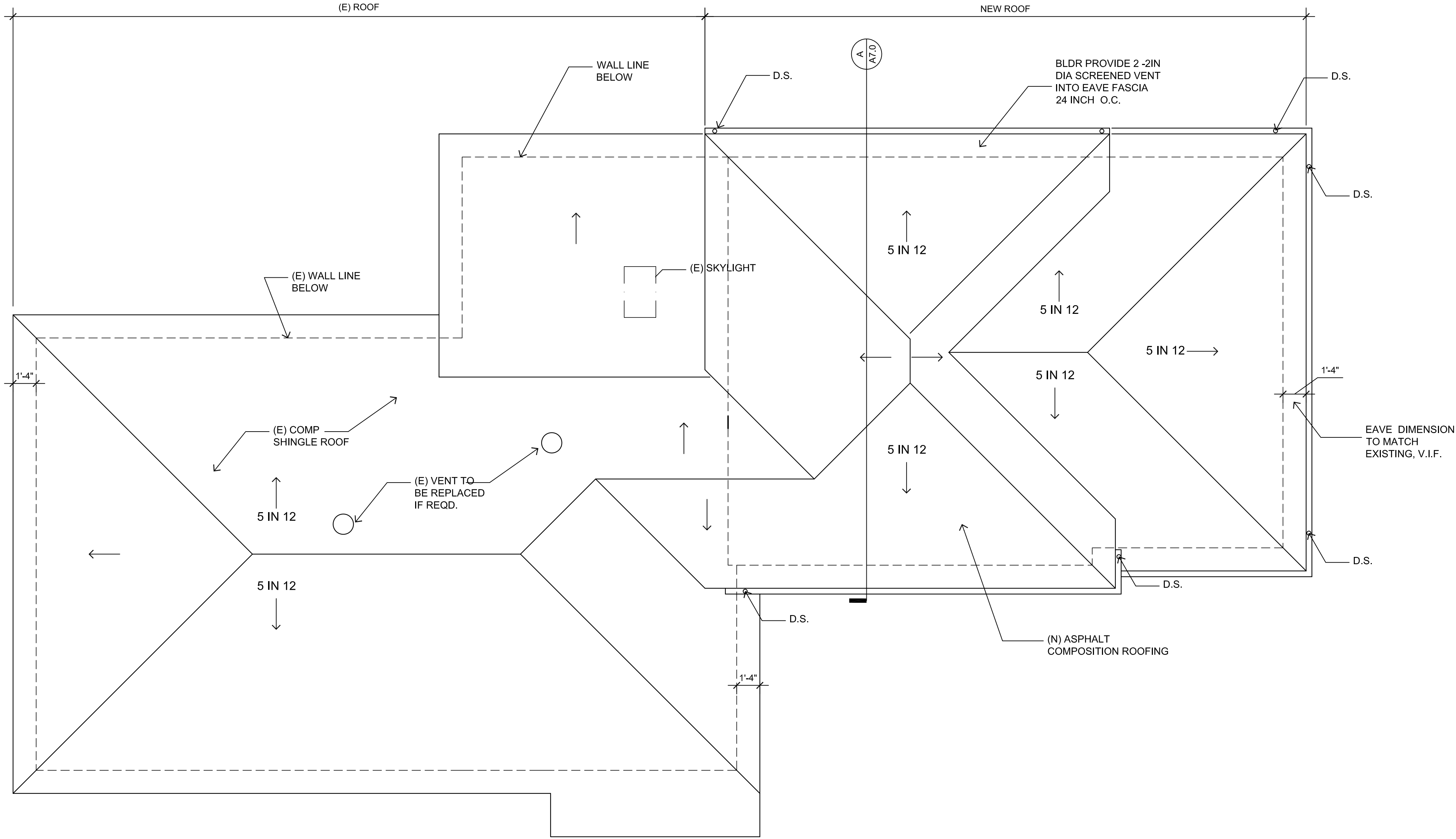
2 02-28-17
RESUBMITTAL

DATE

PROJECT NUMBER

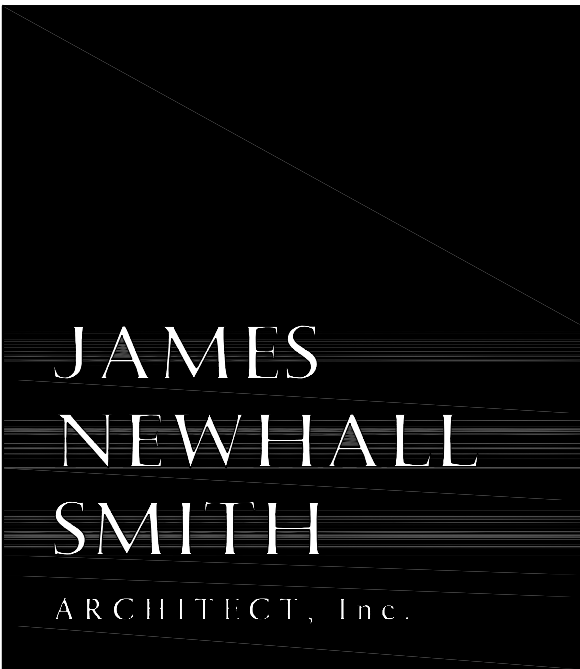
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A2.0



