

MONTEREY COUNTY PLANNING COMMISSION

Meeting: June 30, 2004 @ 9:50 a.m.	Agenda Item: 4
Project Description: Request for the waiver of planning and building fees (PD040461 - Rito) for the restoration of a historic adobe.	
Project Location: 1224 Castro Road, Monterey, CA (APN 101-032-009-000)	
Plan Area: Greater Monterey Peninsula Area Plan	Flagged & Staked: No
Zoning Designation: MDR/1-UR-D	
CEQA Action: Not required (Not a “project”)	
Date application deemed complete: N/A	
Department: Planning and Building Inspection	

RECOMMENDATION: Staff recommends denial of the request for a waiver for planning and building fees for the renovation of a historic adobe in the Greater Monterey Peninsula Area.

PROJECT SUMMARY

On August 29, 2000 the Monterey County Board of Supervisors approved a resolution establishing criteria for the waiver of fees in specific circumstances. This resolution gave the Director of the Planning & Building Inspection Department the ability to waive planning and building fees in a variety of cases. These include the development of small day care centers and affordable housing, and projects undertaken by government agencies and non-profit agencies developing needed community facilities. The resolution also stated that requests for fee waivers not meeting the specific criteria listed would be considered by the Planning Commission.

In the attached letter the applicant, Roseanne Rito, has requested a waiver of fees for the work that she is doing to restore and add on to a historic adobe at 124 Castro Road in unincorporated Monterey. Ms. Rito states that she and her husband have incurred substantial expenses to insure that the restoration and addition comply with the Secretary of the Interior’s Standards for Rehabilitation. These expenses have included “architectural and historical consulting, historical research . . . and . . . restoration expenses for maintaining the property.” Ms. Rito also mentions in her letter that she is receiving no tax benefits for this work because the County does not participate in the Mills Act property tax abatement program.

Although Section 21.54.090 of the Zoning Ordinance waives fees for Use Permits which are required for any alteration to homes located within “HR – Historic Resources” Zoning Districts,” the Rito’s home is neither in an HR District nor does it require a use permit.

The planning fee paid by the Ritos was \$513.08 for a design approval which is required for all homes located within a Design Control (“D”) zoning overlay district; this permit was not required because of the historic nature of the property but because of the design

issues related to development applications in a “design” district. The building permit fees (\$219.75) are likewise standard for residential renovations and additions. As this property is a historic resource its renovation was reviewed by the HRRB. As is standard practice no fee was charged for this referral.

In summary, staff finds that the fees charged to the applicant are consistent with those charged to her neighbors who alter homes which are not designated historic and in no way meets the criteria adopted by the Board for the waiver of fees. Unlike homes in the HR zoning district, there is no additional application or fee required due to the historic nature of this home. While staff applauds the restoration work of the Ritos and others the historic value of properties within our communities we can not support the requested fee waiver.

Thomas A. McCue, AICP, Senior Planner
(831) 883-7528
mccuet@co.monterey.ca.us

cc: County Counsel; Scott Hennessy; Alana Knaster; Dale Ellis; Jeff Main; Thom McCue; Linda Rotharmel; Steven and Roseanne Rito

Attachment: Exhibit “A” Fee Waiver Request

This report was reviewed by Jeff Main, Planning & Building Services Manager