



AGENDA

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Wednesday, August 22, 2018
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

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

John Owens	Chair
Michael Spalletta	Vice Chair
Keith Dodson	Commissioner
Denise Ross	Commissioner
Arlington La Mica	Commissioner
Alissa Kisperskey	Commissioner
Ian Oglesby	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 City Council 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 minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

5. **APPROVAL OF MINUTES**

A. JULY 25, 2018 AND AUGUST 8, 2018

6. **BUSINESS ITEMS**

A. USE PERMIT APPLICATION NO. UP-18-05: TOM AND LYNETTE VAN HEUKEEM, PROPERTY OWNERS, AND ROBERT MANSURRAGO, APPLICANT, ARE REQUESTING A USE PERMIT TO LEGALIZE AN AS-BUILT EXTERIOR STAIRWAY AND ROOF DECK ON AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 2050 MARIPOSA STREET IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICTS (APN# 011-055-020). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

PURPOSE & RECOMMENDATION: In accordance with Section 17.12.050, Table 2-3, exterior stairways that lead to a roof deck are allowed with the issuance of a use permit.

7. REPORTS FROM COMMISSIONERS

8. REPORTS FROM STAFF

9. ADJOURNMENT

Next Regularly Scheduled Meeting:
September 12, 2018
Seaside City Hall
7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, 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>

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.



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, July 25, 2018
7:00 PM

1. **CALL TO ORDER**

Vice Chair Spalletta called the meeting to order at 7:00 PM.

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

PLANNING COMMISSION

PRESENT: Kispersky, La Mica, Spalletta, Dodson, Ross, Oglesby
ABSENT: Owens

3. **REVIEW OF AGENDA**

No changes to the agenda.

4. **PUBLIC COMMENT**

No requests to speak.

5. **APPROVAL OF MINUTES**

On motion by Commissioner Keith Dodson and seconded by Commissioner Denise Ross and passed by the following vote the Planning Commission approved the minutes as presented.

RESULT: **Approved**

AYES: Denise Ross, Keith Dodson, Arlington La Mica, Michael Spalletta, Ian Oglesby, Alissa Kispersky

NOES: None

A. **JUNE 27, 2018**

Action: Approved

6. **BUSINESS ITEMS**

- A. **SEASIDE MUNICIPAL CODE AMENDMENT NO. SMA-18-03: CITY OF SEASIDE, APPLICANT, IS REQUESTING THAT THE PLANNING COMMISSION PROVIDE A RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED TEXT AMENDMENTS TO THE WEST BROADWAY URBAN VILLAGE SPECIFIC PLAN AND THE SPECIFIC PLAN DEVELOPMENT STANDARDS USER GUIDE. IN ACCORDANCE WITH SECTION 15164 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AN ADDENDUM TO THE ADOPTED ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE TEXT AMENDMENTS WHEREBY IT HAS BEEN DETERMINED THAT NONE OF THE CONDITIONS DESCRIBED IN SECTION 15162 OF THE CEQA GUIDELINES EXIST WHICH WOULD REQUIRE THE PREPARATION OF A SUBSEQUENT EIR OR NEGATIVE DECLARATION.**

Associate Planner Rocha presented a history of the West Broadway Urban Village Specific Plan prepared in 2007 which included extensive community input and approved in 2010. She explained that now that the area is becoming more activated and the plan is being put into practice, staff has noticed that there are some changes that need to be made to the plan to make the documents more user friendly, create consistency through the documents and remove redundant language. The proposed amendments are to consolidate the permitted use table, remove sections/subsections and propose text amendments, but not modify changes in the uses that were initially agreed upon. The Commission questioned the proposed changes including the format of the organization, the public input process, and what level of review will changes for specific uses and the changes in different allowable uses. Specifically discussed were concentration issues as it relates to massage permits desiring to have a standard set in advance so applicants understand the threshold.

In response Senior Planner Medina suggested that therapeutic massage applications could be approved by use permit requiring Planning Commission approval while day spa applications can be approved by the Zoning Administrator. Staff also agreed to bring back language specific to concentration guidelines.

On motion by Commissioner Ross and seconded by Commissioner La Mica and passed by the following vote the Planning Commission directed staff to separate the Day spa and therapeutic massage uses and requires that a day spa permit would be a minor use permit and therapeutic massage would be a use permit allowable for the ground floor only and staff will return at a later date with concentration guidelines.

RESULT: **Approved**

AYES: Denise Ross, Keith Dodson, Arlington La Mica, Michael Spalletta, Ian Oglesby, Alissa Kispersky

NOES: None

On motion by Commissioner Oglesby and seconded by Commissioner Ross and passed by the following vote the Planning Commission approved the changes as presented and recommended the City Council approve the proposed text amendments to the West Broadway Urban Village Specific Plan and the Specific Plan Development Standards User Guide.

RESULT: **Approved**

AYES: Denise Ross, Keith Dodson, Arlington La Mica, Michael Spalletta, Ian Oglesby, Alissa Kispersky

NOES: None

B. DISCUSS CITY OF SEASIDE TREE ORDINANCE AND MAKE RECOMMENDATIONS FOR REVISING THE ORDINANCE TO BE CONSISTENT WITH CURRENT INDUSTRY STANDARDS

Planner Rocha spoke to Chapter 8 of the Municipal Code that comprises the current City Tree Code. She stated that in the adopted code it declares that trees individually and in clusters contribute to the attractiveness and livability of the City. She outlined the Municipal Code sections that pertain to trees and address views as it relates to trees, regulations for new construction, penalties for unauthorized removal and required replacement rates and allowed hours of tree removal.

Commissioner Ross questioned the regulation's when there is an emergency and spoke to her personal experience that did not coincide with the code. Staff responded that it is one example of how the code can be updated. On question, she described the qualifications of a public nuisance. The Commission discussed varying issues with trees on public and private property and the selection of trees made for the West Broadway Urban Village. Staff agreed to review the included list of species to ensure that they are appropriate for Seaside and not just coastal climate regions, to ensure that the correct species are identified in the transition to the form based code.

Commissioner Kispersky requested to have staff return with aggressive policies and conservatives tree replacement policies to understand how the existing City policy aligns. Commissioner Oglesby suggested that the commission consider adding regulations that demand specific numbers of trees to be planted per year as the City is lacking in tree inventory. The Commission agreed that the City should adopt stricter regulations and policies that can encourage tree replacement at a rate that outnumbers removal.

7. REPORTS FROM COMMISSIONERS

No reports

8. REPORTS FROM STAFF

Senior Planner Medina provided an update regarding Cal Am road work and Economic Development Manager Stearns spoke to current public works maintenance staff turnover and the currently budgeted \$200,000 for park improvements adopted with the FY 18-19 Budget. The Parks and Recreation Commission will hold a series of meetings starting August 20th pertaining to funding distribution. She also reported that the Roberts Lake park improvements have been completed and classes have already started for water conservation, ecology and stewardship. She informed the Commission of the series of park improvements, park volunteers and cleanup efforts and that the City Council has directed staff to bond for the Cutino Park improvements. The Commission discussed several situations where resident volunteers have been improving parks.

9. ADJOURNMENT

On motion, the meeting adjourned at 8:30 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, August 8, 2018
7:00 PM

1. **CALL TO ORDER**

The meeting was called to order at 7:00 PM.