ROOF PLAN NOTES

1. ROOFING TO BE CLASS "A" ASPHALT SHINGLES TO MATCH (E)
2. FIELD VERIFY WITH OWNER AND ARCHITECT COLOR AND/OR BLEND OF ROOFING UNITS PRIOR TO INSTALLATION
3. ROOF SLOPE = 5 IN 12 UNLESS OTHERWISE NOTED
4. OVERHANG = 16" UNLESS OTHERWISE NOTED
5. GUTTERS AND DOWNSPOUTS TO MATCH (E)
6. GANG ALL VENT STACKS TO MINIMIZE QUANTITY OF ROOF JACKS AND LOCATE ROOF JACKS IN LEAST VISIBLE LOCATION
7. GALV. PAINTED GUTTER AND DOWNSPOUTS
8. ROOFING PROD MUST BE IN COMPLIANCE WITH ICC-ES-EG107 AND WITH THE WEATHERING REQUIREMENTS CONTAINED IN HEALTH AND SAFETY CODE SECTION 13132.70 (R902.2 CRC)



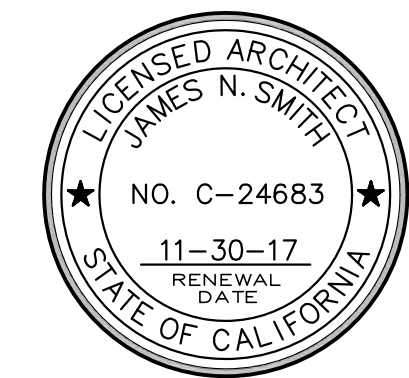
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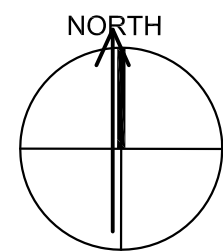
ROOF PLAN

ISSUE	REVISIONS
① 5-19-16 BLDG SUBMITTAL	
② 02-28-17 RESUBMITTAL	
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DATE	

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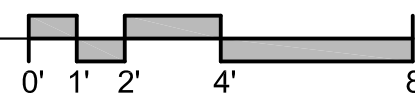
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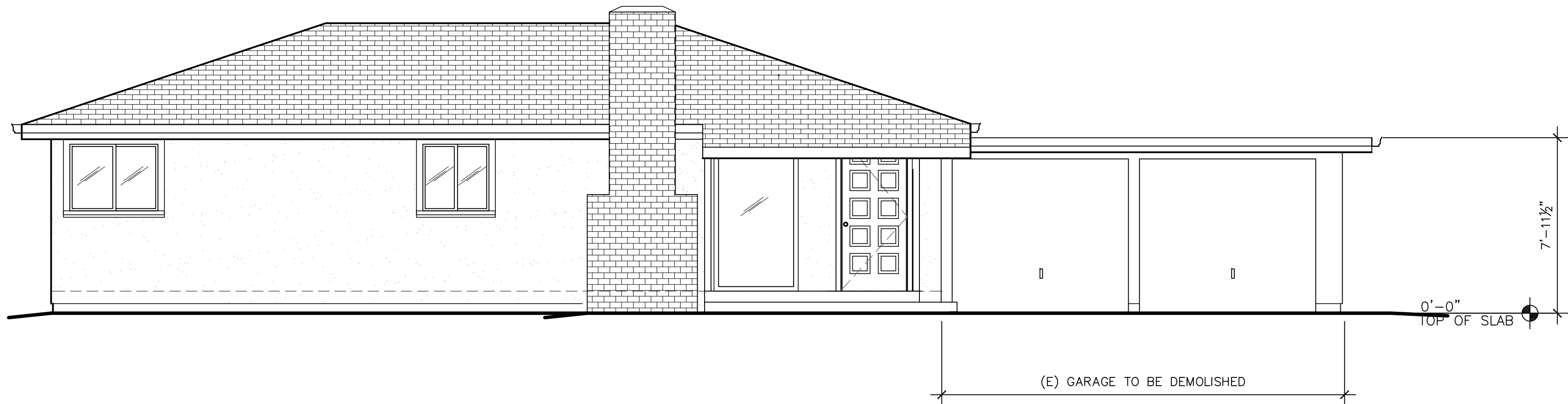
A5.0



