



A G E N D A

CITY OF SEASIDE
ZONING
ADMINISTRATION

MEETING
Council Chamber
440 Harcourt Avenue
Monday, May 8, 2017
5:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**
2. **ROLL CALL – ESTABLISHMENT OF QUORUM**
3. **PUBLIC COMMENT**
4. **APPROVAL OF MINUTES**
5. **BUSINESS ITEMS**
 - A. **MINOR USE PERMIT APPLICATION NO. MUP-17-05: CITY OF SEASIDE, PROPERTY OWNER AND APPLICANT, IS REQUESTING A MINOR USE PERMIT TO REPLACE AN EXISTING METAL STORAGE CONTAINER WITH A NEW METAL STORAGE CONTAINER ON CITY OF SEASIDE PROPERTY LOCATED AT 1148 WHEELER STREET (APN 012-381-017) IN THE PUBLIC INSTITUTIONAL (PI) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 11, SECTION 15311, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

PURPOSE: In accordance with Section 17.62.070 of the Seaside Municipal Code (SMC), the applicant is seeking a Minor Use Permit to replace an existing metal storage container with a new metal storage container at 1148 Wheeler Street.

RECOMMENDATION: City staff recommends approval of the replacement metal storage container 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:

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.

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

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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.: 5.A.

TO: Zoning Administration

BY: Bob Larsen, Associate Planner

DATE: May 8, 2017

SUBJECT: MINOR USE PERMIT APPLICATION NO. MUP-17-05: CITY OF SEASIDE, PROPERTY OWNER AND APPLICANT, IS REQUESTING A MINOR USE PERMIT TO REPLACE AN EXISTING METAL STORAGE CONTAINER WITH A NEW METAL STORAGE CONTAINER ON CITY OF SEASIDE PROPERTY LOCATED AT 1148 WHEELER STREET (APN 012-381-017) IN THE PUBLIC INSTITUTIONAL (PI) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 11, SECTION 15311, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE

In accordance with Section 17.62.070 of the Seaside Municipal Code (SMC), the applicant is seeking a Minor Use Permit to replace an existing metal storage container with a new metal storage container at 1148 Wheeler Street.

RECOMMENDATION

City staff recommends approval of the replacement metal storage container subject to the findings, evidence, and Conditions of Approval provided as Exhibit A and Attachment 1 – Project Plans.

BACKGROUND

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act pursuant to Class 11, Section 15311: Accessory Structures. Class 11 includes replacement of minor structures accessory to existing institutional facilities.

Evidence: The applicant proposes to replace a storage container that is a minor accessory structure to an existing institutional facility.

SITE LOCATION

The project site is situated on the east side of Wheeler Street between the Pattullo Swim Center and the Youth Education Center. Adjacent land uses include single-family residences to the west, east, and south, the Oldemeyer Center to the northwest and the Lighthouse Baptist Church to the north. Location Map is provided as Attachment 2. Site Photographs are provided as Attachment 3.

PROJECT DESCRIPTION

Proposed Use

The City of Seaside has utilized a metal storage container for use by the Public Works department. The container is located along the eastern edge of the paved surface between the Pattullo Swim Center and the Youth Education Center. The current container is approximately 24 feet long, eight feet high, and eight feet wide. In addition to the standard hinged doors at the north end, the container also has a roll up metal door in the center of its west side. This metal container has become weathered and the city's demand for storage requires a larger container at this location. The request is for a 40 foot long metal container to replace the existing 24 foot long container. The proposed container will have two roll up metal doors to facilitate the separation of department items. Both Public Works and the Police/Office of Emergency Services utilize the container. The south end of the new container will line up with the location of the existing container. The north end of the new container will end up within approximately 5 feet of the Pattullo Swim Center trash enclosure. The container will be painted to match the Youth Education Center.

STAFF ANALYSIS AND FINDINGS

The applicant is requesting approval of a Minor Use Permit to allow for the replacement of a 24 foot long metal container with a new 40 foot long metal container. The new container will be located in the same location as the existing container and it will be used for the same storage purposes by the Public Works and Police Departments. The location is adjacent to the Pattullo Swim Center and the Youth Education Center on city of Seaside property.

MUP-17-05 Findings

Section 17.18.030 Table 2-7 of the SMC allows public or quasi-public serving uses subject to obtaining a Minor Use Permit. The replacement of a storage container for city use on City property is a public serving use and therefore qualifies for a Minor Use Permit. The following findings are suggested in support of the construction of the proposed three-car garage:

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

CONCLUSION

Based on the analysis, staff recommends approval of the MUP-09-03. The proposed construction of a three-car garage that does not encroach into a rear yard setback further than the existing dwelling encroaches into the same setback complies with the intent of the Seaside General Plan and the requirements of Title 17 of the Seaside Municipal Code.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1- Resolution No. 17-XX
 2. Attachment 1- Exhibit "A" Project Plans
 3. Attachment 2- Location Map
 4. Attachment 3- Site Photographs
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**ZONING ADMINISTRATOR
RESOLUTION NO. 17-XX**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING MINOR USE PERMIT APPLICATION NO. MUP-17-05 TO ALLOW THE REPLACEMENT OF AN EXISTING METAL CONTAINER WITH A NEW METAL STORAGE CONTAINER ON CITY OF SEASIDE PROPERTY LOCATED AT 1148 WHEELER STREET IN THE PUBLIC INSTITUTIONAL (PI) ZONING DISTRICT, SEASIDE,.

