

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

In the matter of the application of:

Vallejo (PLN090377)

RESOLUTION NO. 10-005

Resolution by the Monterey County Planning
Commission:

- 1) Categorically exempts this type of project per Section 15331 & Section 15303 (e) of the CEQA guidelines;
- 2) Approve a Use Permit to allow an alteration to a contributing historic structure in a Historic Resources Zoning District. The alterations consists of 1) the demolition of an existing 345 square foot garage and 180 foot square foot patio; 2) the construction of a new 484 square foot garage; a 421 square foot addition with 12 square foot covered porch and 120 square foot uncovered deck; and Design Approval. All colors and materials proposed are proposed to match existing structure.

(PLN090377, Vallejo, 88 Railroad Ave., Spreckels,
Greater Salinas Area Plan (APN: 177-042-004-000)

The Vallejo application (PLN090377) came on for public hearing before the Monterey County Planning Commission on March 10, 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:

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 Monterey County General Plan,
 - Greater Salinas Area Plan,
 - Monterey County Zoning Ordinance (Title 21),
 - 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 88 Railroad Ave. Spreckles (Assessor's Parcel Number 177-042-004-000), Greater Salinas Area Plan. The parcel is zoned HDR/5.1, HR- D, which allows residential additions. Therefore, the project is an allowed land use for this site.
 - c) The project planner conducted a site inspection on November 8, 2009 to verify that the project on the subject parcel conforms to the plans listed above
 - d) "HR" Historical Resources zoning district regulations state that no alteration may be allowed on any area in an "HR" district without the

- approval of a Use Permit. (See Finding 6,)
- e) The project is consistent with the Spreckels Design Guidelines. (See Finding 6, Evidence a, b, c, d, and e)
 - f) The project is consistent with the HDR/5.1 [High Density Residential, 5.1 acre minimum] regulations which allow residential uses. The project meets the height, setback, and coverage requirements.
 - g) HR district regulations, Chapter 21.54 of Title 21, state no alterations may be allowed in an "HR" district without the approval of a Use Permit. The regulations also require review and recommendation by the Historical Resources Review Board (HRRB). The project was referred to the HRRB (Historical Resources Review Board) on December 3, 2009. The HRRB unanimously recommended approval of the project with no conditions.
 - h) Design Approval; the project was not referred to Spreckels Design Review Committee at this time because their committee currently retains 3 out of the five required members therefore no meetings are held for the Spreckels Design Review Committee at this time.. The project was referred to the Historical Resources Review Board and was heard at the December 3, 2009 meeting. The HRRB recommended approval of the proposed with no conditions on a vote of 5 to 0.
 - i) 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 PLN090377.

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, Salinas Rural Fire Protection District, Parks, Public Works, Environmental Health Division, 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 8, 2009 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 PLN090377.

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 RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental

Health Division, 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) Necessary public facilities are available. The property is already served by the Spreckels Public Water System and the Spreckels Sewer System.
- c) Preceding findings and supporting evidence for PLN090377.

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 8, 2009 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 PLN090377.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified suggest a reasonable possibility that the project would have a significant effect of the environment.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (e) categorically exempts the construction of small accessory structures and; 15331 is allowed when the project will not cause a substantial adverse change to a significant historical resource.
 - b) The project is a 917 square foot addition located in a Historic Resource district. The county has produced a "Significance Map" with a detailed survey map of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The project site is listed as a contributing structure. Contributing structures add to the historical architectural qualities, historical associations, or archeological values for which the Spreckels Historical District is known. The proposed additions approved by the Monterey County Historic Resources Review Board. The proposed additions will continue to maintain the design integrity and distinguishing features of the historic building and does not radically change, obscure, or destroy the original materials character defining features and finishes of the building
 - c) The proposed changes approved by the Monterey County Historic Resources Review Board. The County has determined that the project changes to the structure would not cause a substantial adverse change to the historically contributing structure located in the Historical town of Spreckles
 - d) No adverse environmental effects were identified during staff review of the development application during a site visit on November 8, 2009.

- e) The existing residence is situated on a flat lot and the proposed addition will be contained on a previously disturbed concreted area of the backyard.
- f) See preceding and following findings and supporting evidence.