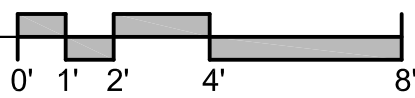
ROOF PLAN

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

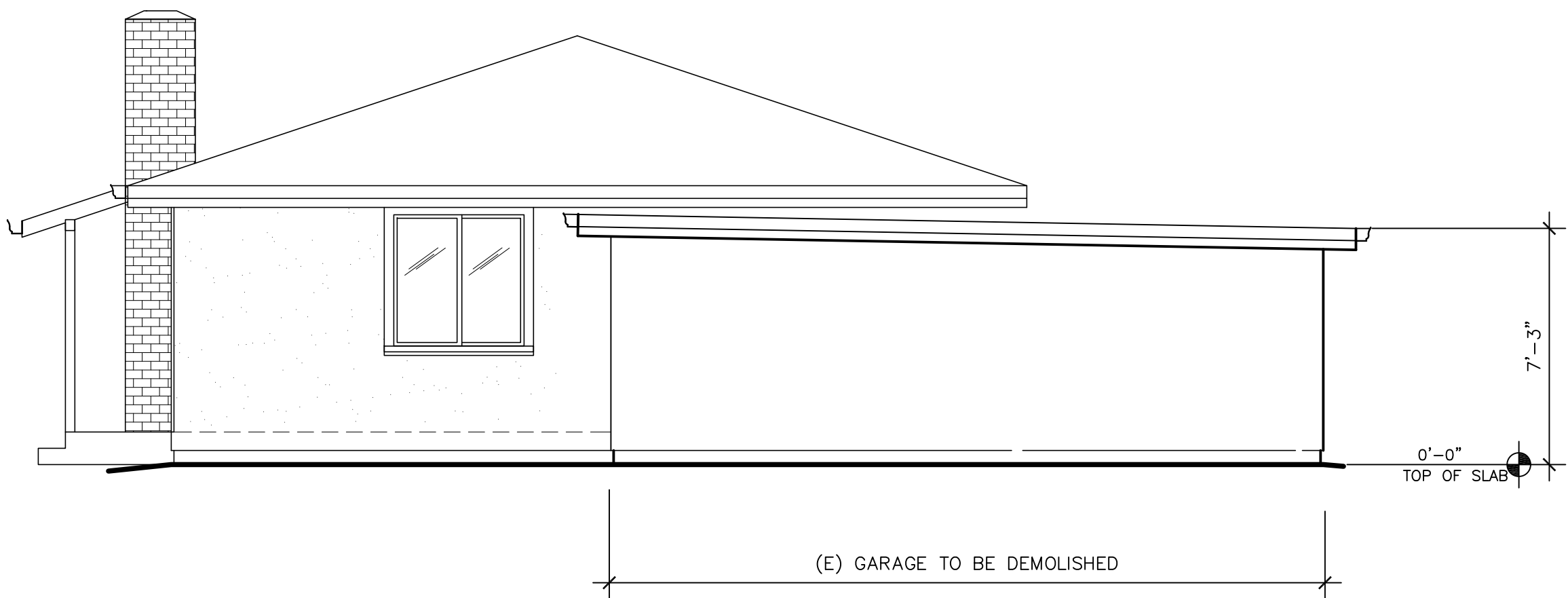




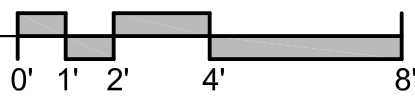
1 SOUTH ELEVATION - EXISTING
SCALE : 1/4" = 1'-0"



SOUTH ELEVATION



1 EAST ELEVATION - EXISTING
SCALE : 1/4" = 1'-0"



EAST ELEVATION

ELEVATION MATERIALS LEGEND

- 1 ROOFING TO BE CLASS "A" ASPHALT SHINGLES TO MATCH (E)
- 2 FIBERGLASS OR MOLDED GARAGE DOOR, PAINTED
- 3 3 COAT EXTERIOR STUCCO, MATCH EXISTING
- 4 FIBERGLASS EXTERIOR DOOR
- 5 GALV. PAINTED GUTTER AND DOWNSPOUTS

ELEVATION NOTES

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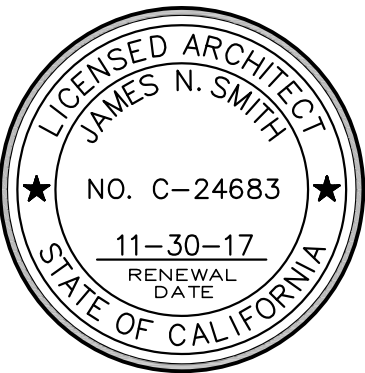
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SHEET TITLE
EXISTING
EXTERIOR
ELEVATIONS