WHEREAS, the City of Seaside, property owner and applicant, have applied for a Minor Use Permit for the purpose of allowing the replacement of an existing metal storage container with a new metal storage container on city property located at 1148 Wheeler Street; 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 May 8, 2017; and

WHEREAS, the project is a Categorically Exempt from the California Environmental Quality Act pursuant to Class 11, Section 15311: Replacement of minor structures accessory to existing institutional facilities, meeting the following conditions:

The applicant proposes to replace a storage container that is a minor accessory structure to an existing institutional facility.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator adopts the following findings for Minor Use Permit Application No. MUP-17-05:

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-17-05 subject to the following terms and agreements:

Planning:

1. The new metal storage container shall be painted the same color as the Youth Education Center building.

Standard:

2. 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 April 19, 2017, Community Development Department" provided as Attachment 1 Exhibit "A" to these Conditions.
3. 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.
4. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
5. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
6. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within 15 days from the date of its approval.
7. 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.

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 by the Zoning Administrator of the City of Seaside, State of California, on the 8th of May, 2017.

Rick Medina
Zoning Administrator

MINOR USE PERMIT APPLICATION NO. MUP-17-05
Resolution No. 17-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 Zoning Administrator.

Applicant's Signature

Date

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

Date

ATTACHMENT 1, EX. "A" – PROJECT PLANS



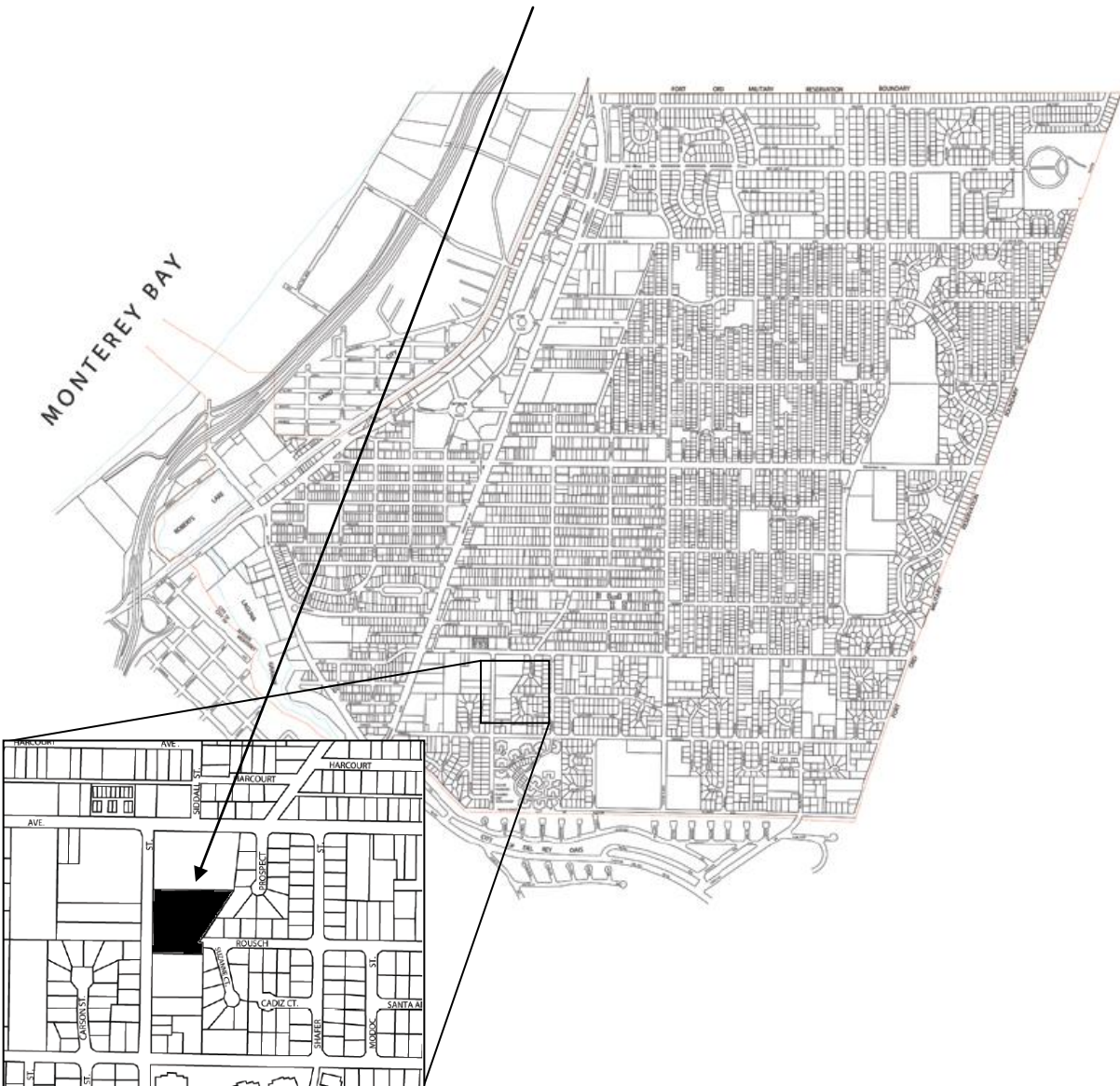
Location of Existing and
Proposed Storage Container



Similar Storage Container

Location Map

Project Site: 1148 Wheeler St.



SITE PHOTOGRAPHS



SITE PHOTOGRAPH OF EXISTING CONTAINER FROM WHEELER STREET



BACK OF EXISTING CONTAINER FROM YOUTH EDUCATION CENTER