

MONTEREY COUNTY PLANNING COMMISSION

Meeting: October 27, 2010	Time: 9:00 A.M.	Agenda Item No.: 2
Project Description: Consider a fee waiver request for the rezoning or change in the land use designation of the parcel located at 4209 Sunridge Road, Pebble Beach (Assessor's Parcel Number 008-053-001-000), Del Monte Forest Land Use Plan, Coastal Zone, from Resource Conservation (RC) to Medium Density Residential (MDR).		
Project Location: 4209 Sunridge Road, Pebble Beach, Del Monte Forest		APN: 008-053-001-000
Planning File Number: PD090953 Related to PLN080536/Stewart		Owner: Francine Stewart and David Rodriguez Agent: Archie Stewart
Planning Area: Del Monte Forest Land Use Plan		Flagged and staked: NA
Zoning Designation: RC-D (CZ) [Resource Conservation, with a Design Control Overlay (Coastal Zone)]		
CEQA Action: Not Applicable, per CEQA Guidelines Section 15378(b)(4)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission deny the request for waiver of fees for PD090953, based on the discussion in **Exhibit A** and finding that the request does not meet the criteria established by the Board of Supervisors (**Exhibit E**) nor provide a public benefit (**Exhibit B**).

PROJECT OVERVIEW:

The applicant requests a waiver of the fee deposit in the amount of \$38,087.85 to allow the rezoning of a parcel from Resource Conservation (RC) to Medium Density Residential (MDR). On July 24, 2009, the applicant submitted a Fee Waiver Request (**Exhibit D**). However, the applicant has not yet paid the fee deposit, so the amount of the waiver request is based on the Monterey County Land Use Fees schedule effective July 1, 2010 (**Exhibit F**). The request for the fee waiver is subject to the consideration by the Planning Commission per the Fee Waiver Policy and Resolution 2000-342 adopted by the Board of Supervisors on August 29, 2000 (**Exhibit E**). All agencies and departments that would receive a share of the fees have reviewed and recommended that the Fee Waiver Request be denied. See **Exhibit A** for a detailed discussion of the project, fees, and related issues.

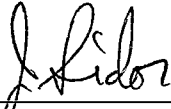
OTHER AGENCY INVOLVEMENT:

The following agencies and departments reviewed this Fee Waiver request:

- RMA - Public Works Department
- Environmental Health Bureau
- Water Resources Agency
- County Counsel
- Parks Department
- California Coastal Commission

The fee waiver request was not referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because it does not involve development requiring CEQA review, a lot line adjustment, a Variance, or Design Approval.

Note: The decision on this request is not appealable.



Joseph Sidor, Associate Planner
(831) 755-5262, SidorJ@co.monterey.ca.us
September 30, 2010

cc: Front Counter Copy; Planning Commission (11), County Counsel; California Coastal Commission; Parks Department; Public Works Department; Environmental Health Bureau; Water Resources Agency; Mike Novo, Director of Planning; Laura Lawrence, Planning Services Manager; Joseph Sidor, Project Planner; Linda Rotharmel, Senior Secretary; Carol Allen, Senior Secretary; Francine Stewart and David Rodriguez, Owners; Archie Stewart, Agent; Planning File PD090953

Attachments: Exhibit A Project Discussion
Exhibit B Draft Resolution
Exhibit C Administrative Determination for PLN080536/Stewart
Exhibit D Fee Waiver Request
Exhibit E Fee Waiver Policy and Resolution 2000-342
Exhibit F Monterey County Land Use Fees effective 07/01/2010
(page 3 of 5)
Exhibit G Vicinity Map
Exhibit H Zoning Maps
1. 1968 Map (Historical)
2. 1969 Map (Historical)
3. 1988 Map (Current Coastal Zoning - Enlarged)

This report was reviewed by Laura Lawrence, Planning Services Manager.

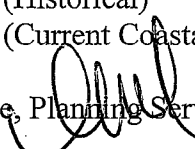


EXHIBIT A
PROJECT DISCUSSION

PD090953 – Stewart

Planning Commission
October 27, 2010

EXHIBIT A PROJECT DISCUSSION

Project and Site Description

The subject parcel is located at the intersections of Sunridge Road, Los Altos Drive, and Highway 68 - near the Highway 1 entrance to Pebble Beach. The triangular-shaped property is approximately 21,670 square feet. Existing structures include a single family dwelling, guesthouse, and minor accessory structures totaling approximately 1,961 square feet. The parcel is zoned Resource Conservation with a Design Control overlay, and is located within the Coastal Zone [RC-D (CZ)].

The applicant requests a waiver of the fee deposit in the amount of \$38,087.85 to allow the rezoning of the parcel from Resource Conservation (RC) to Medium Density Residential (MDR). On July 24, 2009, the applicant submitted a Fee Waiver Request (**Exhibit D**). However, the applicant has not yet paid the fee deposit, so the amount of the waiver request is based on the Monterey County Land Use Fees schedule effective July 1, 2010 (**Exhibit F**). The request for the fee waiver is subject to the consideration by the Planning Commission per the Fee Waiver Policy and Resolution 2000-342 adopted by the Board of Supervisors on August 29, 2000 (**Exhibit E**). All agencies and departments that would receive a share of the fees have reviewed and recommended that the Fee Waiver Request be denied.

Project and Site Background

The area surrounding the property was subdivided in the 1946 – 1948 timeframe (Del Monte Forest Subdivisions #1 and #2). The 1964, Volume 1, Assessor's Map Book identifies the property as a separate legal lot of record (El Pescadero Rancho, Lot 1, Block 118A, Assessor's Parcel Number 008-053-001-000).

In approximately 1949, a previous property owner constructed the single family dwelling, guesthouse, and minor accessory structures totaling approximately 1,767 square feet. At that time, the property zoning designation was Unclassified.

