

**MONTEREY COUNTY PLANNING COMMISSION**

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| Meeting: December 14, 2005   |  | Agenda Item:           |  |
| Project Description: (PLN050169; Bellows-Shawl) Use Permit and Design Approval to demolish 274 Sq. Ft. of an existing rear bedroom, bathroom and laundry and construct a 745 sq. ft. addition(471 Sq. Ft. net) with a new bedroom & bathroom in the second story attic and expand and convert an existing bedroom to a dining room in an existing 1,254 Sq. Ft. single family dwelling. Materials to include vinyl or wood window, off-white composition shingles, wood siding, trim and shingle siding. Materials and colors to match existing. |  |                        |  |
| Project Location: 79 Railroad Avenue (Assessor's Parcel Number 177-043-009-000)  |  |                        |  |
| Plan Area: Greater Salinas Area Plan   |  | Flagged and staked: No |  |
| Zoning Designation: High Density Residential /5.1-D-Historical Resources   |  | CEQA Action: Exempt    |  |
| Department: Planning and Building Inspection   |  |                        |  |

**RECOMMENDATION:**

- 1) Approve Use Permit and Design Approval based on Findings and Evidence (Exhibit B) and subject to proposed conditions (Exhibit C).

**OVERVIEW OF PROPOSED ACTION**

The project involves a Use Permit and Design Approval to demolish portions of an existing family dwelling and add approximately 471 sq. ft. of new habitable living space to an existing 1,254 sq. ft. residence in the town of Spreckels. The project is subject to review under the Spreckels Design Guidelines. The proposed demolition and addition required referral to the Historic Resources Review Board (HRRB). The HRRB recommended that the Planning Commission deny the proposed project based on incompatibility with the Spreckels Design Guidelines. Specifically, Guideline No. R1.2 requires the following:

That new work shall be differentiated from the old and shall be compatible with the massing, size, scale and existing architectural features. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Staff’s recommendation of approval contradicts the HRRB recommendation for denial (Exhibit E). The existing residence has approximately 400 sq. ft. addition(s) at the rear elevation which were constructed in the 1950’s. The addition does not have a foundation, does not comply with the building code, and is nearly uninhabitable. The height of the interior ceiling is 5 1/2 feet. This portion of the residence is proposed to be rehabilitated and reconstructed in accordance with the project plans in Exhibit D. The degree in which the new addition differentiates from the old, while also integrating the new construction with the existing residence appears to be a question of degree and aesthetics. The Planning and Building Inspection Department is satisfied that the applicant has differentiated the new from the old and by construction of the new dormers and wood siding that resembles, but is not identical to the existing. It is also staff’s determination that the massing, size and scale of the proposed project is compatible with the

existing residence. It is staff's determination that the proposed new construction would be distinguishable from the old.

The proposed project has been conditioned by Planning, Water Resources and Fire (Exhibit "C").

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Salinas Rural Fire Protection District
- ✓ Historic Resources Review Board (August 4<sup>th</sup> & September 1, 2005)

LUAC RECOMMENDATION:

Not subject to LUAC review

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Paul Mogan, Senior Planner  
(831) 755-5130  
December 14, 2005

Planning Commission (10); File; Applicant/property owner, Lynne Mounday

Attachments:

- Exhibit "A" Project Data Sheet
- Exhibit "B" Findings and Evidence
- Exhibit "C" Conditions of Approval
- Exhibit "D" Vicinity Map & Project Plans
- Exhibit "E" Historical Resources Review Resolution

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| <b>Exhibit C</b><br><b>Monterey County Planning and Building Inspection</b><br><b>Condition Compliance and/or Mitigation Monitoring</b><br><b>Reporting Plan</b> | Project Name: Bellows-Shaw<br>Project Number: PLN050169<br>APNs: 177-043-009-000<br>Approval by: _____ Date: _____ |
|--|--|

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

| <i>Permit<br/>Cond.<br/>Number</i> | <i>Mitig.<br/>Number</i> | <i>Conditions of Approval and/or Mitigation Measures and<br/>Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions<br/>to be performed. Where applicable, a<br/>certified professional is required for<br/>action to be accepted.</i> | <i>Responsible<br/>Party for<br/>Compliance</i> | <i>Timing</i> | <i>Verification<br/>of<br/>Compliance<br/>(name/date)</i> |
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|----------------------------|----------------------|--|--|---|----------------------------------|---|
| 1                          |                      | <p><b>PBD029 - SPECIFIC USES ONLY</b></p> <p>This Use Permit and Design Approval (PNL050169) allows demolition of 274 Sq. Ft. of an existing rear bedroom, bathroom and laundry and construction of a 745 sq. ft. addition(471 Sq. Ft. net) with new bedroom and bathroom above and expansion and conversion of an existing bedroom to a dining room in an existing 1,254 Sq. Ft. single family dwelling. Materials to include vinyl or wood window, off-white composition shingles, wood siding, trim and shingle siding. Materials and colors to match existing. The property is located at 79 Railroad avenue, Spreckels (Assessor's Parcel Number 177-043-009-000), in the Greater Salinas Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)</p> | Adhere to conditions and uses specified in the permit.   | Owner/<br>Applicant                     | Ongoing unless other-wise stated |   |

