

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02069

A.P. # 177-032-018-000

**FINDINGS AND
DECISION**

In the matter of the application of
William & Elaine Sawyer (PLN020268)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow for the construction of a 1,087 sq. ft. addition to include an attached garage and a new second story to an existing 877 sq. ft. one story, single family dwelling; and Design Approval, located at 48 Rialroad Avenue, Spreckels, Greater Salinas Area, came on regularly for hearing before the Planning Commission on November 13, 2002.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The proposed addition to the existing single-family residence is consistent with all applicable County land use policies and regulations including:
 - The Monterey County General Plan
 - Greater Salinas Area Plan
 - Regulations for Development in the “HDR” or High Density Residential Zoning District (21.10)
 - Regulations for Development in a “D” or Design Control District (21.44)
 - Regulations for Development in an “HR” or Historic Resource District (21.54)
 - Design Guidelines for the Spreckels Historic District

EVIDENCE: The policies and regulations of the documents listed above were evaluated during the review of the application.

EVIDENCE: Application and materials in project File PLN020268.
2. **FINDING:** The site is physically suitable for the proposed residential addition.

EVIDENCE: The subject parcel is flat, already developed, and contains no major vegetation. The site has no waterways, geologic constraints, or archaeological resources.

EVIDENCE: Staff’s site visit.
3. **FINDING:** With regard to a designated resource, the proposed work is consistent with the purposes of the “HR” or Historic Resource regulations and will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and the community of Spreckels.

EVIDENCE: The mass, scale and size of the proposed new construction is consistent with the Design Guidelines which state that:

 1. *“New residential construction should maintain the patterns of building setbacks, massing, volume, scale, roof type, spacing and siting of adjoining structures and the neighborhood as a whole,” (Page 53).*

2. *“New buildings, alterations and additions to residential buildings should reflect the architectural qualities that unify the structures of the district. Designs for new buildings should also maintain the design integrity and distinguishing features of the existing historic district and of existing historic buildings,” (Page 54, Policy 1)*
3. *“Additions or alterations which alter the height, main facade elements, distinguishing architectural features or architectural character of a structure when viewed from the street generally are inappropriate;” (Page 54, Guideline R1.1)*
4. *“The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and existing architectural features” (Page 54, R1 .2) and;*
5. *“New roofs should match roof pitches and materials of adjacent buildings.” (Page 54, R1.8)*

EVIDENCE: Site visit by Planning and Building Inspection Department staff.

EVIDENCE: Application and materials in project file PLN020268 and the administrative record.

EVIDENCE: Historic Resources Review Board (HRRB) Resolution No. PLN020268.

EVIDENCE: Recommendation for approval by the Spreckels Neighborhood Design Review Committee (SNDRC).

4. FINDING: The proposed construction, including the attached garage, is consistent with the purposes of and the applicable historic resource regulations set forth in Chapter 18.25 of the Monterey County Code, and it conforms to the prescriptive standards and design guidelines for the Spreckels Historic District adopted by the Board of Supervisors.

EVIDENCE: Staff and the Historic Resources Review Board worked with the applicant to ensure that certain design elements are incorporated in the project including the roof design and pitch and siding materials. Planning staff, HRRB and the SNDRC reviewed the revised submittal (plans dated August 26, 2002) and acknowledge that these revisions are now part of the project design.

EVIDENCE: Historic Resources Review Board Resolution No. PLN020268 and the SNDRC referral recommending approval of the application.

EVIDENCE: Application and materials in project File PLN020268 and the administrative record.

5. FINDING: The subject parcel is in a Design Control or “D” District requiring action pursuant to Chapter 21.44 of Monterey County Zoning Ordinance (Title 21). The applicant has provided the Planning Commission with a Design Approval Request, drawings, and a statement of materials and colors to be used.

EVIDENCE: Design Approval Request form with plans recommended for approval by the Spreckels Neighborhood Design Review Committee and the Historic Resources Review Board in file PLN020268.

6. FINDING: The subject property is in compliance with all rules and regulations pertaining to the use of the property, and all zoning abatement costs, if any, have been paid.

EVIDENCE: Staff verification of the records at the Monterey County Planning and Building Inspection Department and field visits confirm that no violations exist on the subject property.

7. FINDING: The project will not have a significant impact on the environment.
EVIDENCE: The project is exempt from environmental review under Section 15302 (*Additions to Single Family Dwellings*) of the California Environmental Quality Act (CEQA).
8. FINDING: The establishment, maintenance or operation of the uses and buildings 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 or to the general welfare of the County.
EVIDENCE: The project as described in the application and accompanying materials was reviewed by the Planning and Building Inspection Department, Health Department, Public Works Department, Water Resources Agency, Salinas Rural Fire Protection District, Monterey County Parks, the Monterey County Historic Resources Review Board (HRRB), and the Spreckels Neighborhood Design Review Committee. These departments and 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, or the county in general.
9. FINDING: The decision on this project is appealable to the Board of Supervisors.
EVIDENCE: Section 21.80.040D of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the following conditions:

1. This application is for a Use Permit and Design Approval for William and Elaine Sawyer (PLN020268) for construction of a 368 sq. ft. ground floor addition, a 726 sq. ft. new second story constructed above a new 508 sq. ft. attached garage to an existing 877 square foot one-story single-family residence. The site is located in the "HR" (Historic Resources) Zoning District, at 48 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-032-018-000). 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**)

PRIOR TO ISSUANCE OF GRADING OR BUILDING PERMITS:

2. Applicant shall record a notice which states: "A permit (Resolution #020268) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 177-032-018-000 on November 13, 2002. The permit was granted subject to 4 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 upon demand of County Counsel or prior to issuance of building permits or commencement of the use, whichever occurs first. (**Planning and Building Inspection**)
3. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an

exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. Exterior lighting shall be limited to 60-watt bulbs which are down lit. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**

PRIOR TO FINAL INSPECTION/OCCUPANCY:

4. The applicant shall comply with Ordinance No. 3539, 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:
 - 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.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**

PASSED AND ADOPTED this 13th day of November, 2002, by the following vote:

AYES: Errea, Sanchez, Hawkins, Pitt-Derdivanis, Brennan, Parsons, Diehl, Hernandez, Engell, Wilmot
 NOES: None
 ABSENT: None

Original Signed By:

 DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

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

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 and Building Inspection Department office in Salinas.

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