In 1969, the property received its first primary zoning designation of Residential - 1 (R-1) (**Exhibit H**). R-1 zoning allowed a single residence on the parcel with maximum lot coverage of 35 percent. In this case, the parcel's maximum coverage allowed would have been approximately 7,584 square feet (35% of 21,670 square feet).

In 1988, upon implementation of the coastal zoning, the zoning designation changed from R-1 to Resource Conservation (RC) (**Exhibit H**). The purpose of RC zoning is to protect, preserve, enhance, and restore sensitive resource areas. Examples of resources are viewshed, watershed, plant and wildlife habitat, streams, beaches, dunes, tidal areas, estuaries, sloughs, forests, public open space areas, and riparian corridors. RC zoning only allows a maximum coverage of 5 percent, and does not allow residential structures as a use; therefore, the existing residential structures became legal nonconforming and exceeded the new parcel coverage maximum of 1,083 square feet.

The surrounding properties are zoned MDR/4-D (CZ), RC-D (CZ), and LDR/B-8-D (CZ) (**Exhibit H**, 1988 Coastal Zoning Map - Enlarged). From 1969 until 1988, the subject parcel was zoned the same (R-1-B-6) as the properties in the Del Monte Forest Subdivisions #1 and #2. In 1988, these subdivision parcels were zoned MDR/4-D (CZ), while the subject parcel was included with adjacent Open Space and Forest parcels zoned RC-D (CZ). There is no record as to why the subject parcel received differentiated zoning in 1988. The zoning was correctly
STEWART (PD090953)

applied per the section map and implementing ordinance (Ordinance No. 3292, dated January 5, 1988).

In 2006, the property owner requested changes totaling approximately 195 square feet (PLN060320). The entitlement was approved, even though the existing structures exceeded maximum lot coverage by 684 square feet and the requested changes exceeded the 177 square foot entitlement maximum. The changes allowed under PLN060320 increased the square footage to the existing total of approximately 1,961.

In 2008, the current property owner requested to construct a 380 square foot addition over the existing carport (PLN080536). Staff reviewed the application request and determined that due to the previous use of the expansion entitlement, the property may only be developed under current zoning and site development standards for Resource Conservation (RC), and the property owner has no remaining entitlement balance with which to allow any more structural additions (**Exhibit C**). Therefore, no further expansion of the legal non-conforming structural use is allowed.

The Planning Department, in consultation with the California Coastal Commission, reviewed the zoning designation and determined that the parcel is correctly zoned per the zoning maps adopted and recorded in 1988 (Ordinance No. 3292, dated January 5, 1988). RC zoning does not allow residential structures as a use; therefore, the existing residential structures are legal nonconforming. Per the Monterey County Zoning Ordinance (Title 20), Chapter 20.68 (Legal Nonconforming Uses), a structure maintaining a legal nonconforming residential use may be increased for the expansion of the use by 120 square feet, or ten percent of the floor area, whichever is greater. This allowed expansion only applies once to the subject parcel and residential structure/use.

If the Planning Commission approves the fee waiver, then the applicant would pursue the rezoning of the parcel from Resource Conservation (RC) to Medium Density Residential (MDR), and the 380 square foot addition above the existing carport. Rezoning the parcel to MDR would allow site coverage and floor area of approximately 7,584 square feet (35% of 21,670 square feet), which would allow expansion of the existing structures by an additional 5,623 square feet.

The Fee Waiver Policy allows the Director to waive fees for “General Plan amendments for parcels with inappropriate or inaccurate land use designations provided the property has been field checked and verified that it is inaccurately or inappropriately designated.” Staff completed a site visit on December 12, 2008, under PLN080536. Staff did not identify an inaccurate or inappropriate designation for the property. The property is within the Del Monte Forest area, and is forested with Monterey pine. Therefore, the RC zoning designation could apply to the parcel. Furthermore, the Fee Waiver Policy does not apply to LCP amendments, nor would the rezone of the property provide any obvious public benefit.

Fee Waiver

The request for waiver or reduction of fees is subject to consideration by the Planning Commission per the Fee Waiver Policy (**Exhibit E**) adopted by the Board of Supervisors on August 29, 2000 (Resolution No. 2000-342). The Planning Commission may waive or reduce permit fees when a request does not meet the listed criteria for RMA-Planning Department Director authorized fee waivers. The Fee Waiver Policy does not provide staff the latitude to recommend any action other than denial of this request. Per the Fee Waiver Policy and the circumstances of the subject parcel zoning, the Planning Commission retains sole discretion in this case to either deny or approve (in part or fully) the request for waiver of fees.

On July 24, 2009, the applicant submitted a request for waiver of the fees associated with rezoning the subject parcel. However, the applicant has not yet paid the fee deposit, so the amount of the waiver request is based on the Monterey County Land Use Fee Schedule, adopted July 1, 2010. The total for all County Department fees would be \$38,087.85. The fee breakdown by department/agency is as follows:

	<u>Rezone</u>
Planning	\$ 15,377.04
Public Works Department	\$ 5,125.68
Environmental Health Bureau	\$ 6,864.31
Water Resources Agency	\$ 6,972.98
County Counsel	\$ 1,742.73
Technology Implementation	\$ 922.62
General Plan Update	<u>\$ 1,082.48</u>
Total	\$ 38,087.85

The RMA - Public Works Department, Environmental Health Bureau, Water Resources Agency, and County Counsel have reviewed the fee waiver request. All of the affected County departments concur with the recommendation for denial.

CEQA

CEQA does not apply because a fee waiver request does not qualify as a project, per CEQA Guidelines Section 15378(b)(4). Projects, by CEQA definition, do not include the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

EXHIBIT B
DRAFT RESOLUTION

PD090953 – Stewart

Planning Commission
October 27, 2010

**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 (PD090953)

RESOLUTION NO.