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|----------------------------|----------------------|--|---|---|--|---|
| 2                          |                      | <p><b>PBD025 - NOTICE-PERMIT APPROVAL</b></p> <p>The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 177-043-009-000 on December 14, 2005. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)</p>  | Proof of recordation of this notice shall be furnished to PBI.  | Owner/<br>Applicant                     | Prior to Issuance of grading and building permits or start of use. |   |
| 3                          |                      | <p><b>PBD030 - STOP WORK - RESOURCES FOUND</b></p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)</p> | Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. | Owner/<br>Applicant/<br>Archaeologist   | Ongoing  |   |

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>   | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i>  | <i>Verification of Compliance (name/date)</i> |
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| 4                          |                      | <p><b>WR40 - WATER CONSERVATION MEASURES</b><br/> The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p> | Compliance to be verified by building inspector at final inspection.   | Owner/<br>Applicant                     | Prior to final building inspection/occupancy         |   |
| 5                          |                      | <p><b>FIRE008 - GATES</b><br/> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. Responsible Land Use Department: Salinas Rural Fire District.</p>  | Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  | Applicant or owner                      | Prior to issuance of grading and/or building permit. |   |

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| 6                          |                      | <p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b></p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Salinas Rural Fire District.</p> | Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  | Applicant or owner                      | Prior to issuance of building permit. |   |
|                            |                      |  | Applicant shall schedule fire dept. clearance inspection   | Applicant or owner                      | Prior to final building inspection    |   |

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|----------------------------|----------------------|---|---|---|--|---|
| 7                          |                      | <p><b>FIRE026 - ROOF CONSTRUCTION (STANDARD)</b><br/> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction.<br/> Responsible Land Use Department: (Salinas Rural Fire District).</p>  | Applicant shall enumerate as "Fire Dept. Notes" on plans.   | Applicant or owner  | Prior to issuance of building permit.  |   |
| 8                          |                      | <p><b>FIRE 30 – EXISTING , NON-SPRINKLERED BUILDINGS UNDERGOING REMODEL OR ADDITION</b><br/> This project involves the addition, modification and/or removal of walls that are equivalent to 50 percent or more of the linear length of the existing walls. Accordingly, both the existing and new portions of the buiding(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for: "The existing and new portions of the building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protections Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-0in inspections must be completed prior to requesting a framing inspection. (Salinas Rural Fire District)<br/> End of Conditions</p> | <p>Applicant shall enumerate as "Fire Dept. Notes" on plans</p> <hr/> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p> <hr/> <p>Applicant shall schedule fire dept. final sprinkler inspection</p> | <p>Applicant or owner</p> <hr/> <p>Applicant or owner</p> <hr/> <p>Applicant or owner</p> | <p>Prior to issuance of building permit</p> <hr/> <p>Prior to framing inspection</p> <hr/> <p>Prior to final building inspection</p> |   |



EXHIBIT "B"  
FINDINGS AND EVIDENCE

**1. FINDING:** The subject Use Permit and Design Approval (PLN050169) allows demolition of 274 Sq. Ft. of an existing rear bedroom, bathroom and laundry and construction of a 745 sq. ft. addition (471 sq. ft. net) with new bedroom and bathroom above and expansion and conversion of an existing bedroom to a dining room in an existing 1,254 sq. ft. single family dwelling. Materials to include vinyl or wood window, off-white white composition shingles, wood siding, trim and shingle siding. Materials and colors to match existing. The property is located at 79 Railroad avenue, Spreckels (Assessor's Parcel Number 177-043-009-000), in the Greater Salinas Area. The project is in accordance with County ordinances and land use regulations subject to the terms and conditions in Exhibit "C." Neither the use nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities.

**EVIDENCE:** The application and plans submitted for the use permit and design approval in project file PLN050169 at the Monterey County Planning and Building Inspection Department.

**EVIDENCE:** Design Approval Request form with plans; and public discussion before the Historical Resources Review Board (HRRB) on August 4<sup>th</sup> & September 1, 2005.