6. FINDING:

HISTORICAL RESOURCE (CONSISTENCY) – With regard to a designated resource; a structure located within the Spreckels Historical District; the proposed work is found to be consistent with the purposes of Chapter 21.54 of Title 21 (Regulations for Historical Districts) 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 its site.

- EVIDENCE:**
- a) Based upon the application material, plan and site visit conducted by the Planning Department the project, as proposed, is consistent with the regulations set forth in Section 21.54.080 of Title 21 for regulations for development in an “HR” district. The project, as proposed, is consistent with the design criteria found in the Spreckels Design Guidelines and is consistent with the architectural features found within the town of Spreckels. Siding and trim will match the existing light colors. Roofing materials will remain composition shingle to match the existing roof design. Even though the addition is not visible from the front of the property, careful attention was given to the addition placement and height to match the existing structure and ensure consistency with the existing and surrounding neighborhood. As a result, the project, as proposed, is consistent with the design criteria found in the Spreckels Design Guidelines and is consistent with the architectural features found within the town of Spreckels. Nor will the project significantly affect the architectural features of the designated resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and site.
 - b) The project, as proposed, is consistent with the design criteria found in the Spreckels Design Guidelines and is consistent with the architectural features found within the town of Spreckels. The project was referred to the Historical Resources Review Board and was heard at the December 3, 2009 meeting. The HRRB approved the proposed with no conditions on a vote of 5 to 0.
 - c) In the case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the use, and exterior of such improvements will neither adversely affect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings, natural features, and structures on such site. The structure is listed as a contributing structure; the proposed additions have been determined by the Monterey County Historical Review Board to be compatible with the Spreckels Design Guidelines and will match the colors and materials of the existing single family dwelling. Additions to the main structure would add two bedrooms and a laundry room and expand the existing kitchen thereby allowing a total increase of 917 square feet. The addition will be located towards the rear of the property facing the

alley. As stated in the Spreckels Design Guidelines policy P.1.5, the location of all additions shall be located to the rear or side of the existing structure whenever possible. The addition will be located to the rear of the property and will not be visible from the front of the property.

- d) The project was routed to all county agencies and the Monterey Regional Fire District. There were no indications that the structure was unsafe or that dangerous condition existed, therefore no permit is required or ordered to correct the aforementioned conditions.
- e) No substantial evidence is present to indicate that denial of the application would not result in immediate and substantial financial hardship pursuant to Section 18.25.175 of this code. This project is found to be compatible and consistent with the regulations for development in the town of Spreckels, Greater Salinas Area Plan policies, and the Monterey County General Plan and Zoning Ordinance Title 21 and the Monterey County Historic Review Board.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** Section 21.80.040.D of the Monterey County Zoning Ordinance.

DECISION

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

- A. Find the project to be categorically exempt from CEQA pursuant to 15331 & 15303(e);
- B. Approve the Use Permit and Design Approval, in general conformance with the attached sketch and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

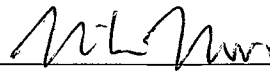
PASSED AND ADOPTED this 10th day of March, 2010 upon motion of Commissioner Sanchez, seconded by Commissioner Padilla, by the following vote:

AYES: Getzelman, Vandever, Roberts, Rochester, Salazar, Brown, Sanchez, Diehl, Padilla, Ottone

NOES: None

ABSENT: None

ABSTAIN: None



Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **MAR 12 2010**

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 SECRETARY OF THE PLANNING COMMISSION / CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

MAR 22 2010

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.

RESOLUTION 10-005- EXHIBIT 1 Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>Vallejo</u> File No: <u>PLN090377</u> APNs: <u>177-042-004-000</u> Approved by: <u>Planning Commission</u> Date: <u>March 10, 2009</u>
<i>*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 Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Permit (PLN090377) allows Use Permit and Design Approval for the development in a Historical Resource or “HR” district to allow an alteration to a contributing historic structure in a Historic Resources Zoning District. The alterations consists of 1) the demolition of an existing 345 square foot garage and 180 foot square foot patio; 2) the construction of a new 484 square foot garage; a 421 square foot addition with 12 square foot covered porch and 120 square foot uncovered deck, with composition shingles. All colors and materials proposed are proposed to match existing structure. The property is located at 88 Railroad Ave. Spreckles (Assessor’s Parcel Number 177-042-004-000) north of the intersection of Spreckles Blvd and Railroad Ave. Greater Salinas Area within the Town of Spreckles. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. (RMA-Planning Department)	Adhere to conditions and uses specified in the permit. 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.	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated	