Resolution by the Monterey County Planning
Commission:

Deny the fee waiver request for the rezoning or
change in the land use designation of the parcel
located at 4209 Sunridge Road, Pebble Beach
(Assessor's Parcel Number 008-053-001-000), Del
Monte Forest Land Use Plan, Coastal Zone, from
Resource Conservation (RC) to Medium Density
Residential (MDR).

(PD090953, Stewart, 4209 Sunridge Road, Pebble
Beach, Del Monte Forest Land Use Plan, APN 008-
053-001-000)

The Stewart application (PD090953) came on for public hearing before the Monterey County Planning Commission on October 27, 2010. 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:

RECITALS

1. Whereas, in approximately 1949, a previous property owner constructed the single family dwelling, guesthouse, and minor accessory structures totaling approximately 1,767 square feet;
2. Whereas, prior to 1969, the zoning designation for the property was Unclassified;
3. Whereas, in 1969, the property received a primary zoning designation of Residential - 1 (R-1), which allowed a single residence on the parcel with maximum lot coverage of 35% or approximately 7,584 square feet of the parcel's total 21,670 square feet;
4. Whereas, in 1988, the zoning designation for the subject parcel changed from R-1 to Resource Conservation, Design Control Overlay (Coastal Zone) [RC-D (CZ)];
5. Whereas, RC zoning only allows a maximum coverage of 5 percent, and does not allow residential structures as a use, the existing residential structures became legal nonconforming and exceeded the new parcel coverage maximum of 1,083 square feet;
6. Whereas, in 2006, the property owner requested additions totaling approximately 195 square feet (Planning File No. PLN060320), and the entitlement was approved, resulting in the total square footage for existing structures of approximately 1,961;

7. Whereas, on November 25, 2008, the applicant submitted an Application Request to construct a 380 square foot addition over the existing carport (Planning File No. PLN080536);
8. Whereas, the County reviewed the Application Request (PLN080536) and determined that due to the previous use of the expansion entitlement, the property may only be developed under current zoning and site development standards for Resource Conservation (RC), and the property owner has no remaining entitlement balance with which to allow any more structural additions;
9. Whereas, in consultation with the California Coastal Commission, County staff reviewed the zoning designation and determined that the parcel is correctly zoned per the zoning maps adopted and recorded in 1988 (Ordinance No. 3292, dated January 5, 1988);
10. Whereas, on July 24, 2009, the applicant submitted a request for waiver of the fee deposit associated with rezoning or changing the land use designation of the subject parcel in the amount of \$38,087.85, per the Monterey County Land Use Fee Schedule, adopted July 1, 2010;
11. Whereas, the request for waiver or reduction of fees is subject to consideration by the Planning Commission per the Fee Waiver Policy adopted by the Board of Supervisors on August 29, 2000 (Resolution No. 2000-342);
12. Whereas, the RMA – Planning Department circulated the fee waiver request to all applicable County Departments, and these County Departments recommended that the fee waiver be denied;
13. Whereas, the RMA – Planning Department referred the Fee Waiver Request to the Monterey County Planning Commission based on the Planning Commission’s authority to waive or reduce permit fees when the request does not meet the listed criteria for the RMA – Planning Director authorized fee waivers as established by the Fee Waiver Policy of August 29, 2000;
14. Whereas, on October 27, 2010, the Monterey County Planning Commission held a duly noticed public hearing to consider the Fee Waiver Request (PD090953), where the Planning Commission received the staff report for the waiver request. The Planning Commission also finds that the property is not inaccurately or inappropriately designated, that the property is within the Del Monte Forest area and is forested with Monterey pine, that the RC zoning designation could apply to the parcel, and that the rezone of the subject property would not provide any obvious public benefit.

DECISION

NOW, THEREFORE, BASED ON ALL OF THE ABOVE FACTS AND CIRCUMSTANCES, the Planning Commission does hereby: Deny the fee waiver request for the rezoning or change in the land use designation of the parcel located at 4209 Sunridge Road, Pebble Beach (Assessor’s Parcel Number 008-053-001-000), Del Monte Forest Land Use Plan, Coastal Zone, from Resource Conservation (RC) to Medium Density Residential (MDR).

PASSED AND ADOPTED this 27th day of October, 2010 upon motion of _____,
seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MIKE NOVO, PLANNING COMMISSION SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

EXHIBIT C
ADMINISTRATIVE DETERMINATION
FOR PLN080536/STEWART

PD090953 - Stewart

Planning Commission
October 27, 2010

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY



PLANNING DEPARTMENT, Mike Novo, Director

168 W. Alisal St., 2nd Floor
Salinas, CA 93901

(831) 755-5025
FAX (831) 757-9516

April 2, 2009

Mr. Jade Bennett
261 Anita Street
Monterey, CA 93940

**SUBJECT: Administrative Determination of the Application Request for
PLN080536/STEWART-RODRIGUEZ
4209 Sunridge Road, Pebble Beach
Assessor's Parcel Number: 008-053-001-000**

Dear Mr. Bennett,

As previously discussed, staff has reviewed the subject application request and determined that the existing structures are legal non-conforming, and the application request for a 380 square foot addition above the garage is inconsistent with the zoning standards for the parcel. The property owner may pursue several options:

- a. Withdraw the subject application request and maintain the existing legal non-conforming structures;
- b. Proceed with the subject application request. If this option is chosen, staff must recommend denial of the project application based on the current zoning; or
- c. Apply for a Local Coastal Program amendment to rezone the parcel from Resource Conservation to Medium Density Residential. If approved, this would allow the property owner to request an addition above the garage.