**EVIDENCE:** "HR" (Historic Resource) zoning regulations applicable to the site as found in Chapter 21.54 of the Monterey County Code.

**EVIDENCE:** Spreckels Design Guidelines.

**EVIDENCE:** Oral testimony and HRRB discussion during the public hearing of August 4<sup>th</sup> & September 1, 2005 along with the administrative record of PLN050169.

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Salinas Rural Fire District, Public Works Department and Environmental Health Division and the Historical Resources Review Board. Except for the HRRB, there has been no indication from those agencies that the design is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

- 2. FINDING:** The proposed project is consistent with Section 21.54 of the Monterey County Zoning Code (Regulations for Historic Resources Zoning Districts) and will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character, historical, architectural, or aesthetic interest or value of the designated resource and its site.
- EVIDENCE:** The application and plans submitted for the use permit and design approval in project file PLN050169 at the Monterey County Planning and Building Inspection Department.
- EVIDENCE:** Design Approval Request form with plans; and public discussion before the Historical Resources Review Board (HRRB) on August 4<sup>th</sup> & September 1, 2005.
- EVIDENCE:** “HR” (Historic Resource) zoning regulations applicable to the site as found in Chapter 21.54 of the Monterey County Code.
- EVIDENCE:** Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- EVIDENCE:** Oral testimony and HRRB discussion during the public hearing on August 4<sup>th</sup> & September 1, 2005.
- EVIDENCE:** Spreckels Neighborhood Design Guidelines
- EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Salinas Rural Fire District, Public Works Department and Environmental Health Division and the Historical Resources Review Board. Except for the HRRB, there has been no indication from these agencies that the design is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
- 3. FINDING:** The use and exterior of the new improvements, addition, building or structure upon a designated historic resource site will neither adversely effect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings and natural features of the site.
- EVIDENCE:** The application and plans submitted for the use permit and design approval in project file PLN050169 at the Monterey County Planning and Building Inspection Department.
- EVIDENCE:** Design Approval Request form with plans; and public discussion before the Historical Resources Review Board (HRRB) on August 4<sup>th</sup> & September 1, 2005.
- EVIDENCE:** “HR” (Historic Resource) zoning regulations applicable to the site as found in Chapter 21.54 of the Monterey County Code.
- EVIDENCE:** Secretary of the Interior’s Standards for the Treatment of Historic Properties.

**EVIDENCE:** Oral testimony and HRRB discussion during the public hearings on August 4<sup>th</sup> & September 1, 2005 and the administrative record for PLN050169.

**EVIDENCE:** Spreckels Neighborhood Design Guidelines

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the use proposed. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Salinas Rural Fire District, Public Works Department and Environmental Health Division. Except for the HRRB, there has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

4. **FINDING:** The site is suitable for the use proposed.

**EVIDENCE:** The project has been reviewed for suitability by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Salinas Rural Fire District, Public Works Department, the Environmental Health Division, the Historical Resources Review Board. Except for the HRRB, there has been no indication from those agencies that the site is not suitable. There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed. Recommended conditions have been incorporated into the Conditions of Approval as Exhibit "C."

**EVIDENCE:** The application and plans submitted for the use permit and design approval in project file PLN050169 at the Monterey County Planning and Building Inspection Department.

**EVIDENCE:** Design Approval Request form with plans; and public discussion before the Historical Resources Review Board (HRRB) on August 4<sup>th</sup> & September 1, 2005.

5. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.

**EVIDENCE:** Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations on site.

6. **FINDING:** The approved project will not have a significant adverse impact on the environment.

**EVIDENCE:** Section 15303(a) of the California Environmental Quality Act Guidelines (New Construction or Conversion of Small Structures) categorically exempts this project from environmental review.

**EVIDENCE:** Application materials in project file PLN050169.

**EVIDENCE:** The project has been reviewed for suitability by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Salinas Rural Fire District, Public Works Department, the Environmental Health Division, the Historical Resources Review Board. Except for the HRRB, there has been no indication from those agencies that the site is not suitable. There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed. Recommended conditions have been incorporated into the Conditions of Approval as Exhibit "C."

7. **FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

**EVIDENCE:** The project has been reviewed for suitability by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Salinas Rural Fire District, Public Works Department and the Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed. Recommended conditions have been incorporated into the Conditions of Approval as Exhibit "C."

**EVIDENCE:** The project has been reviewed by the Spreckels Neighborhood Design Review Committee and the Historical Resources Review Board. Both committees recommend approval of the project as proposed.

**EVIDENCE:** Application materials in project file PLN050169.