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

PLANNING COMMISSION

PRESENT: Ross, La Mica, Spalletta, Owens

ABSENT: Kispersky, DodsonOglesby

3. **REVIEW OF AGENDA**

No changes were requested

4. **PUBLIC COMMENT**

Chair Owens invited comments from the public.

- Mitt Sawhney requested that any authorization with telecommunications companies should include requests for fiber connectivity for the city. He spoke to Form Based Code discussion held at Seaside Creates and requested that when considering allowing taller buildings please consider that people bought homes in Seaside because of the views and make sure that views will not be impacted.

5. **APPROVAL OF MINUTES**

A. **JULY 25, 2018**

Chair Owens recused himself as he was not present. Minutes need four members for approval so the item was continued to the next meeting.

6. **BUSINESS ITEMS**

A. **CONDUCT AN INTRODUCTORY STUDY SESSION ABOUT FORM-BASED CODE**

Gloria Stearns explained this item is an educational item to explain the differences of form based code, similar to that in the WBUV Specific Plan and a Euclidian code format. She

expalined Form Based is more focused on design and aesthetics and how to create a more pedestrian friendly environment which was identified as a desire for the future of our community. She further expalined new city projects will be structured as form based code so it is important the the Commission become familiar. The Commission watched the video that was linked on the agenda.

The Commission discussed parking, traffic patterns, traffic behavior, congestion, speeds, architecture requirements and the review process with this type of code. On, question it was clarified that Form Based code would not apply to the residential areas, instead there would be an adopted design guideline similar to the residential urban design guidelines. There was no action taken. This item was for information only.

7. **REPORTS FROM COMMISSIONERS**

Commissioner La Mica announced the Seaside Lions are having a fundrasier on the Oldemeyer on August 18th from 10-3.

8. **REPORTS FROM STAFF**

Ms. Stearns reported on the tiny homes design charette from 9:30 -3 pm on August 10th which is open to the public. There will be three site tours in Seaside to look solutions to address the issue of housing and affordability with tiny homes.

9. **ADJOURNMENT**

On motion, the meeting was adjourned at 7:51 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.A.

TO: Planning Commission

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: August 22, 2018

SUBJECT: USE PERMIT APPLICATION NO. UP-18-05: TOM AND LYNETTE VAN HEUKEEM, PROPERTY OWNERS, AND ROBERT MANSURRAGO, APPLICANT, ARE REQUESTING A USE PERMIT TO LEGALIZE AN AS-BUILT EXTERIOR STAIRWAY AND ROOF DECK ON AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 2050 MARIPOSA STREET IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICTS (APN# 011-055-020). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

PURPOSE & RECOMMENDATION

In accordance with Section 17.12.050, Table 2-3, exterior stairways that lead to a roof deck are allowed with the issuance of a use permit.

BACKGROUND

The property is currently developed with a one story, 1,442 square foot single family residence. The existing dwelling was remodeled in 2010 with a one-story 362 square foot addition and façade update to accommodate the expansion of the Master Bedroom with a new master bath and closet area, replacement of a flat roof flat with a gable roof, and the construction of a parapet wall over the garage on the West (Front) and north side elevations. Street photos of the site from 2008 and 2011 are provided as Attachment 3 to show the transition between the former and new façade changes. Subsequently, the property owners have installed a 250 square-foot (13 foot by 19 foot) roof deck over the garage and an exterior spiral stairway to provide access to the roof deck without building permits.

A Use Permit application has been submitted to approve the “as built” exterior stairway leading to the roof deck. The Zoning Ordinance as amended on February 20, 2014, Section 17.12.050, Table 2-3, was modified to add Note (6) which states that an exterior stairway leading to a

second floor or roof deck may be approved with the issuance of a Use Permit. The property owner is now requesting retroactive approval of the exterior spiral stairway and roof deck.

SITE LOCATION AND DESCRIPTION

The project site is located on the east side of Mariposa Street, between Military Avenue to the north and Ord Grove Avenue to the south. The site is 60 feet wide by 100 feet deep, totaling 6,000 square feet in area.

The adjacent properties consist of a two-story single family dwelling to the south and one-story single family dwellings to the east, north and west. The site is developed with a remodeled 1,442 square foot single-story single-family dwelling, an attached single car garage, and a 13 foot by 19 foot roof deck over the garage. Location Map is provided as Attachment 2. Site photos are provided as Attachment 4.

PROJECT DESCRIPTION

The proposed exterior stairway consists of a metal spiral staircase painted black located on the north side of the garage. The bottom half of the stairway is screened from Mariposa Street with a six-foot tall wood fence. The upper half of the stairway is visible from the public right-of-way to the west and the adjacent property to the north. The roof deck is screened on the north and west side by a three-foot tall parapet wall. A new two-inch diameter iron top rail will be added to the top of the parapet to provide a guard rail at a height of 42-inches from the floor of the roof deck per Building Code standards.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301(e)(1) (Existing Facilities). Class 1 consists of minor additions or alterations to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

Evidence: The proposed project would involve the approval of an “as built” existing exterior stairway that leads to a roof deck over an attached garage of a single family dwelling.

STAFF ANALYSIS AND FINDINGS

Per SMC Section 17.62.070, Use Permits are for the discretionary review of uses and activities that may be appropriate in an applicable zone, but whose effects on a site and its surroundings cannot be determined before being evaluated for a specific site. The following findings are offered in support of such action:

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

Zoning Ordinance Conformance

The following standards apply to the location of an exterior stairway:

In accordance with SMC Section 17.12.050, Table 2-3, Development Feature, Height limit, Note (6) states that exterior stairways that would lead to a second floor or roof deck are permitted with the issuance of a Use Permit

Maximum allowed projection for an exterior stairway from a side property line is three feet (Section 17.30.100.E, Table 3-5 –Allowed Architectural Projections)

Evidence: The existing stairway currently maintains an 11-foot setback from the north side property line.

An attached exterior stairway must maintain a minimum 15-foot setback from the front property line. (Section 17.14.050, Table 2-3, Residential Zone Development Standards)

Evidence: The existing stairway currently maintains an 11-foot setback from the north side property line and a 44-foot setback from the west front property line. The stairway is in compliance with required maximum allowed projections.

An uncovered deck on a roof or second story must maintain a minimum five-foot from a side property line and with an allowed projection of three feet into a required 15-foot front yard setback.

Evidence: The deck above the garage is maintaining a 16-foot setback from the northern side property line and 23 foot setback from the front the front property line.

The setbacks for the spiral staircase and roof deck combined with the parapet screen wall surrounding the roof deck will maintain adequate privacy between adjacent residential properties and minimize any visual impacts of the exterior stairway and roof deck may have on the surrounding neighborhood to the west and north. The existing roof lines completely screen the exterior stairway and roof deck from properties and the public right-of-way to the east and south to mitigate both visual and privacy concerns the exterior stairway and roof deck may have from these properties.