The subject parcel is zoned Resource Conservation with a Design Control overlay, and is located within the Coastal Zone [RC-D (CZ)]. The Planning Department, in consultation with the California Coastal Commission, reviewed the zoning designation and determined that the parcel is correctly zoned per the zoning maps adopted and recorded in 1988. RC zoning does not allow residential structures as a use; therefore, the existing residential structures are legal nonconforming. Per the Monterey County Zoning Ordinance (Title 20), Chapter 20.68 (Legal Nonconforming Uses), a structure maintaining a legal nonconforming residential use may be increased for the expansion of the use by 120 square feet, or ten percent of the floor area, whichever is greater. This allowed expansion only applies once to the subject parcel and residential structure/use.

Background:

In approximately 1949, a previous property owner constructed a single family dwelling, guesthouse, and minor accessory structures totaling approximately 1,767 square feet. At that time, the property did not have a zoning designation. In 1969, the property received its first primary zoning

designation of Residential - 1 (R-1). R-1 zoning allowed a single residence on the parcel with maximum lot coverage of 35 percent. In this case, the parcel is 21,668 square feet, and the maximum coverage allowed would have been approximately 7,584 square feet.

In 1988, upon implementation of the coastal zoning, the zoning designation changed from R-1 to Resource Conservation (RC). RC zoning only allows a maximum coverage of 5 percent, and does not allow residential structures as a use; therefore, the existing residential structures became legal nonconforming and exceeded the new parcel coverage maximum of 1,083 square feet.

In 2006, the property owner requested changes totaling approximately 195 square feet (PLN060320). The entitlement was approved, even though the existing structures exceeded maximum lot coverage by 684 square feet and the requested changes exceeded the 177 square foot entitlement maximum. The changes allowed under PLN060320 increased the square footage to an existing total of approximately 1,961; therefore, no further expansion of the legal non-conforming structural use is allowed. Due to the previous use of the expansion entitlement, the property may only be developed under current zoning and site development standards for Resource Conservation (RC), and the property owner has no remaining entitlement balance with which to allow any more structural additions.

Pursuant to the Monterey County Zoning Ordinance Title 20, Section 20.88 (Interpretations), you may appeal staff's determination with a written request to the Director of Planning. The Director shall respond in writing within 10 days of receipt of your written request. Should you wish to appeal the Director's decision, the appeal must be filed with the Secretary to the Planning Commission no later than 10 days from the date of mailing of the Director's decision. The fee for appeal of an administrative determination by the Director is \$2,489.30.

If you have any questions regarding PLN080536, please contact me at either (831) 755-5262 or sidorj@co.monterey.ca.us.

Sincerely,

// S //

Joseph Sidor
Associate Planner

cc: File No. PLN080536

EXHIBIT D
FEE WAIVER REQUEST

PD090953 - Stewart

Planning Commission
October 27, 2010



FEE WAIVER REQUEST

Monterey County Planning & Building Inspection Department
 168 West Alisal, Salinas, CA 93901
 (831) 755-5025

Property owner: Francine Stewart
 Address: 4209 Sunridge Rd
 City/State/Zip: Pebble Beach CA 93953
 Phone: 831-521-3822
 Email:

Agent: Archie Stewart
 Address: 4209 Sunridge Rd
 City/State/Zip: P.B. CA 93953
 Phone: 831-521-3822
 Email:

Assessor's Parcel Number: 008-053-001-000
 Description of Project: Waiver of fee for rezoning of property from RC to MDR
 Fee Waiver Justification: Property incorrectly zoned in 1988.

(attach additional information if needed)

Department use only		
Given out:	By:	<i>J. Lidor</i>
Received:	By:	<i>J. Lidor</i> 7-24-09
Referred to other agencies:		
Fees waived by Director ?	Yes	<input checked="" type="radio"/> No Date
Basis for Waiver	None; Request does not conform to Policy per Board Reso. 2000-342.	
Amount of Fees waived: P&BI	\$ 15,120.00	15,377.04
Health	6,749.57	6,864.31
WRA	6,856.42	6,972.98
PWD	5,040.00	5,125.68
CC	1,713.60	1,742.73
Other	1,971.59	2,005.11

Referred to P.C.

CY 2009/2010 Total \$ 37,451.18 / # 38,087.85

EXHIBIT E
FEE WAIVER POLICY & BOARD
RESOLUTION 2000-342

PD090953 - Stewart

Planning Commission
October 27, 2010

Fee Waiver Policy

(adopted by Board of Supervisors August 29, 2000)

The Director of Planning may waive application and appeal fees for discretionary permit applications for:

1. Small day care centers (less than twelve children).
2. Inclusionary portions of proposed residential developments.
3. Special Handling affordable housing projects, as detailed in the adopted Special Handling criteria (25% affordable housing). Amount of fees waived is based on the percentage of affordable housing provided, and may include additional fees beyond the original application fees.
4. Persons age 62 or over on a fixed, very low income as defined by Housing and Urban Development.
5. Reclassification applications to bring property into consistency with existing General Plan land use designations.
6. County or other government agencies.
7. Permit fees for the repair or reconstruction of property and structures damaged or destroyed by an act or event that has been declared a disaster by the Board of Supervisors where insurance is inadequate to pay the applicable fees.
8. Development, enhancement, expansion or modification of needed community facilities by non-profit organizations and community groups meeting the following criteria:
 - a. The proposed project is available for use by the general public; and
 - b. Provides a scope of benefit beyond the residents of the immediate vicinity; and,
 - c. Is of obvious public benefit. Evidence of public benefit includes, but not limited to, projects that:
 - i. Meet a public need previously identified or recognized by the Board of Supervisors;
 - ii. Provide a public facility not presently available in the community;
 - iii. Have generated obvious, substantial community support; or,
 - iv. Would either reduce County costs or increase County revenue.
9. General Plan amendments for parcels with inappropriate or inaccurate land use designations provided the property has been field checked and verified that it is inaccurately or inappropriately designated.

Requests Not Conforming to Policy:

The Planning Commission shall consider all requests for fee waivers not meeting the above criteria.

