

MONTEREY COUNTY PLANNING COMMISSION

Meeting: February 13, 2013 Time: 9:00am	Agenda Item No.: 1
Project Description: Use Permit and Design Approval to allow the construction of a 487 square foot bedroom, bathroom and closet addition to an existing single family dwelling located within a Historic Resource District (HR). The addition includes the removal of an existing 13 square foot water heater closet, the remodel of an existing 168 square foot laundry room, and a new 90 square foot deck (less than 24 inches above grade).	
Project Location: 76 Third Street, Spreckels	APN: 177-053-004-000
Planning File Number: PLN120737	Owner: David & Heather Stewart Agent: Mark Norris
Planning Area: Greater Salinas Area Plan	Flagged and staked: No
Zoning Designation: : HDR/5.1-D-HR [High Density Residential, 5.1 units per unit acre with Design Control and Historic Resources Overlays]	
CEQA Action: Categorically Exempt per Section 15301(e)	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit B**) to:

- 1) Find the project Categorically Exempt pursuant to CEQA Guidelines Section 15301(e); and
- 2) Approve PLN120737, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**);

PROJECT OVERVIEW:

The project entails a structural addition (487 square feet) to an existing single family dwelling located within a Historic Resources (HR) District. The project is located in the historic Town of Spreckels. Though the house was built in 1920s, the existing house is considered a non-contributing structure due to changes made to the dwelling. The proposed addition is consistent with the Spreckels Design Guidelines in that the proposed addition will be located at the back of the dwelling and match materials and colors of the existing dwelling (Policies R1.3, R1.4, and R1.5). Pursuant to Section 21.54.040 of the County Zoning Ordinance, the Historic Resources Review Board (HRRB) reviewed and approved the project on January 10, 2013. The project will not impact the historic integrity of the Town of Spreckels.

The project proposes a modification to residential parking standards due to lack of parking space on the property. The property currently has one uncovered parking space located at the back of the property, accessible by a substandard alleyway. Pursuant to Chapter 21.64.270 of the Zoning Ordinance (Historic Resources), parking modifications may be required to accommodate structures within a historic district. The property is located within the Town of Spreckels, which is a historic district. A review of the surrounding neighborhood in Spreckels shows many dwellings do not meet the current parking standard, many single family dwellings only have one parking space.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Monterey County Regional Fire Protection District

Agencies that submitted comments are noted with a check mark (“√”). None of the listed agencies require conditions of approval.

The project was referred to the Spreckels Neighborhood Design Review Committee (SNDRC) for review, pursuant Section Three of the Spreckels Design Guidelines. On January 16, 2013, the SNDRC unanimously recommended approval of the project with recommended changes to roof connection (between the addition and existing) and windows (eliminate skylight; remove circular window).

Note: The decision on this project is appealable to the Board of Supervisors.



Dan Lister – Assistant Planner
(831) 759-6617, listerdm@co.monterey.ca.us
January 23, 2013

cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Wanda Hickman, Planning Services Manager; John Ford, Senior Planner; Dan Lister, Project Planner; Carol Allen, Senior Secretary; David and Heather Stewart, Owner; Mark Norris, Agent; The Open Monterey Project; LandWatch; Planning File PLN120737

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
• Conditions of Approval; and
• Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map
Exhibit C Vicinity Map
Exhibit D Historic Resources Review Board Resolution
Exhibit E Spreckels Neighborhood Design Review Committee Minutes

This report was reviewed by John Ford, Senior Planner



**EXHIBIT A
PROJECT INFORMATION FOR PLN120737**

Permit #	PLN120737	APN	177-053-004-000
Situs Address	76 Third St. Spreckels	Advisory Comm.	Spreckels Neighborhood Design Review Committee
Legal Lot	Vol. 1 C&T P. 71	Lot Size	6,000sf/ 0.13ac
Area Plan	Greater Salinas Area Plan	Zoning	HDR/5.1-D-HR

Development Standards:

Setback Requirements	Front		Side		Rear		Height	
	Min.	Project	Min.	Project	Min.	Project	Min.	Project
Main Structure	20'	24.5'	5'	5'	10'	18.5'	35'	22'