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

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Low Density Single-Family Residential. This land use classification is intended for existing or planned detached single-family residential units, including exterior stairways. The project would be consistent with the following General Plan Goals and Policies:

Land Use Element

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: The proposed use would consist of an exterior stairway on a residential parcel located in the RS-8 Single-Family Residential Zoning District. The “as built” exterior stairway leading to a roof deck is located 11 feet from the closet residential parcel to the north and is setback 44 feet from the front property line. The location of the stairway and the placement of stairway behind the existing six-foot tall fence will adequately screen the stairway from adjacent residential properties and would not be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare in that:

(1) The stairway is setback from the side and front of the dwelling in compliance with the Seaside Municipal Code.

(2) The stairway does not impact the private enjoyment and welfare of residents of the adjacent rear property, as the stairway does not exceed the height of the existing roof deck or create any condition that would be visually obtrusive, create excessive glare, or loud noise.

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

Evidence: The exterior stairway is an accessory use to the main dwelling and therefore does not alter the operating characteristics of the dwelling or enjoyment of the other properties in the neighborhood.

- 2. 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 site contains adequate area for the stairway. The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.

- 3. 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 proposed project is located in the Single-Family Residential (RS-8) zone and is compatible with the existing and planned future single-family residential land uses in the vicinity. The proposed stairway is consistent with the maximum side yard and front yard projections and height limitations allowed by the Zoning Code with a use permit, and does not

create significant noise or privacy impacts that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

CONCLUSION

Based on staff's analysis of the application, all of the findings prescribed by SMC Section 17.62.070.F can be made. As such, staff recommends that the Planning Commission approve the application based on the findings and subject to the conditions of approval contained in the Draft Resolution provided as Attachment 1.

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Attachment 1 - Exhibit A Project Plans
 3. Attachment 2 - Location Map
 4. Attachment 3 - Street View Photos
 5. Attachment 4 - Site Photos
-

RESOLUTION NO. 18-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO LEGALIZE THE CONSTRUCTION OF AN UNENCLOSED EXTERIOR STAIRWAY LEADING TO A ROOF DECK AT 2050 MARIPOSA STREET IN THE SINGLE-FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT.

WHEREAS, Tom and Lynette Van Heukelem, property owners, have applied for a use permit to:

- A. Legalize the construction of an unenclosed exterior stairway leading to a 250 square foot roof deck above an attached garage on an existing single family residence.

WHEREAS, the proposed project requires discretionary approval, 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 Seaside Planning Commission considered oral comments and written information concerning the proposed Use Permit at a duly noticed public hearing held on August 22, 2018, and

WHEREAS, the project is Categorically Exempt, Class 1, Section 15301(e)(1) from the California Environmental Quality Act Guidelines.

Evidence: The proposed project would involve the minor addition to an existing structure that would not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet. The proposed modification would be exempt from CEQA review.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-18-05:

- 1. 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: In accordance with SMC Section 17.12.050, Table 2-3, Development Feature, Height limit, Note (6) states that exterior stairways that would lead to a second floor or roof deck are permitted with the issuance of a Use Permit

- (1) Maximum allowed projection for an exterior stairway from a side property line is three feet (Section 17.30.100.E, Table 3-5 –Allowed Architectural Projections)

Evidence: The existing stairway currently maintains an 11-foot setback from the north side property line.

- (2) An attached exterior stairway must maintain a minimum 15-foot setback from the front property line. (Section 17.14.050, Table 2-3, Residential Zone Development Standards)

Evidence: The existing stairway currently maintains an 11-foot setback from the north side property line and a 44-foot setback from the west front property line. The stairway is in compliance with required maximum allowed projections.

- (3) An uncovered deck on a roof or second story must maintain a minimum five-foot from a side property line and with an allowed projection of three feet into a required 15-foot front yard setback.

Evidence: The deck above the garage is maintaining a 16-foot setback from the northern side property line and 23 foot setback from the front the front property line.

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

The Seaside General Plan Land Use Designation for the project site is Low Density Single-Family Residential. This land use classification is intended for existing or planned detached single-family residential units, including exterior stairways. The project would be consistent with the following General Plan Goals and Policies:

Land Use Element

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: The proposed use would consist of an exterior stairway on a residential parcel located in the RS-8 Single-Family Residential Zoning District. The “as built” exterior stairway leading to a roof deck is located 11 feet from the closet residential parcel to the north and is setback 44 feet from the front property line. The location of the stairway and the placement of stairway behind the existing six-foot tall fence will adequately screen the stairway from adjacent residential properties and would not be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare in that:

- (1) The stairway is setback from the side and front of the dwelling in compliance with the Seaside Municipal Code.
- (2) The stairway does not impact the private enjoyment and welfare of residents of the adjacent rear property, as the stairway does not exceed the height of the existing roof deck or create any condition that would be visually obtrusive, create excessive glare, or loud noise.

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

Evidence: The exterior stairway is an accessory use to the main dwelling and therefore does not alter the operating characteristics of the dwelling or enjoyment of the other properties in the neighborhood.

4. **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 site contains adequate area for the stairway. The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.

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 proposed project is located in the Single-Family Residential (RS-8) zone and is compatible with the existing and planned future single-family residential land uses in the vicinity. The proposed stairway is consistent with the maximum side yard and front yard projections and height limitations allowed by the Zoning Code with a use permit, and does not create significant noise or privacy impacts that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-18-05 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by required conditions of approval, plans submitted for a Building Permit shall substantially conform to the plans identified as “Exterior Stair to Roof Deck” stamped as received on July 18, 2018, and approved on August 22, 2018. The use permit is approved to allow an exterior stairway in accordance with the project plans provided as Attachment 1.
2. Minor modifications to the use permit consistent with Seaside Municipal Code Section 17.54.090.C may be made subject to the review and approval by the Zoning Administrator and the Planning Commission if such modifications are in keeping with the intent of the original approval.
3. Board of Architectural Review approval shall be received prior to the issuance of a Building Permit for the exterior stairway.

Fire Department:

1. Prior to the issuance of a Certificate of Occupancy, applicant shall comply with the requirements of the Seaside Fire Marshall for compliance with the 2016 California Building and Fire Code.

Building Department:

2. Projects must comply with the 2016 California Code of Regulations, Title 24, and California Law in effect at the time of the plan submittal.

Standard:

1. Use Permit approval is subject to revocation procedures contained in SMC 17.80.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner.
2. This Use Permit is subject to procedures and requirements of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Seaside Municipal Code.
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. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
5. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
6. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.
7. 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 fifteen (15) days from the date of its approval.

8. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced construction within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.64.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
9. 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 the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 22ndth day of August, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

RESOLUTION No. 18-XX
USE PERMIT APPLICATION NO. UP-18-05

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

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

Applicant's Signature

Date

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

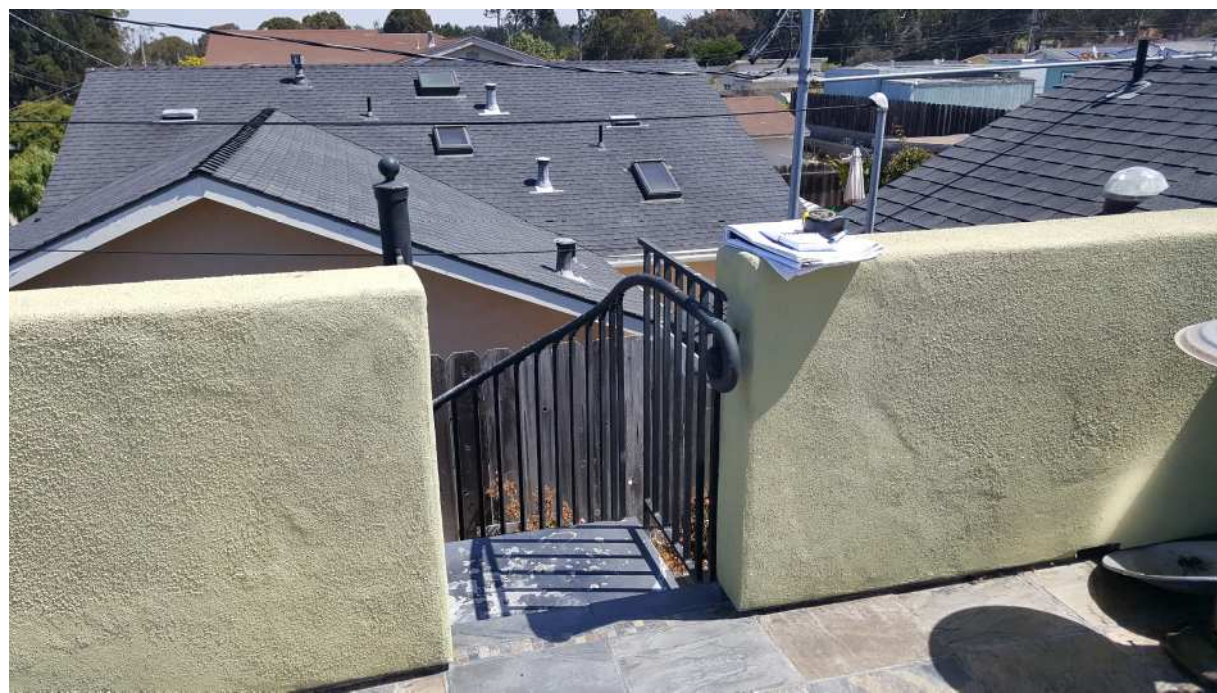
Date



FRONT VIEW - PRIOR TO STAIR INSTALLATION
GOGGLE MAPS



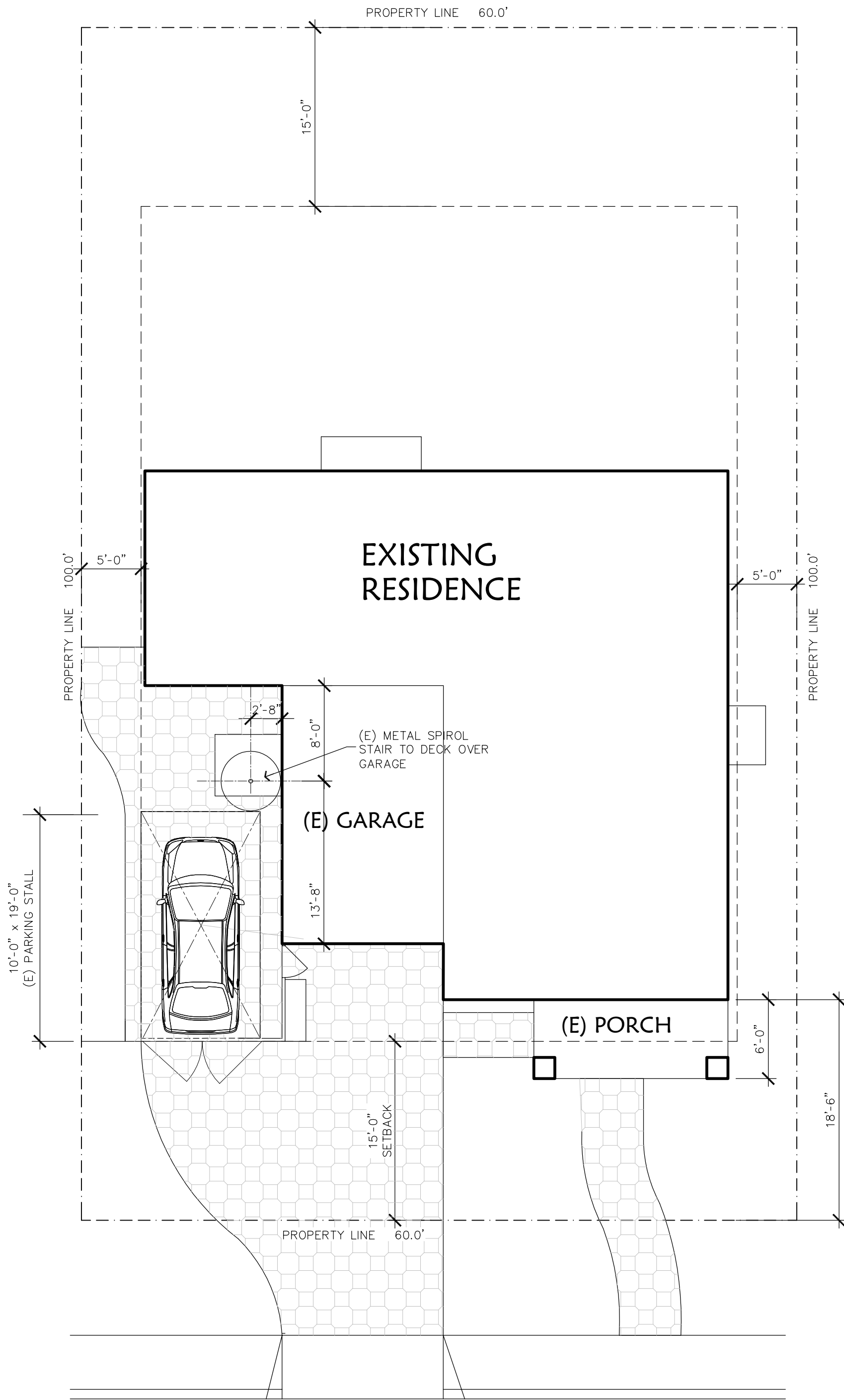
FRONT VIEW - WITH STAIR INSTALLED



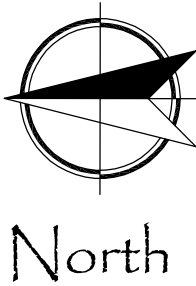
DECK AT STAIR



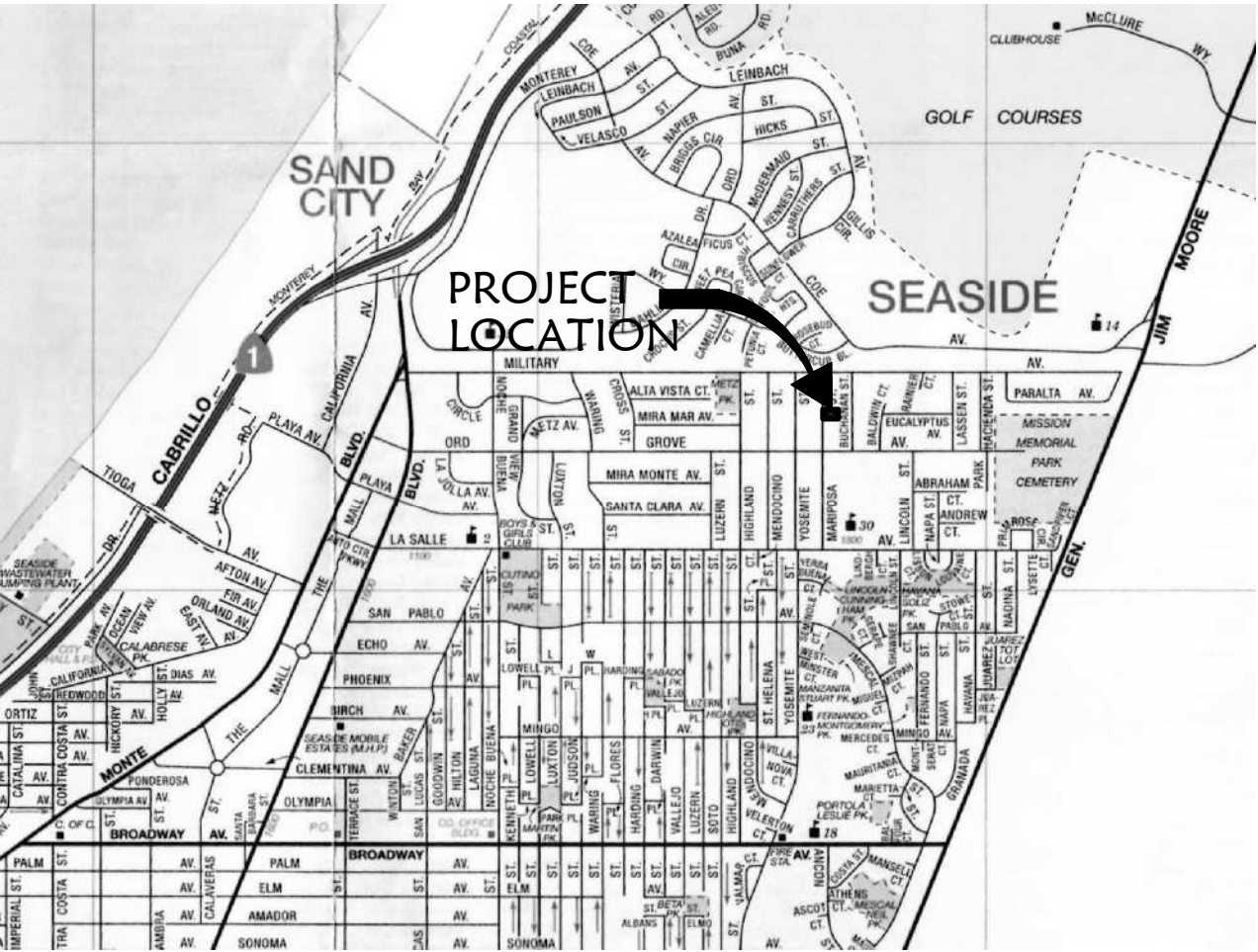
SIDE VIEW



2050 MARIPOSA STREET



SITE PLAN
SCALE: 1/8" = 1'-0"



VICINITY MAP

LOT AREA:

LOT AREA = 6,000 SQ.FT.

ZONING:

R1
24' MAX. HEIGHT

APN:

011-055-020-000

FLOOR AREA NO CHANGE

FLOOR AREA - EXISTING	1,442 SQ. FT.
GARAGE - EXISTING	268 SQ. FT.
	1,710 SQ. FT.