Appeal of Director's Decision:

The Planning Commission shall consider all appeals of decisions of the Director on fee waiver requests.

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution 2000- 342

Resolution Amending the Monterey)
County Master Fee Resolution to)
Clarify the Fee for Appeals on)
Land Use Issues and Establish)
Criteria for the Waiver of Fees in)
Specific Circumstances.)

Whereas: Chapter 1.40 of the Monterey County Code establishes the Monterey County Master Fee Resolution (the Resolution) as the vehicle for setting and amending fees; and,

Whereas: The Board wishes to clarify the appeal fee for land use issues and to establish criteria and authority for the Director of Planning and Building Inspection to waive fees in specific cases; and,

Whereas: The Board has received a report and recommendations from the County Administrative Office and Planning and Building Inspection; and,

Whereas: The Board has held a public hearing as required by law and heard from all interested parties;

NOW, therefore, be it resolved that the Board clarifies that the appeal fee for appeals to the Planning Commission or Board of Supervisors on land use issues is \$671.00.

Be it further resolved that the Director of Planning and Building Inspection may waive application and appeal fees for discretionary permit and building permit applications for:

1. Small day care centers (less than twelve children).
2. Inclusionary portions of proposed residential developments.
 - a. Special Handling affordable housing projects, as detailed in the adopted Special Handling criteria (25% affordable housing). Amount of fees waived is based on the percentage of affordable housing provided, and may include additional fees beyond the original application fees.
 - b. Persons age 62 or over on a fixed, very low income as defined by Housing and Urban Development.

- c. Reclassification applications to bring property into consistency with existing General Plan land use designations.
 - d. County or other government agencies.
 - e. Permit fees for the repair or reconstruction of property and structures damaged or destroyed by an act or event that has been declared a disaster by the Board of Supervisors where insurance is inadequate to pay the applicable fees.
8. Development, enhancement, expansion or modification of needed community facilities by non-profit organizations and community groups meeting the following criteria:
 - a. The proposed project is available for use by the general public; and
 - b. Provides a scope of benefit beyond the residents of the immediate vicinity; and,
 - c. Is of obvious public benefit. Evidence of public benefit includes, but is not limited to, projects that:
 - i. Meet a public need previously identified or recognized by the Board of Supervisors;
 - ii. Provide a public facility not presently available in the community;
 - iii. Have generated obvious, substantial community support; or,
 - iv. Would either reduce County costs or increase County revenue.
 9. General Plan amendments for parcels with inappropriate or inaccurate land use designations provided the property has been field checked and verified that it is inaccurately or inappropriately designated.

Requests Not Conforming to Policy:

The Planning Commission shall consider all requests for fee waivers not meeting the above criteria.

Appeal of Director's Decision:

The Planning Commission shall consider all appeals of decisions of the Director on fee waiver requests.

Payment of Fees:

All fees shall be paid at the time of the filing an application or an appeal. Should the fees subsequently be waived, the fees shall be refunded.

On motion of Supervisor PENNYCOOK, seconded by Supervisor SALINAS, and carried by those members present, the Board hereby adopts this resolution amending the Monterey County Master Fee Resolution to clarify the fee for appeals on land use issues and establish criteria for the waiver of fees in specific circumstances.

PASSED AND ADOPTED this 29th day of August, 2000, by the following vote, to-wit:

AYES: Supervisors Salinas, Pennycook and Calcagno.

NOES: None.

ABSENT: Supervisors Johnsen and Potter.

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page -- of Minute Book 70, on August 29, 2000.

DATED: August 29, 2000

SALLY R. REED, Clerk of the Board
of Supervisors, County of Monterey, State of
California

By:

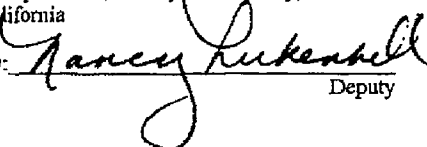

Deputy

EXHIBIT F
MONTEREY COUNTY LAND USE FEES
EFFECTIVE 07/01/2010 (page 3 of 5)