ISSUE REVISIONS

1 5-19-16
BLDG SUBMITTAL

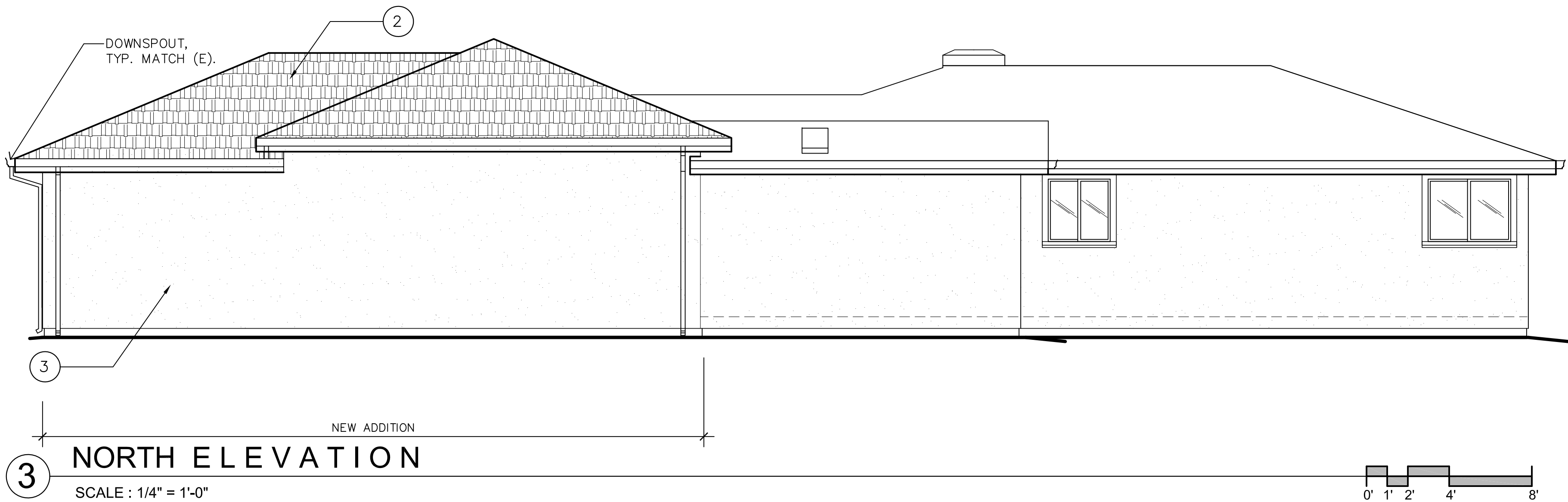
