



AGENDA

CITY OF SEASIDE

REGULAR

ZONING
ADMINISTRATION

MEETING
Council Chamber
440 Harcourt Avenue
Monday, August 6, 2018
5:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC COMMENT**

4. **APPROVAL OF MINUTES**

5. **BUSINESS ITEMS**

- A. **MINOR USE PERMIT APPLICATION NO. MUP-18-10: AFSHIN EFTELSHAM, PROPERTY OWNER, AND GLENN WARNER, APPLICANT, ARE REQUESTING THE APPROVAL OF A MINOR USE PERMIT APPLICATION TO ALLOW A ONE-STORY 254 SQ. FT. ADDITION TO A SINGLE FAMILY DWELLING TO ENCROACH INTO THE EIGHT-FOOT SIDE YARD SETBACK LOCATED AT 735 PALM AVENUE (APN# 011-292-014) IN THE RH (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A), FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

PURPOSE & RECOMMENDATION:

In accordance with Section 17.72.030.B.1.b.(2) of the Seaside Municipal Code, the applicant is seeking a Minor Use Permit to allow a one-story addition at the rear of the dwelling to be constructed in line with the existing four-foot nonconforming side yard setback.

6. ADJOURNMENT

Next Regularly Scheduled Meeting:
Regular

Not Currently Scheduled

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.

Regular

Zoning Administration Meeting

August 6, 2018 5:00 PM

RESOLUTION NO. 18-XX

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING MINOR USE PERMIT APPLICATION NO. MUP-18-10 TO ALLOW A ONE-STORY ADDITION TO ENCROACH INTO THE REQUIRED SIDE YARD SETBACK IN THE RH (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT LOCATED AT 735 PALM AVENUE.

WHEREAS, Afshin Eftelsham, Property Owner, and Glenn Warner, Applicant, hves applied for a Minor Use Permit for the purpose of constructing a portion of a one-story, 254 square foot addition into the required eight-foot side yard setback located at 735 Palm 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 August 6, 2018; and

WHEREAS, the project is a Categorically Exempt from the California Environmental Quality Act pursuant to Class 1, Section

Evidence:

The proposed project involves the construction of a one-story 254 sq. ft. addition. The proposed addition will consist of a negligible expansion (10% of existing dwelling) and will not result in any significant environmental effects on the project site and/or the surrounding neighborhood.

15301(a): Existing Facilities, meeting the following conditions:

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator adopts the following findings for Minor Use Permit Application No.MUP-18-10:

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 permit the construction of a minor addition to a single family dwelling to enlarge an existing master bedroom within the dwelling. The proposed addition would be in compliance with the required floor area ratio and covered parking standards. The area of the encroachment into the eight-foot side yard would only equal 10.8% of the existing living area whereas 25% is the maximum threshold for which a Minor Use Permit can be considered.

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 RH (High Density Residential). The proposed addition will consist of expanding an existing bedroom to enlarge and enhance the existing master bedroom consistent with the allowed single family dwelling land use in a RH land use classification.

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 surrounding property owners have been provided public notice and no comments have been received either orally or by mail City staff in conducting a site visit has clearly demonstrated that the location, height and use of the addition would not have any adverse effect on a surrounding property or be detrimental to the neighborhood.

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. The rear loading area of the site contains adequate underutilized space where the proposed project could be accommodated, making the site suitable for the proposed use.

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: It can be seen with certainty that the proposed project will consist of a modest addition within the rear yard of the site that will be compatible with the existing architectural design and not create any impacts that would 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

BE IT FURTHER RESOLVED, the Zoning Administrator hereby grants Minor Use Permit Application No. MUP-18-10 subject to the following terms and agreements:

Planning:

1. Except as modified by the conditions of approval, plans submitted for Architectural Review application must be in compliance with the aerial site plan stamped "Received City of Seaside May 21, 2018, Community Development Department" provided as "Exhibit A" to these Conditions.

Building:

1. The project shall be constructed in compliance with the 2016 California Building Code.

Fire Department:

1. The project shall be constructed in compliance with the 2016 California Fire Code.

Public Works

1. Applicant must obtain encroachment permit for any work conducted within the public right-of-way.
2. The storm water runoff created by the new construction (also including additions, driveways, and walkways, etc.) shall be contained on site through the use of rain gutters, detention basins, cisterns, drainage fields, dispersion trenches or comparable methods. The proposed design details and calculations shall be included on a dedicated sheet to be submitted with the building permit plans and shall be designed for 100-year storm event. Sample details are available at the Resources Management Services, located at City Hall, 440 Harcourt Avenue in Seaside (831) 899-6825. Maintenance of the storm water retention system shall be by the owner(s).
3. Should the applicant decide to use the City Standard "S-480" Dispersion Trench for compliance with the retention of storm water, the Standard should be completed and the length and width of the required Dispersion Trench shall be filled in and the Standard sticky backed or stapled onto the building plans. Denote the trench location on the plans keeping 10' clear to any structure or property line. Maintenance of the storm water retention system shall be by the owner(s).