Distance Between Structures		
	Req.	Project
Main	10'	-
Main/Acc.	6'	-
Acc./Acc.	6'	-

Building/Floor Area Coverage		
	Allowable	Project
Site Coverage	35% / 2,100sf	34.9% / 2098sf

Parking Requirements	2 Parking spaces, 1 covered parking space required
Code exception or special regulations: Spreckels: 35% Max. Coverage	
Water Source	City
Sewer	City

Site Resources:

Archaeology	Low	Within 750'	No	Site Visit Required?	Yes
Env. Sensitive Hab.	No	Historic Resource		HR District/ Non-contributing House	
Fire Hazard	No	Fire District		Spreckels VFC	
Seismic Zone	IV	1/8 th mile (600') from fault		No	
Flood Zone	No	Tree Removal		None	
Williamson Act	No	Soils		CROPLEY SILTY CLAY, 0-2% SLOPES.	
Slope	Level	Grading		No grading	
CEQA	15301(e)	Scenic Area	No	Public Access	No

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

STEWART (PLN120737)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Planning
Commission:

- 1) Finding the project Categorical Exempt pursuant to CEQA Guidelines Section 15301(e); and
- 2) Approving a Use Permit and Design Approval to allow the construction of a 487 square foot bedroom, bathroom and closet addition to an existing single family dwelling located within a Historic Resource District (HR). The addition includes the removal of an existing 13 square foot water heater closet, the remodel of an existing 168 square foot laundry room, and a new 90 square foot deck (less than 24 inches above grade).

[PLN120737, Stewart, 76 Third Street, Spreckels,
Greater Salinas Area Plan (APN: 177-053-004-000)]

The Stewart application (PLN120737) came on for public hearing before the Monterey County Planning Commission on February 13, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE:
 - a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Monterey County Zoning Ordinance (Title 21); and
 - Spreckels Design GuidelinesNo conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) The property is located at 76 Third Street, Spreckels (Assessor's Parcel Number 177-053-004-000), Greater Salinas Area Plan. The parcel is zoned HDR/5.1-D-HR [High Density Residential, 5.1 units per unit acre with Design Control and Historic Resources Overlays], which principally allows the construction of the first single family dwelling

and accessory structures associated to the single family dwelling. The project proposes a minor addition located at the rear of the existing dwelling. Pursuant to Section 21.10.030 (HDR District) of the Zoning Ordinance (Title 21), the addition is a use allowed.

- c) The project site is located within a Design Control District (D) which requires design review to ensure protection of “public viewshed, neighborhood character, and visual integrity of certain developments” (21.44.010, Zoning Ordinance). The project is consistent with the Design Control District by proposing colors and materials that match the existing dwelling consistent with the neighborhood setting. The project is also consistent with the Spreckels Design Guidelines in that the proposed addition is located at the rear of the property and will match the existing dwelling (Policies R1.3, R1.4, and R1.5).
- d) The project is located within the Town of Spreckels which has a Historic Resources (HR) zoning overlay to indicate the location of a historic structure, town or area that requires protection and preservation. Pursuant to Section 21.54.040 of the Zoning Ordinance, the project is required to be reviewed and approved by the Historic Resources Review Board (HRRB). The project was reviewed and approved by the HRRB on January 10, 2013 with no additional conditions.
- e) The project proposes modification to the parking standards of the district due to the lack parking area. The property currently only has one uncovered off-street parking space located at the rear of the property, accessed by an alleyway. The parking standard for dwellings within the High Density Residential District (HDR) is one covered parking space, one uncovered parking space. Pursuant to Chapter 21.64.270 of the Zoning Ordinance (Historic Resources), parking modifications may be required to accommodate structures within a historic district. The property is located within the Town of Spreckels, which is a historic district. Many dwellings within Spreckels do not meet the current parking standard, many with only one parking space. The project is consistent with the parking within the historic district.
- f) The project planner conducted a site inspection on November 20, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- g) The project was referred to the Spreckels Neighborhood Design Review Committee (SNDRC) for review, pursuant Section Three of the Spreckels Design Guidelines. On January 16, 2013, the SNDRC unanimously recommended approval of the project with recommended changes to roof connection (between the addition and existing) and windows (eliminate skylight; remove circular window).
- h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120737.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey

County Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- b) Staff conducted a site inspection on November 20, 2012 to verify that the site is suitable for this use.
- c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120737.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning Department, Monterey County Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) The project is located where necessary public facilities already existing. Pursuant to review by the Environmental Health Bureau and Water Resources Agency, the propose addition does not pose any water or sewage issues.
 - c) Preceding findings and supporting evidence for PLN120737.

4. **FINDING:** **NO VIOLATIONS** - 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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on November 20, 2012 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120737.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15301(e) categorically exempts structural additions to existing single

family dwellings.

- b) The project proposes a 487 square foot addition with a new 90 square foot deck. The project is considered to be a minor addition and consistent with the applied exemption.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on November 20, 2012.
- d) The project will not create impacts listed CEQA Guidelines Section 15300.2 (Exceptions).
- e) See preceding and following findings and supporting evidence.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.80.040.D of the Monterey County Zoning Ordinance (Board of Supervisors).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1. Find the project Categorically Exempt pursuant to CEQA Guidelines Section 15301(e); and
2. Approve a Use Permit and Design Approval to allow the construction of a 487 square foot bedroom, bathroom and closet addition to an existing single family dwelling located within a Historic Resource District (HR). The addition includes the removal of an existing 13 square foot water heater closet, the remodel of an existing 168 square foot laundry room, and a new 90 square foot deck (less than 24 inches above grade), in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 13th day of February, 2013 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN120737

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use permit and Design Approval (PLN120737) allows the construction of a 487 square foot bedroom, bathroom and closet addition to an existing single family dwelling located within a Historic Resource District (HR). The addition includes the removal of an existing 13 square foot water heater closet, the remodel of an existing 168 square foot laundry room, and a new 90 square foot deck (less than 24 inches above grade). The property is located at 76 Third Street, Spreckels (Assessor's Parcel Number 177-053-004-000), Greater Salinas Area Plan. 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 the RMA - Planning Department. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 177-053-004-000 on February 13, 2013. The permit was granted subject to 3 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:** The permit shall be granted for a time period of 3 years, to expire on February 13, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

**Compliance or
Monitoring
Action to be Performed:** Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.


GREATER SALINAS



APPLICANT: STEWART

APN: 177-053-004-000

FILE # PLN120737

 2500' Limit  300' Limit  Water

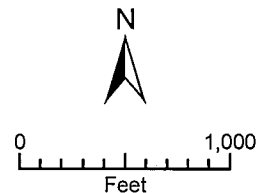


EXHIBIT c

PLANNER: LISTER

*Before the Historic Resources Review Board in and for the
County of Monterey, State of California*

**Resolution No. PLN120373 (Stewart)
Resolution by the Monterey County Historic
Resources Review Board (HRRB) to recommend
approval of a Use Permit and Design Approval
to allow the construction of a 487 square foot
addition to an existing single family dwelling
located within a Historic Resource District (HR).
The property is located at 76 Third Street,
Spreckels (Assessor's Parcel Number 177-053-
004-000), Greater Salinas Area Plan.**

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) of the County of Monterey on January 10, 2013 pursuant to the regulations for development within a Historic Resources District ("HR") as contained in Chapter 21.54 of the Monterey County Zoning Ordinance, Title 21, and the Spreckels Design Guidelines, adopted on February 1999.

WHEREAS, the parcel is located at 76 Third Street, Spreckels (Assessor's Parcel Number 177-053-004-000), Greater Salinas Area Plan. The dwelling is located within the town of Spreckels which is designated as a Historic Resources District. Pursuant to the Spreckels Design Guidelines and Assessor's Database, the existing house was built in 1920, but is considered a non-contributing structure due to structural alterations causing the structure to lack historic architectural qualities and historic association. The structure can be rehabilitated back to a contributing status.