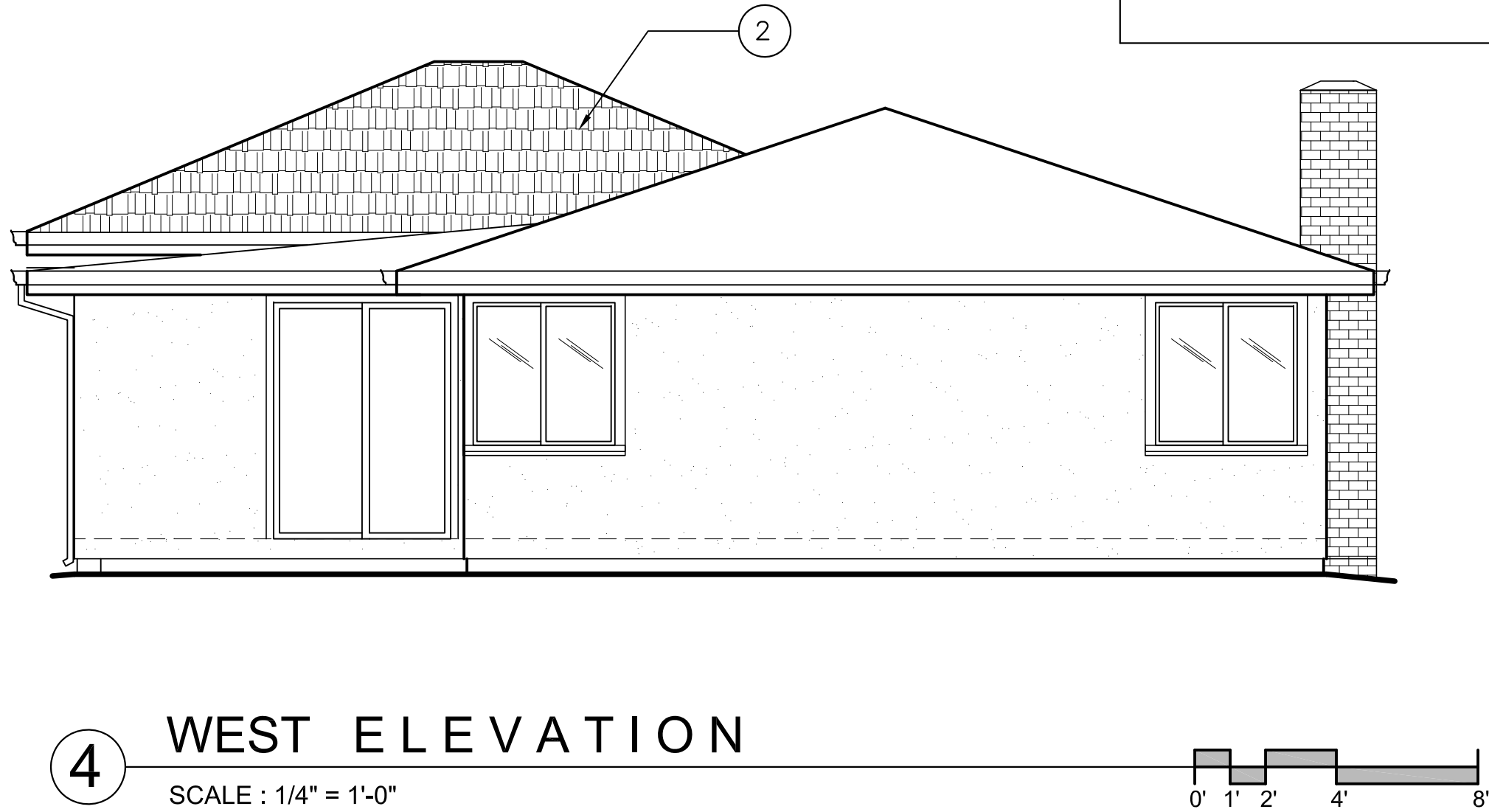
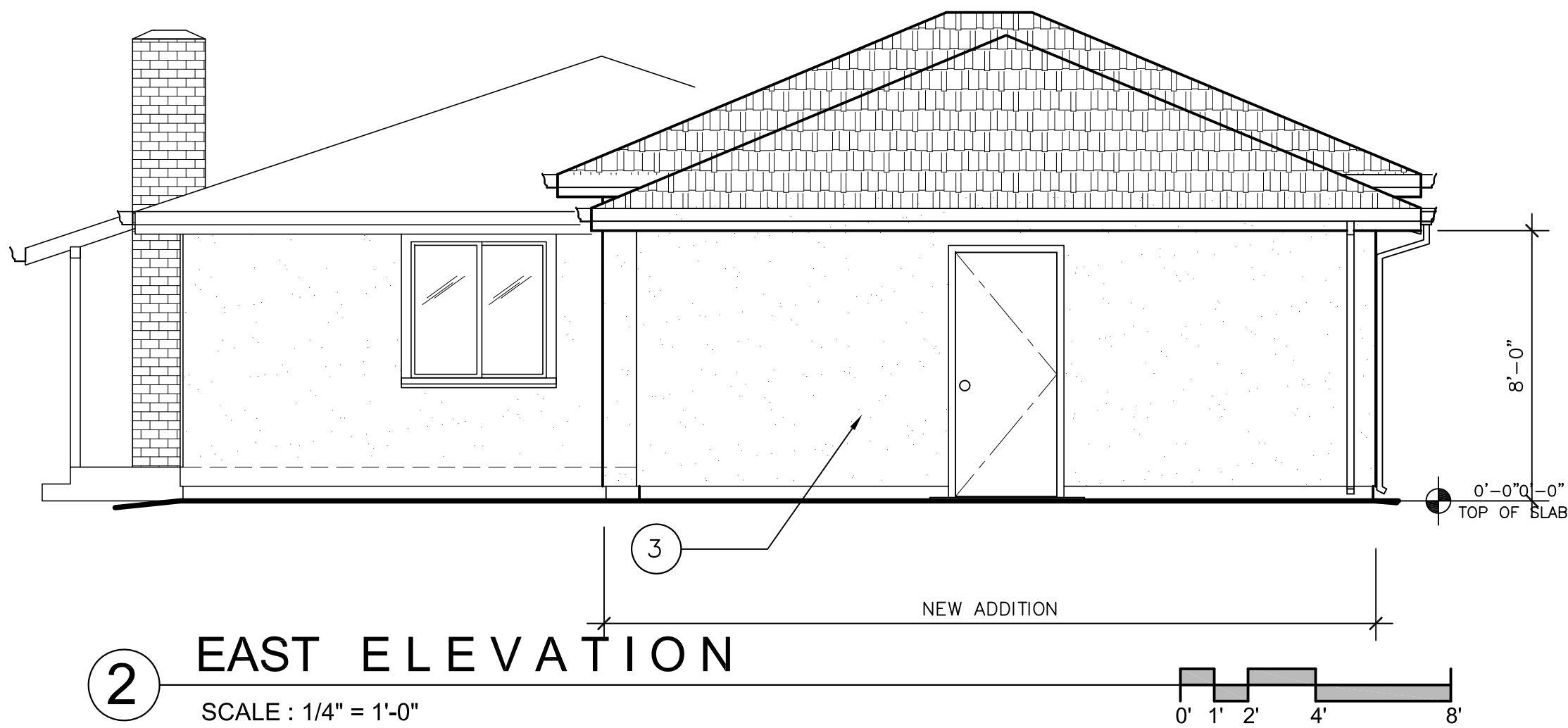