SITE COVERAGE NO CHANGE

FLOOR AREA	1,442 SQ. FT.
GARAGE	268 SQ. FT.
PORCH	115 SQ. FT.
CONCRETE STOOPS	40 SQ. FT.
DRIVE & PARKING	973 SQ. FT.
WALKS	156 SQ. FT.
TOTAL	2,997 SQ. FT.

GRADING

NONE

LANDSCAPING

EXISTING LANDSCAPING

ADDRESS

2050 MARIPOSA STREET
SEASIDE, CA. 93955

OWNER

TOM & LYNETTE VAN HEUKELEM
3889 COLINDA DORADA DRIVE
SAN DIEGO, CA. 92124
(619) 980-9906

GENERAL INFORMATION

A. BUILDING OCCUPANCY GROUPS: R3 / U
B. TYPE OF CONSTRUCTION: TYPE V-N
NON-SPRINKLERED

C. CODES
2016 CALIFORNIA RESIDENTIAL CODE
2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA ENERGY CODE
2016 CALIFORNIA GREEN BUILDING CODE
2016 CALIFORNIA FIRE CODE

D. SINGLE STORY

SCOPE OF WORK

LEGALIZE EXISTING ROOF DECK AND SPIRAL STAIR

SHEET INDEX

A1.0 SITE PLANS
A2.0 FLOOR, ROOF, SECTION
& ELEVATIONS

NOTE

THESE PLANS AND RELATED DOCUMENTS
MUST BE AVAILABLE AT THE JOB SITE
DURING ANY INSPECTION ACTIVITY.

A.P.N.007-191-005-000

MANDURRAGO
& ASSOCIATES

RESIDENTIAL DESIGN

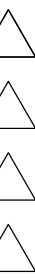
P.O. BOX 1504
CARMEL , CA 93921
PHONE 831-238-6709
Email robert@mandurrago.net

Drawn By: MANDURRAGO

Drawing Date: 7-01-18

Project Number: 18-0201

Revisions:

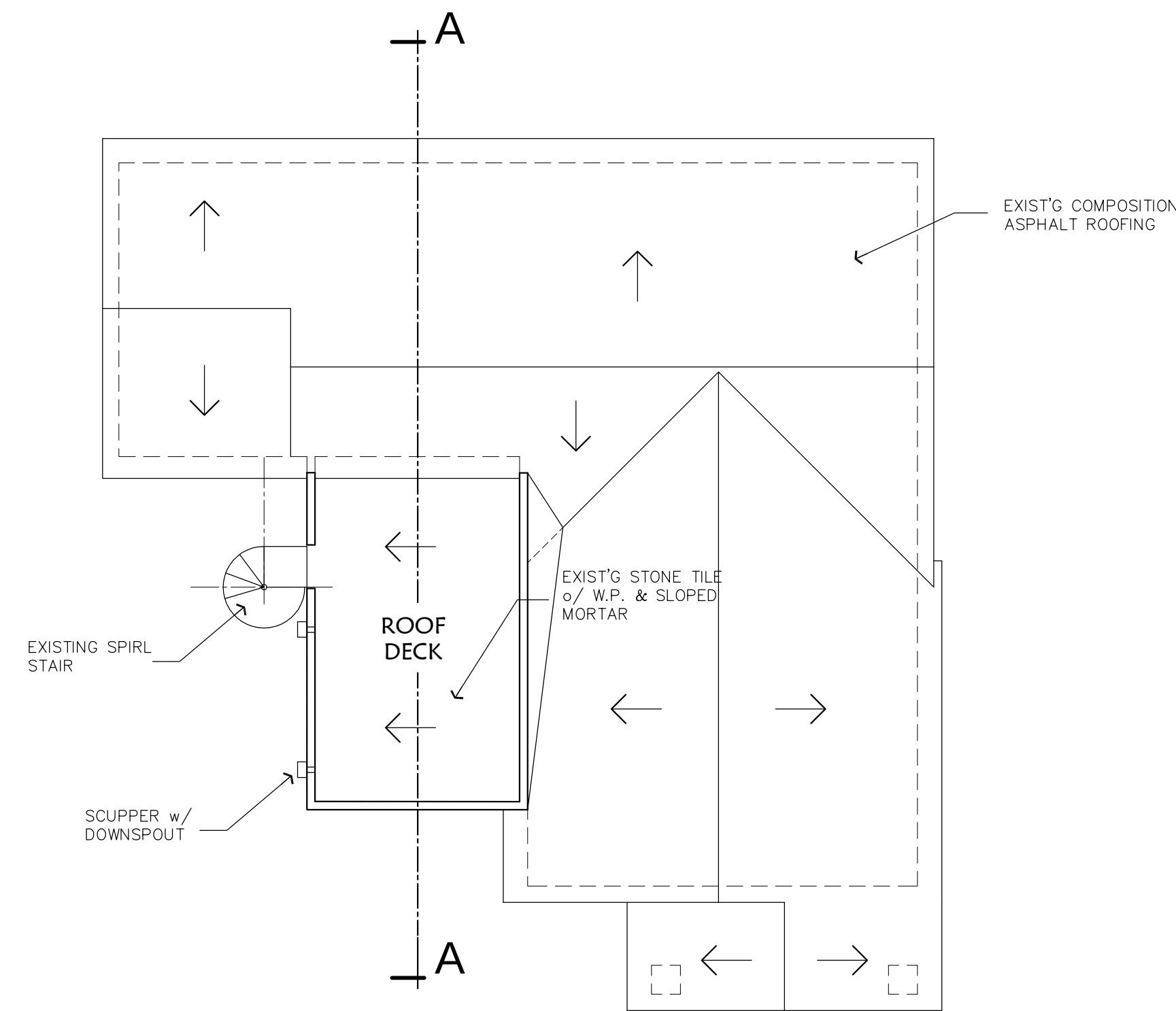


Project / Owner

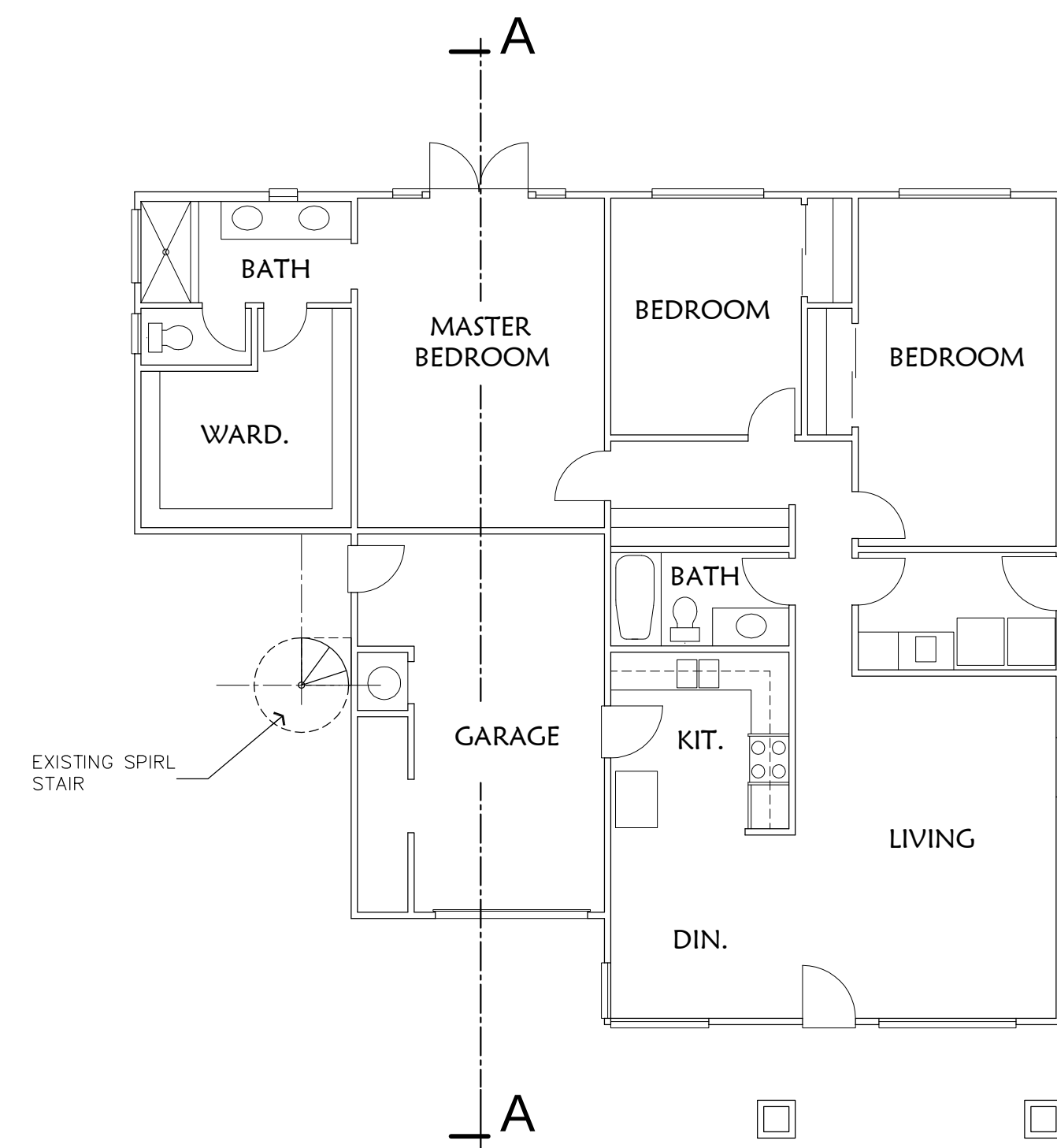
TOM & LYNETTE
VAN HEUKELEM
3889 COLINA DORADA DRIVE
APT L 101
SAN DIEGO, CA 92124

Sheet Number:

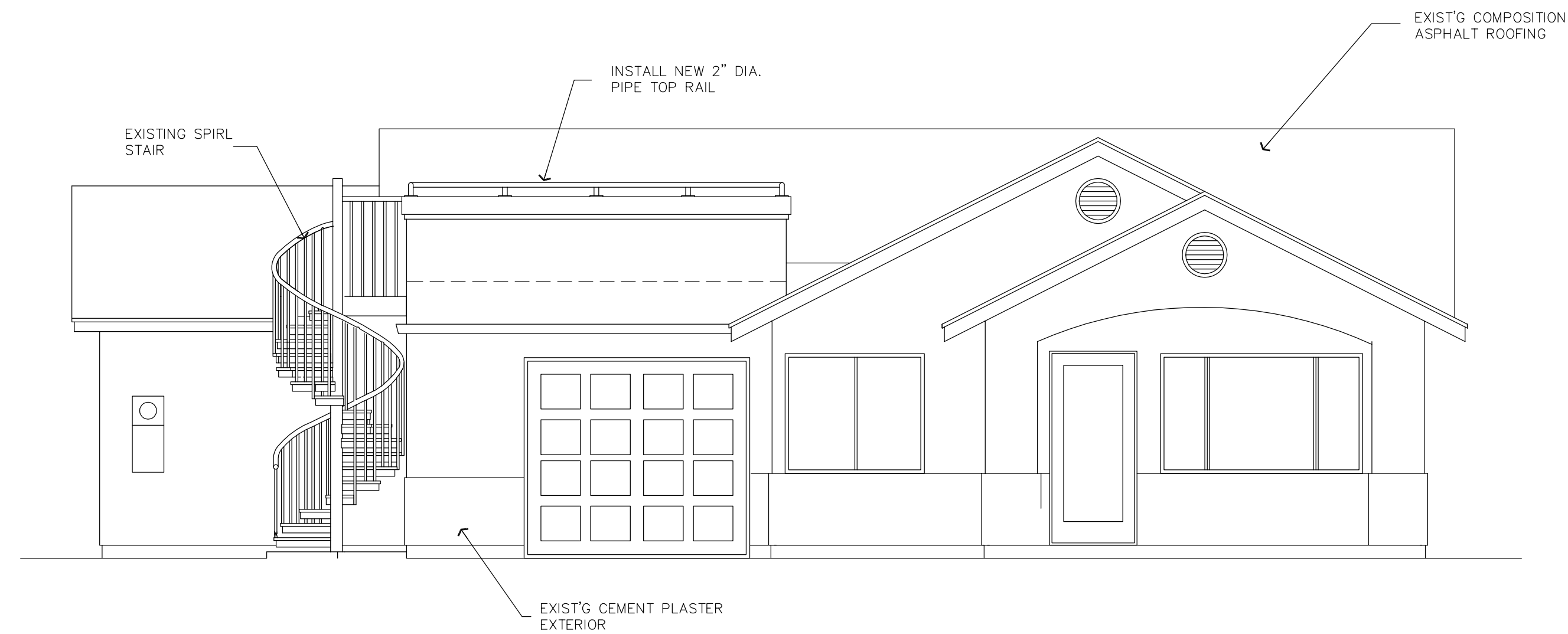
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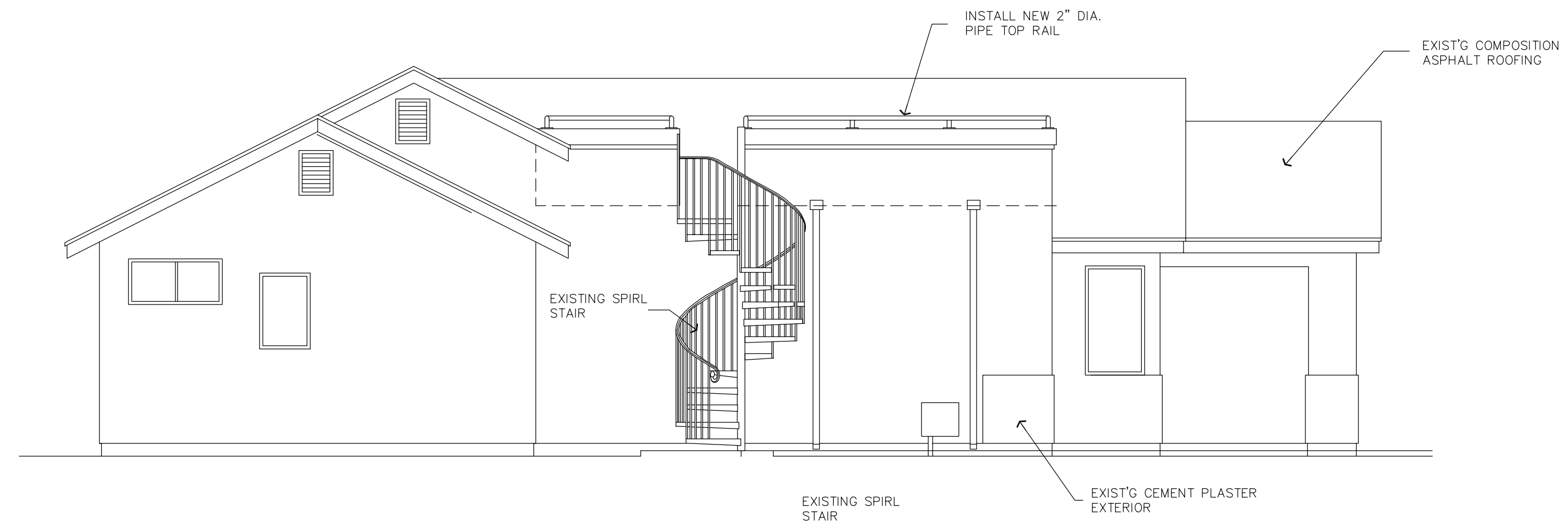
ROOF PLAN
SCALE: 1/8" = 1'-0"



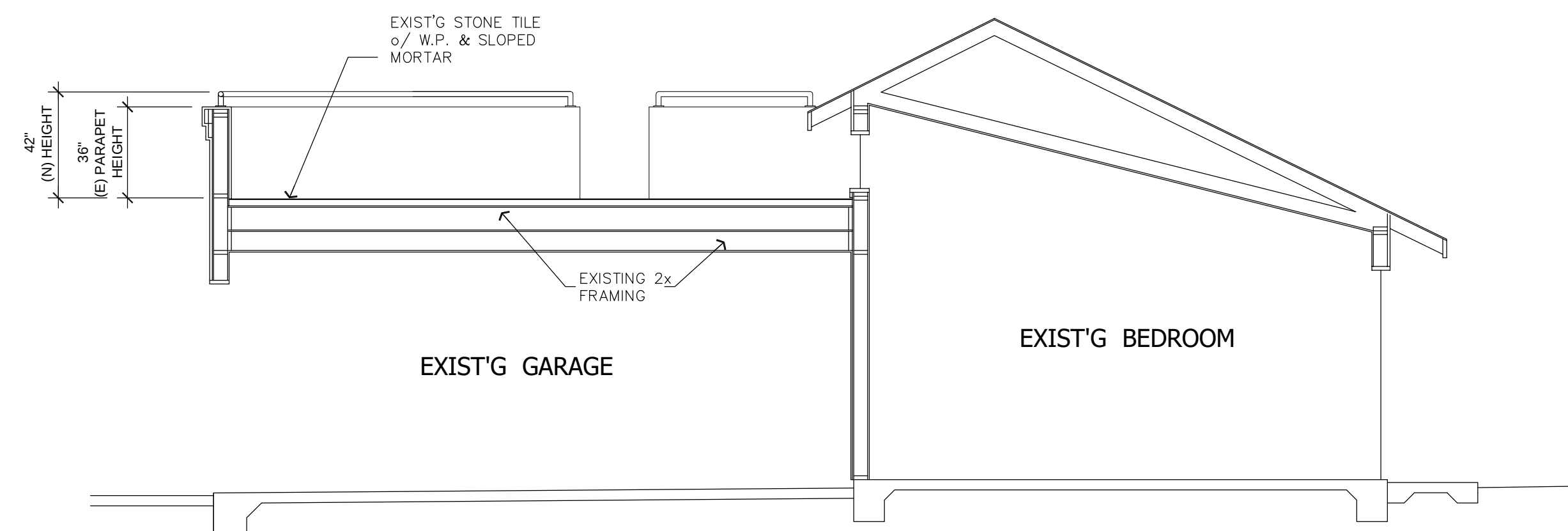
FLOOR PLAN
SCALE: 1/8" = 1'-0"