WHEREAS, the applicant (Mr. and Mrs. Stewart) filed with the County of Monterey an application for a Use Permit and Design Approval to allow the construction of a 487 square foot addition to an existing single family dwelling located within a Historic Resource District (HR). The proposed addition is consistent with the Spreckels Design Guidelines for Residential Buildings in that the addition will be located at the rear of the existing dwelling and will use materials similar to the existing dwelling (Policies R1.3, R1.4, and R1.5).

WHEREAS, the proposed site plan indicates that the property has only one uncovered parking space. Pursuant to Chapter 21.64.270 (Historic Resources) of the Zoning Ordinance, parking requirements may be modified to accommodate renovation or rehabilitation of historic resources and structures within historic districts. Upon review, the majority of Spreckels has substandard parking with substandard alley accommodations. Therefore, the substandard parking indicated on the proposed site plan is consistent with the historic characteristics of Spreckels and historic nature of the property.

WHEREAS, at the conclusion of the hearing, the matter was submitted to the HRRB for a recommendation. Having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the HRRB, the HRRB rendered its decision to adopt findings and evidence to recommend approval of the Use Permit and Design Approval, subject to the following findings and condition:


Finding: The proposed work is consistent with Chapter 21.54 and Chapter 21.64.270 of the Monterey County Zoning Ordinance, Title 21, and the Spreckels Design Guidelines in that the proposed addition will not create an adverse significant impact to historic structures or landscapes, or visually impact the historic neighborhood of Spreckels.

- Evidence:
1. Development Project application, Design Approval application and other materials in file PLN120737 (Stewart);
 2. Chapter 21.54 and 21.64.270 of the Monterey County Zoning Ordinance, Title 21;
 3. Spreckels Design Guidelines, February 1999; and
 4. Oral testimony and HRRB discussion during the public hearing and the administrative record.

THEREFORE, it is the decision of the Monterey County Historic Resources Review Board to recommend approval of the Stewart Use Permit and Design Approval with no conditions of approval.

Passed and adopted on this 10th day of January, 2013, upon motion of Salvador Munoz, seconded by Barbara Rainer, by the following vote:

AYES: 7
NOES: 0
ABSENT: 1
ABSTAIN: 0



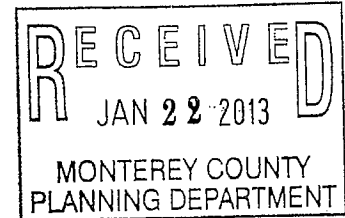
Attest
Dan Lister, Assistant Planner
January 10, 2013

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Spreckels

Please submit your recommendations for this application by: January 16, 2013



Project Title: STEWART DAVID D & HEATHER C

File Number: PLN120737

File Type: PC

Planner: LISTER

Location: 76 THIRD ST SPRECKELS

Project Description:

Use Permit and Design Approval to allow the construction of a 489 square foot addition to an existing single family dwelling located within an Historic Resource District (HR). The addition also includes a new 90 square foot deck and remodels of 168 square feet. The property is located at 76 Third Street, Spreckels (Assessor's Parcel Number 177-053-004-000), Greater Salinas Area Plan.

Was the Owner/Applicant/Representative Present at Meeting? Yes _____ No

PUBLIC COMMENT:

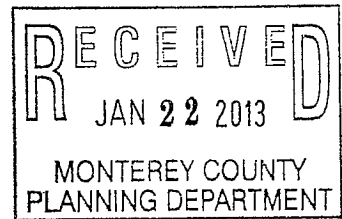
Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
ANONYMOUS	✓		Round window

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
- Windows are too modern, round window	(R 2.4-2.6)	match existing
- Roof line does not match existing house at criche	(R 1.7-1.8)	- change to same as existing
- <u>No Skylights</u>	(R 1.7-1.8)	- never allowed on new construction

ADDITIONAL LUAC COMMENTS

None



RECOMMENDATION :

Motion by: Scott Henningsen (LUAC Member's Name)

Second by: Lehlan McVicar (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0