PD090953 - Stewart

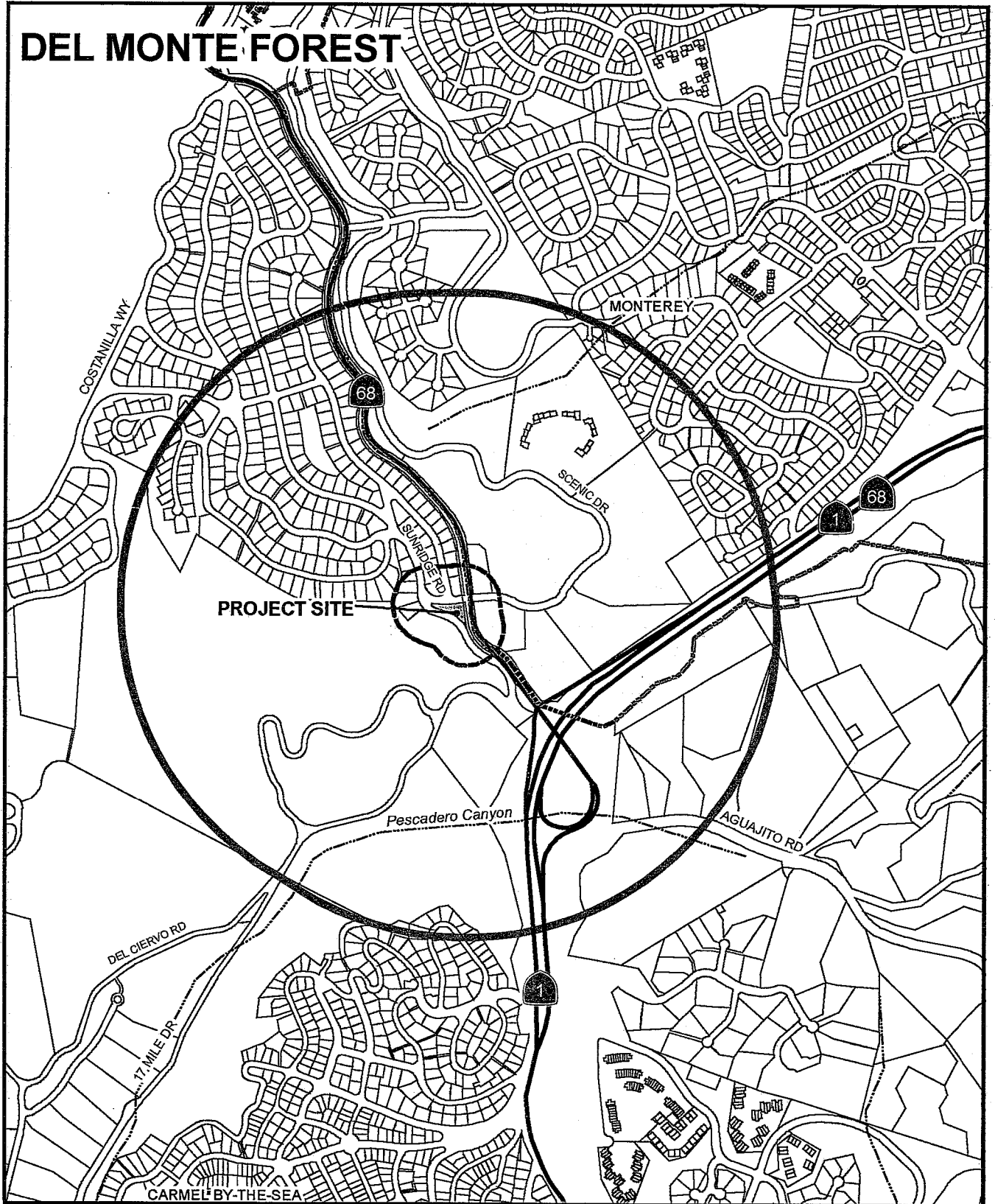
Planning Commission
October 27, 2010

EXHIBIT G
VICINITY MAP

PD090953 - Stewart

Planning Commission
October 27, 2010


DEL MONTE FOREST

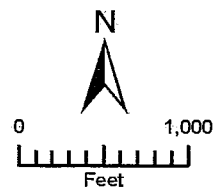


APPLICANT: STEWART

APN: 008-053-001-000

FILE # PD090953

 300' Limit  2500' Limit  City Limits



PLANNER: SIDOR

EXHIBIT H

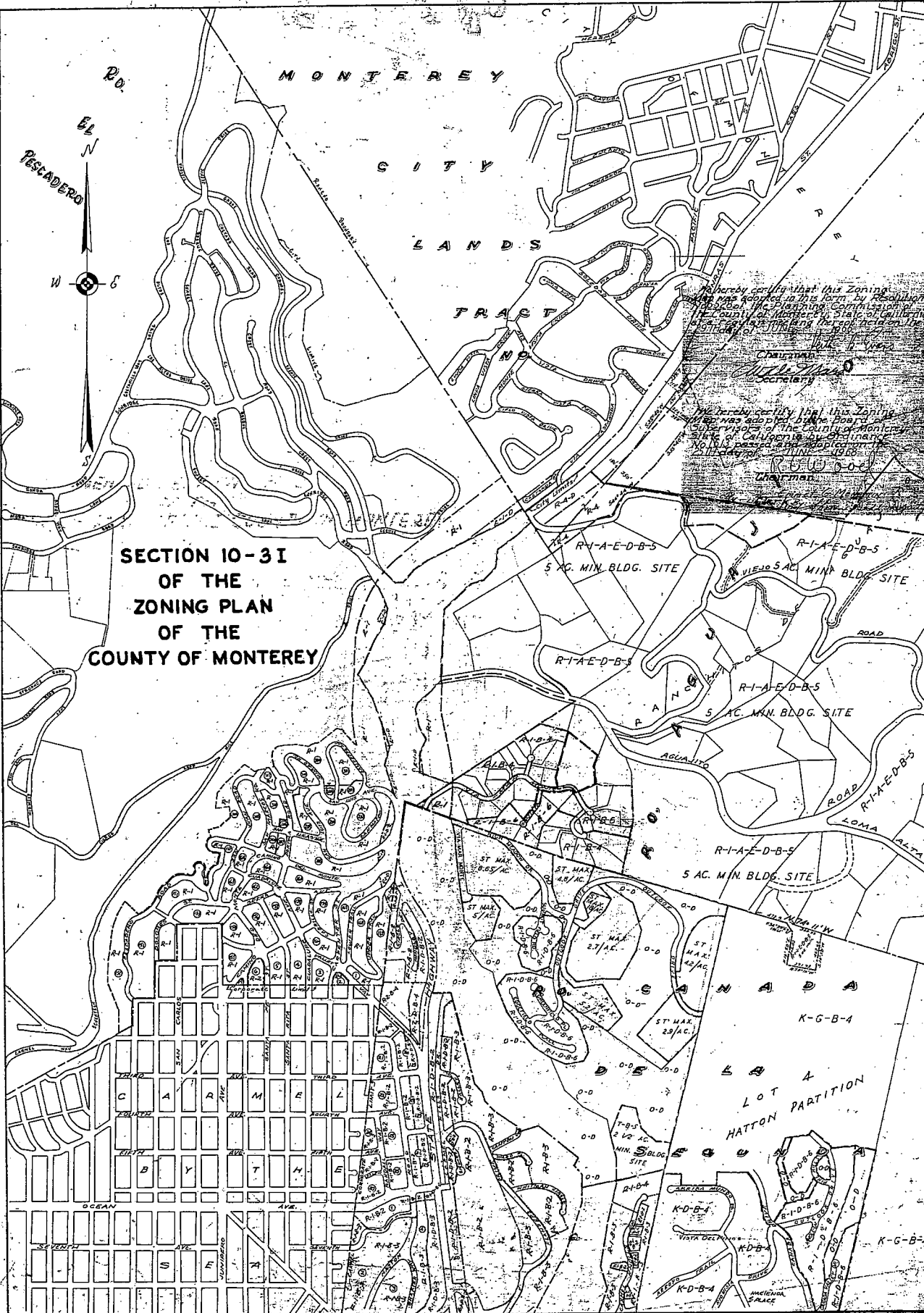
ZONING MAPS

1. 1968 MAP
2. 1969 MAP
3. 1988 COASTAL ZONING

PD090953 - Stewart

Planning Commission
October 27, 2010

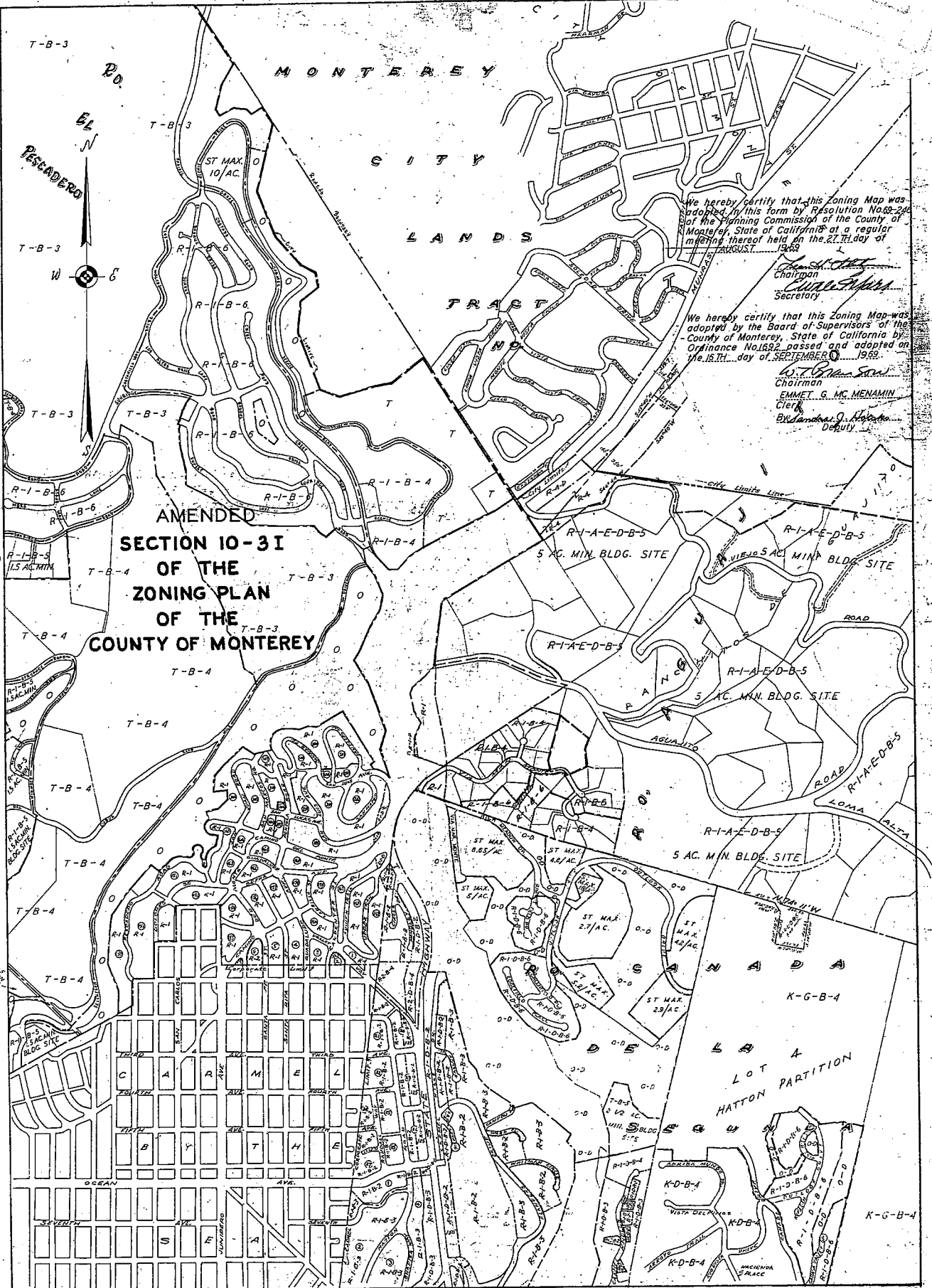
- Amended**
- | Date | Ord. No. |
|--------------------|----------|
| 1. Sept. 3, 1944 | 576 |
| 2. April 1, 1948 | 640 |
| 3. Dec. 1, 1950 | 745 |
| 4. Nov. 1, 1951 | 755 |
| 5. Feb. 1, 1952 | 783 |
| 6. Mar. 2, 1953 | 823 |
| 7. Aug. 2, 1954 | 881 |
| 8. July 23, 1956 | 963 |
| 9. Feb. 7, 1957 | 970 |
| 10. April 13, 1959 | 1087 |
| 11. June 12, 1960 | 1096 |
| 12. Oct. 24, 1960 | 1165 |
| 13. Oct. 23, 1962 | 1201 |
| 14. Oct. 21, 1963 | 1322 |
| 15. Mar. 29, 1966 | 1358 |
| 16. May 11, 1966 | 1487 |
| 17. Sept. 15, 1966 | 1495 |
| 18. Oct. 3, 1966 | 1500 |
| 19. Mar. 7, 1967 | 1529 |
| 20. May 16, 1967 | 1562 |
| 21. June 25, 1968 | 1613 |