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



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



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

2050 MARIPOSA STREET
SEASIDE, CA 93955

A.P.N.007-191-005-000

MANDURRAGO
& ASSOCIATES

RESIDENTIAL DESIGN

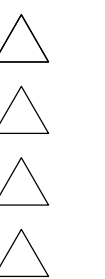
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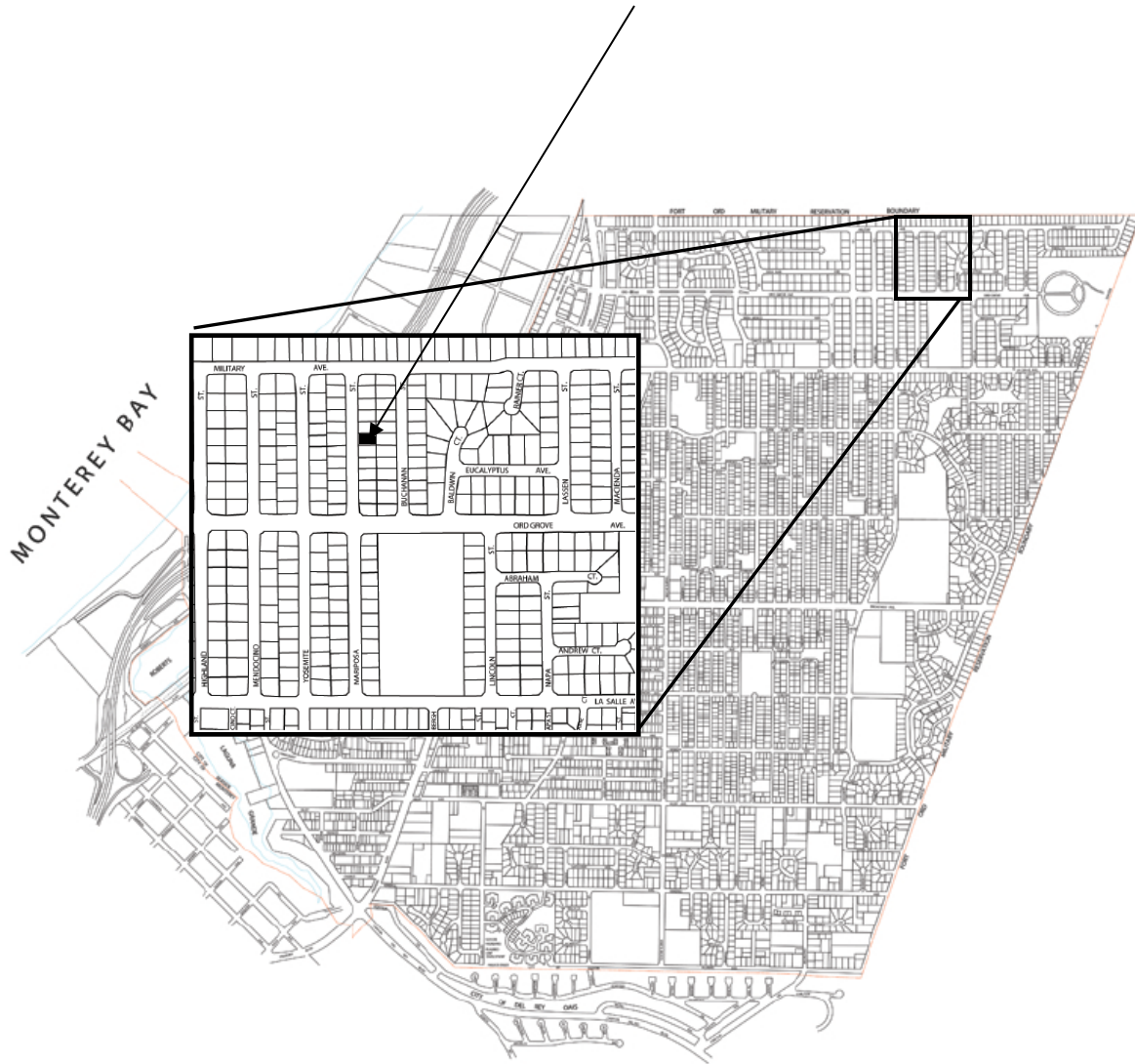
TOM & LYNETTE
VAN HEUKELEM
3889 COLINA DORADA DRIVE
APT L 101
SAN DIEGO, CA 92124

Sheet Number:

A2.0

Location Map

Project Site: 2050 Mariposa Street



Attachment 3 – Street View Comparisons

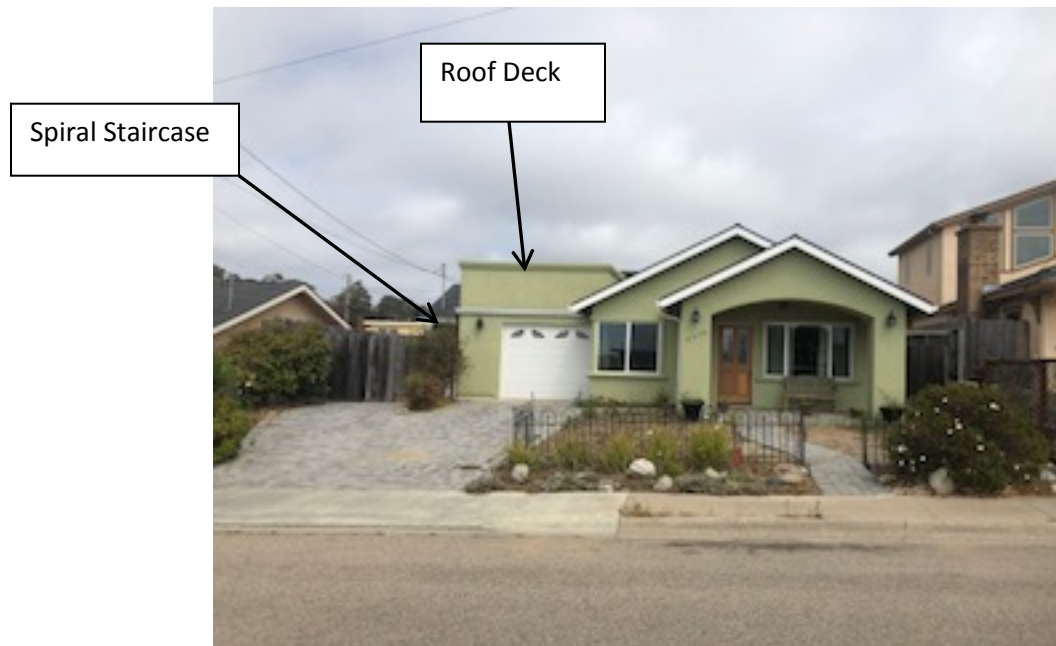


Street View 2018 (Present)



Street View 2008 (Prior to Remodel)

Attachment 4 – Site Photos



View of dwelling from Mariposa Street looking east



View of Spiral Staircase



View of adjacent neighborhood from roof deck looking west



View of roof deck looking to the east