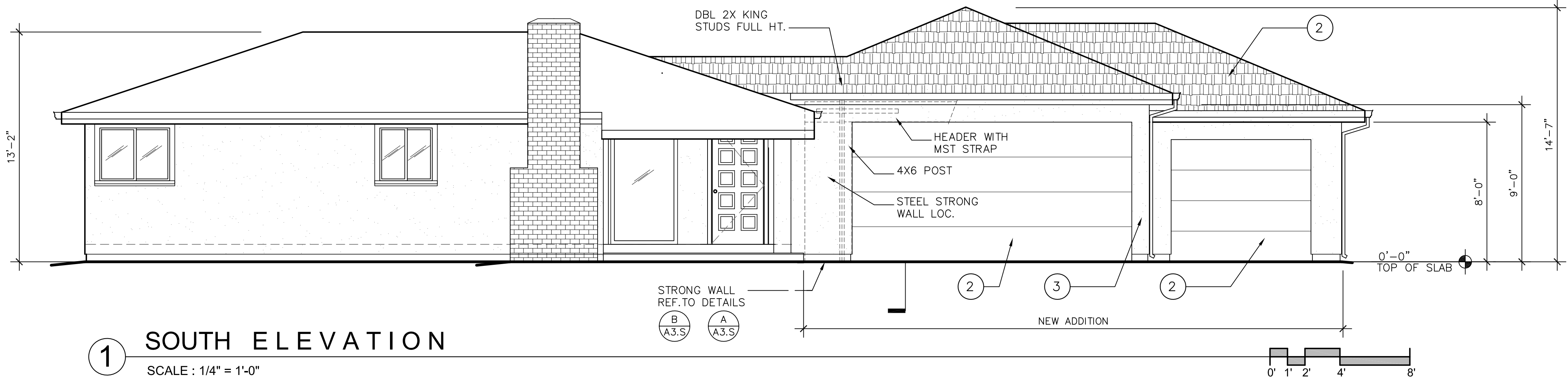
2 02-28-17
RESUBMITTAL