**SECTION 10-31
OF THE
ZONING PLAN
OF THE
COUNTY OF MONTEREY**

Amended

Date	Ord. No.
1 Sept. 3, 1946	576
1 April 11, 1948	640
1 Dec. 1, 1950	745
1 May 1, 1951	755
5 Feb. 1, 1952	793
6 Mar. 2, 1953	823
7 Aug. 2, 1954	881
8 Oct. 29, 1956	963
8 Jan. 7, 1957	970
10 Apr. 11, 1958	1087
11 June 22, 1959	1096
2 Oct. 23, 1960	1165
22 Oct. 22, 1962	1261
14 Oct. 21, 1963	1322
13 Mar. 23, 1964	1438
12 July 14, 1964	1487
17 Sept. 15, 1966	1495
18 Dec. 4, 1966	1500
19 Mar. 7, 1967	1529
20 May 16, 1967	1542
21 June 25, 1968	1613
22 May 27, 1968	1670
23 Sept. 16, 1968	1692

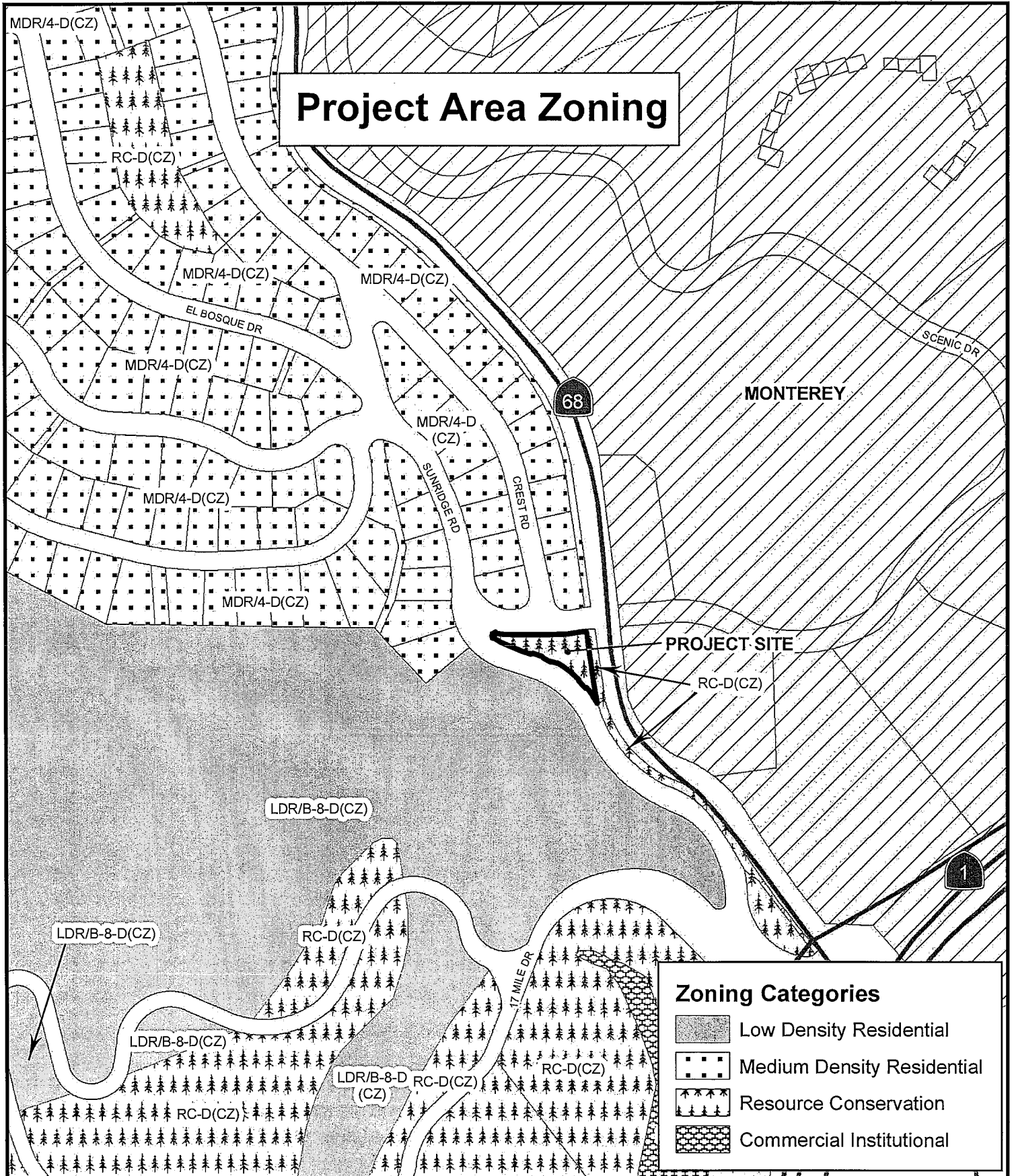


We hereby certify that this Zoning Map was adopted in this form by Resolution No. 68-24 of the Planning Commission of the County of Monterey, State of California at a regular meeting thereof held on the 27th day of AUGUST, 1968.

W. J. G. [Signature]
Chairman
W. J. G. [Signature]
Secretary

We hereby certify that this Zoning Map was adopted by the Board of Supervisors of the County of Monterey, State of California by Ordinance No. 1692 passed and adopted on the 15th day of SEPTEMBER, 1969.

W. J. G. [Signature]
Chairman
EMMET G. MC MENAMIN
Clerk
B. J. [Signature]
Deputy

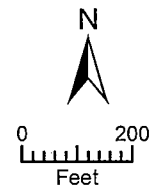


APPLICANT: STEWART

APN: 008-053-001-000

FILE # PD090953

City Limits



PLANNER: SIDOR