Standard:

1. 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.
2. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.

3. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
4. 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.
5. 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.
6. 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 6th of August, 2018.

Rick Medina
Zoning Administrator

**MINOR USE PERMIT APPLICATION NO. MUP-18-10
RESOLUTION NO. 18-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

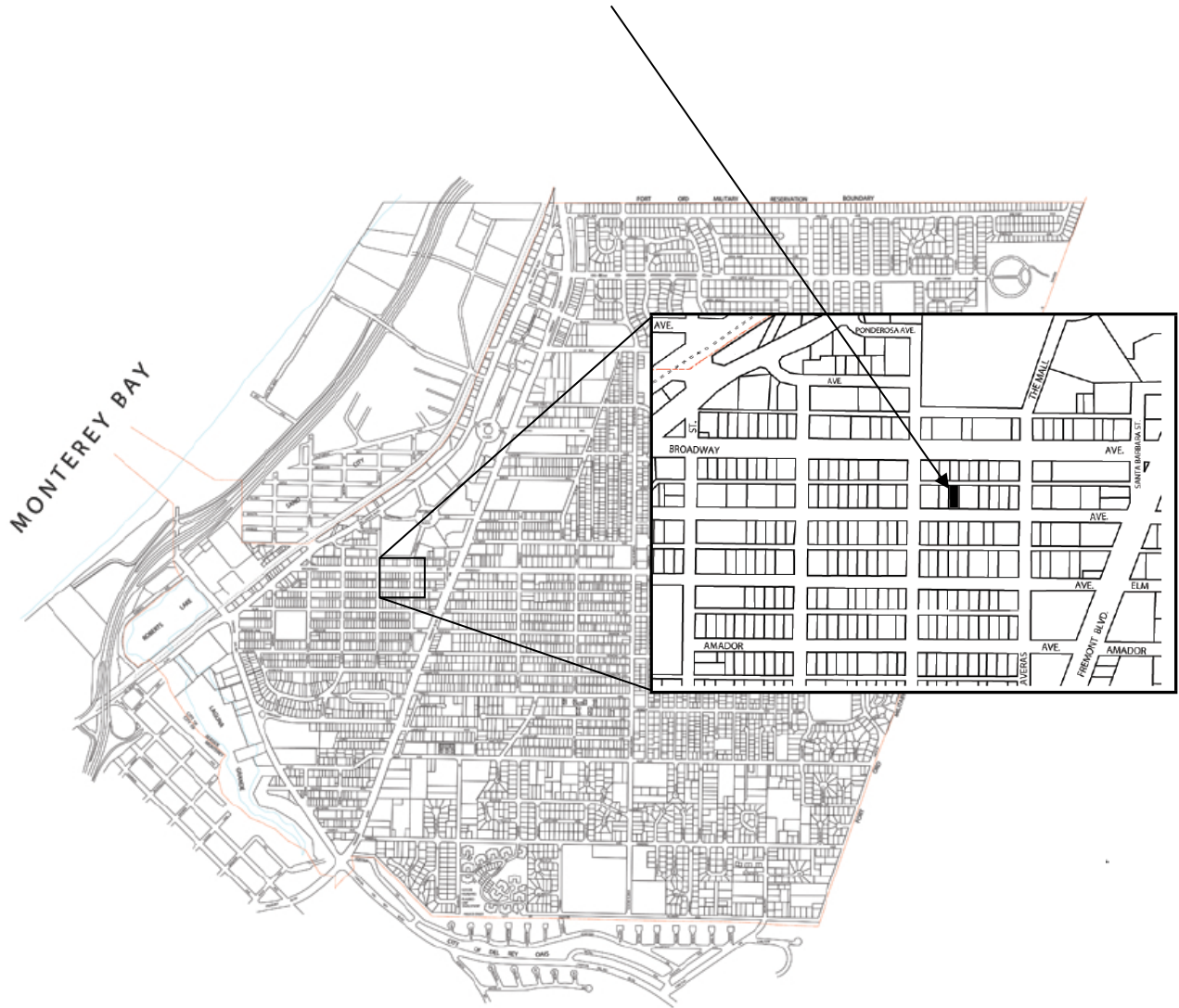
Property Owner's Signature *(if different from above)*

Date

Attachment 2

Location Map

Project Site: 735 Palm Avenue



Attachment 3

Aerial Photo



Attachment 4
Site Photos



Front Façade facing Palm Avenue



East side of rear elevation

Location of addition on rear elevation



West Side of rear elevation