DATE

PROJECT NUMBER

SHEET NUMBER

A6.0e



ELEVATION MATERIALS LEGEND

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ELEVATION NOTES

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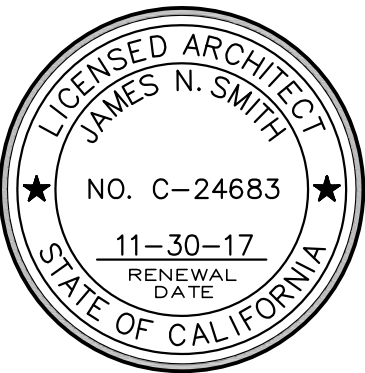
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SHEET TITLE

EXTERIOR ELEVATIONS

ISSUE REVISIONS

1 5-19-16
BLDG SUBMITTAL

2 02-28-17
RESUBMITTAL

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DATE

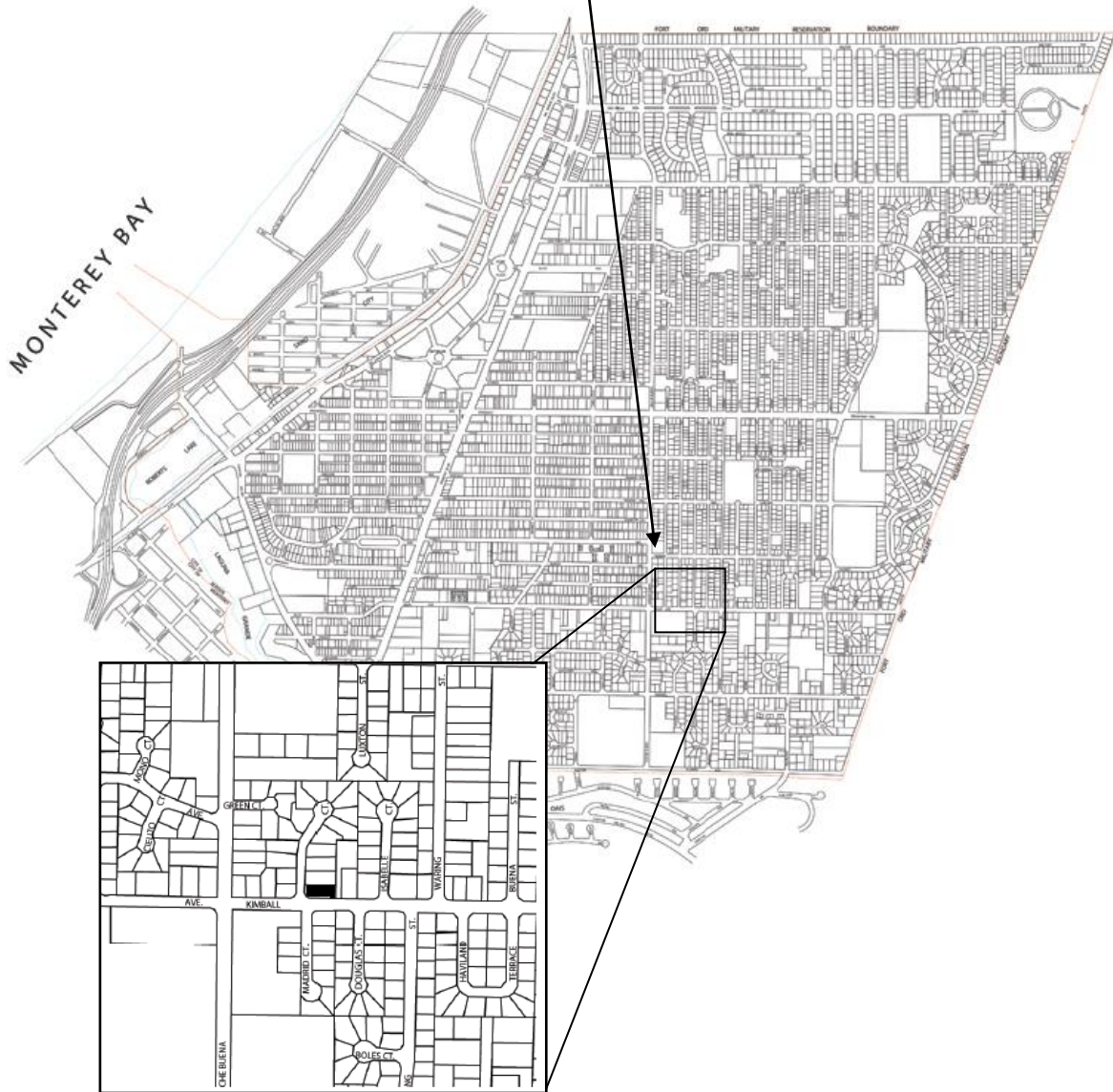
PROJECT NUMBER

SHEET NUMBER

A6.0

Location Map

Project Site: 1351 Kimball Ave



Attachment 3 Site Photographs



Front of house at corner of Madera Court.

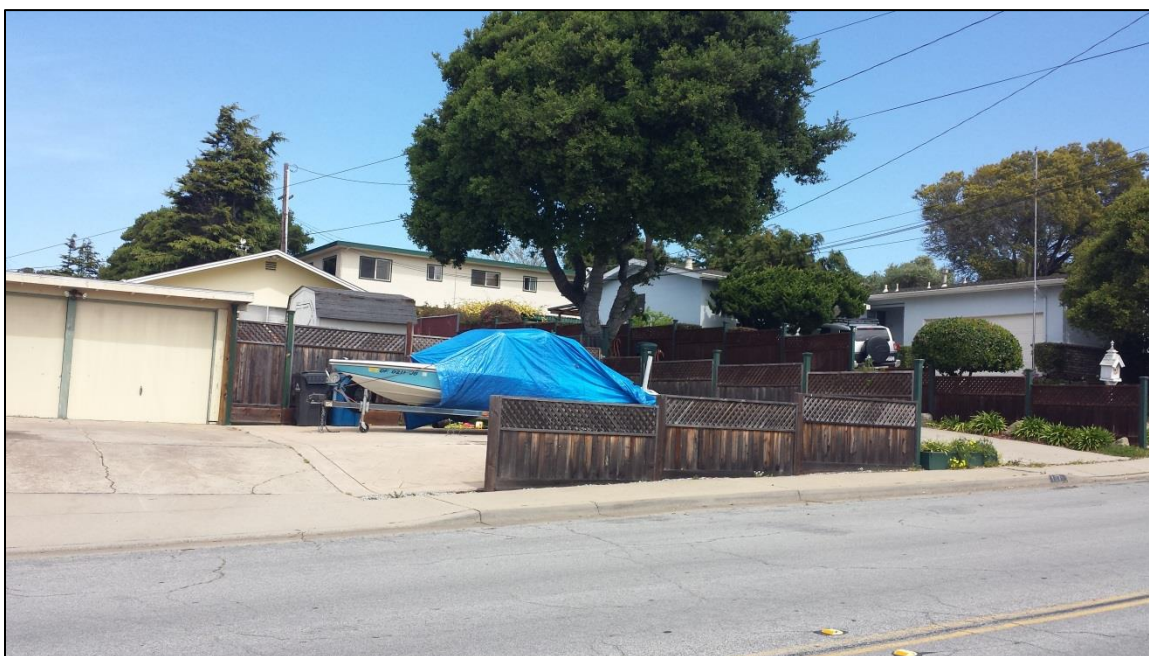


West end of house from Madera Court

Attachment 3 Site Photographs



Existing two car garage from Kimball Avenue



East end of property from Kimball Avenue

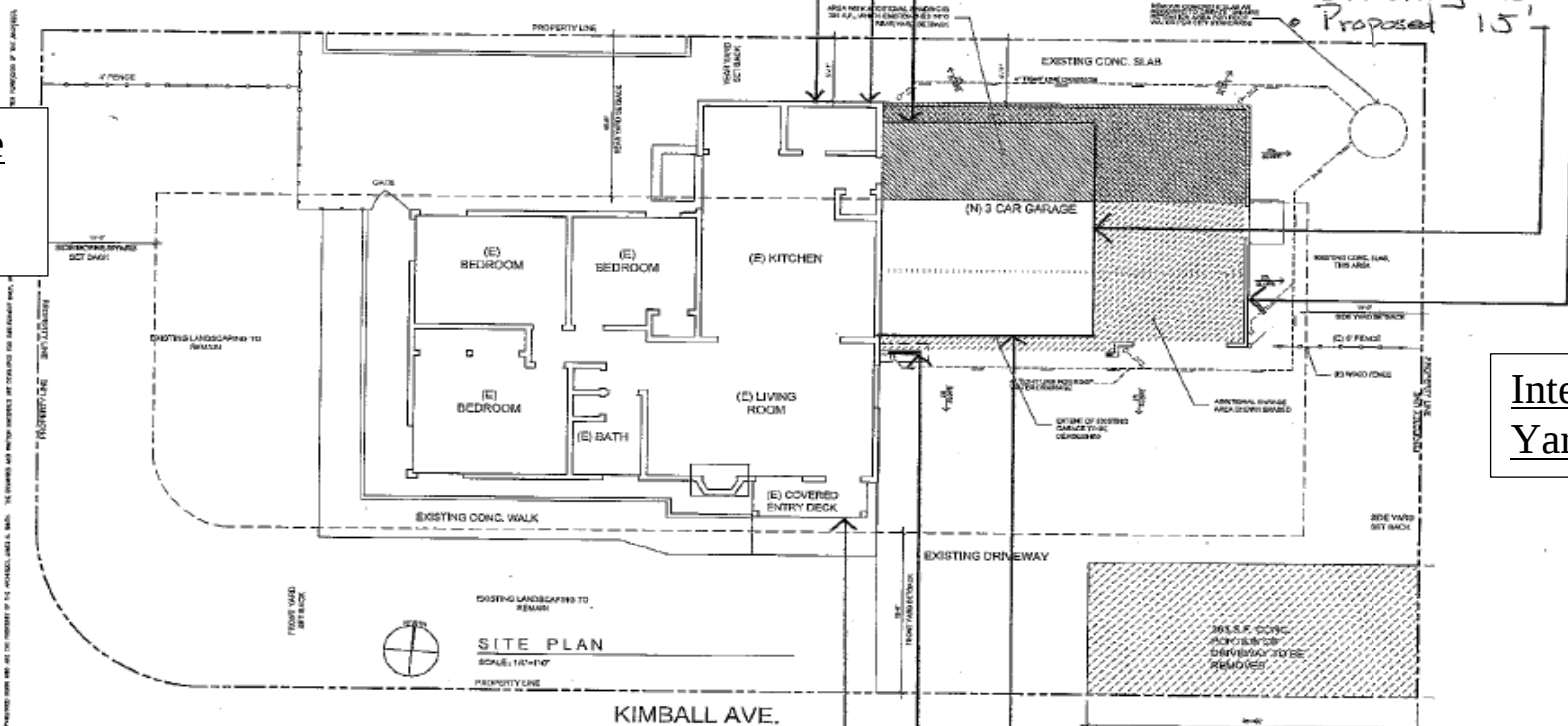
Rear Yard Setback

Proposed Rear Setbacks
 • House & Garage 5'-11"

Existing Rear Setbacks
 • House 5'-11"
 • Garage 7'-6"

Side Setbacks
 • Existing 28'
 • Proposed 15'

Street Side Yard Setback



Interior Side Yard Setback

Attachment 4

Front Yard Setback

Front Setbacks

• Existing Garage 31'
 • Proposed Garage 29'-6"
 • House 16'