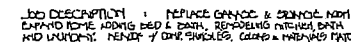
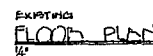
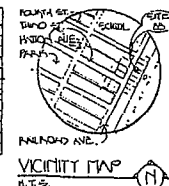
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 10-005) was approved by the Planning Commission for Assessor's Parcel Number 177-042-004-000 on March 10, 2010 . The permit was granted subject to <u>7</u> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a period of 3 years, to expire on March 10, 2013 unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	The 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.	Owner/ Applicant	As stated in the conditions of approval	
4.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, 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. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to final of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans. The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to final of building permits. Prior to occupancy/ Ongoing	

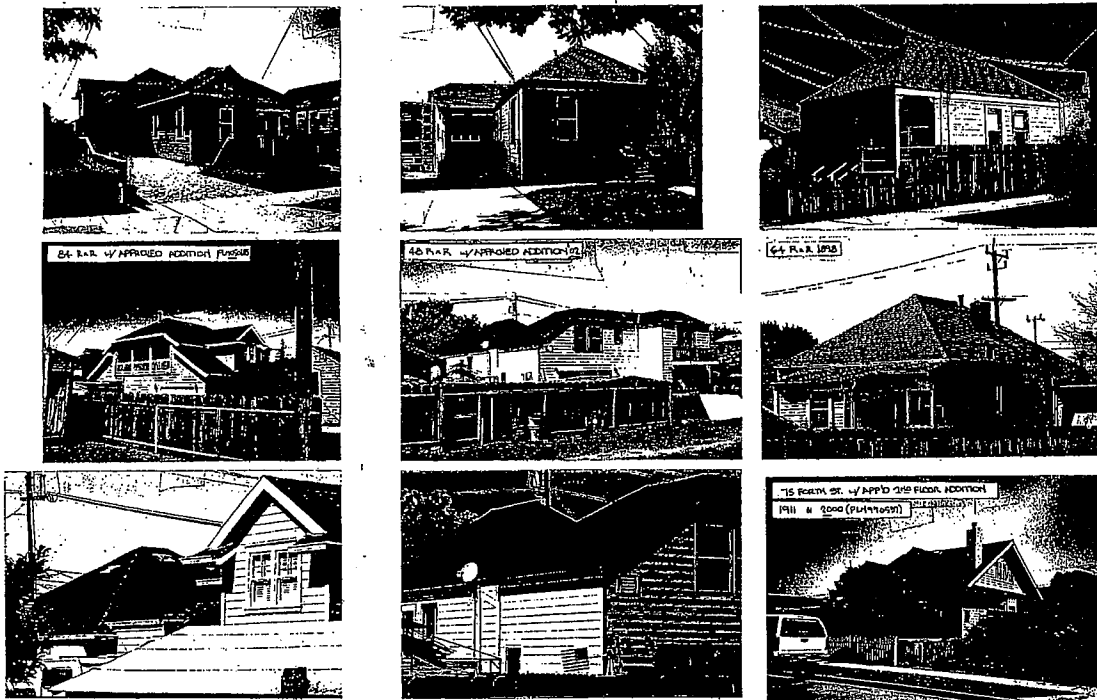
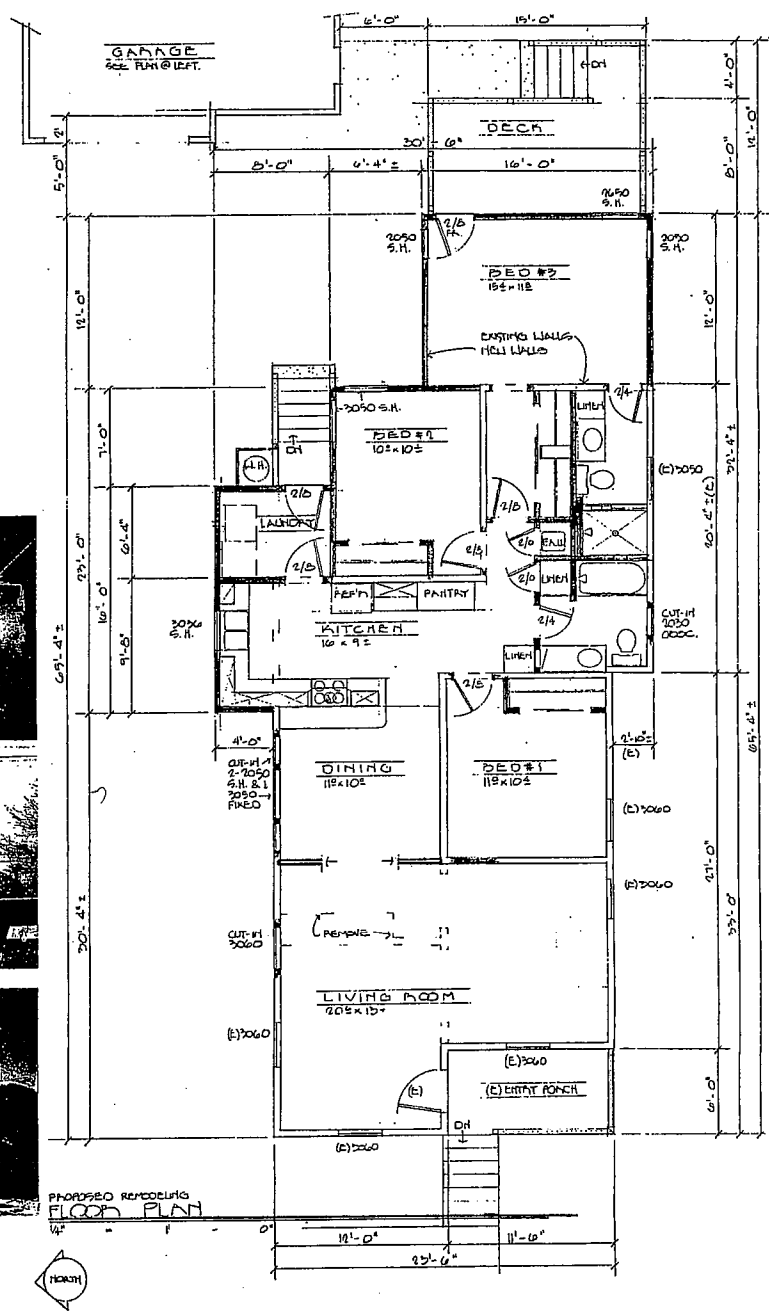
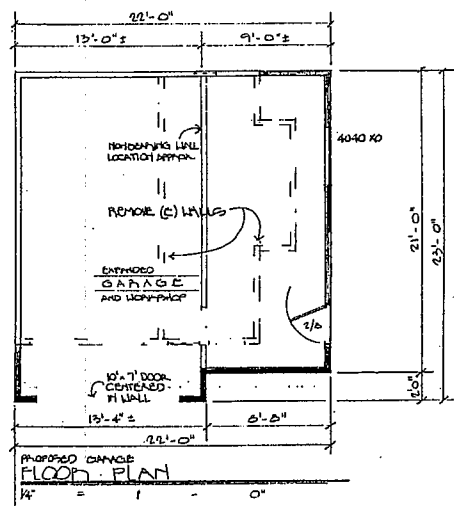
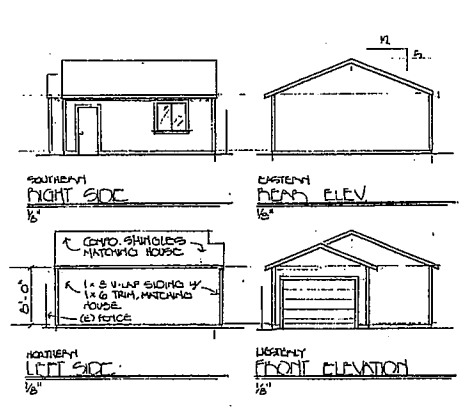
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, and as applicable	
Monterey County Water Resources Agency						
6.		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>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</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

<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>
		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 or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)				
Fire Agency Monterey Regional Fire District						
7.		FIRE011 - ADDRESSES FOR BUILDINGS 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. (Monterey Regional Fire District).	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	

END OF CONDITIONS

11. LOT COVERAGE CALCULATIONS
LOT SIZE : 6,000 sq
ALLOWED COVERAGE : 2,000 sq = 33%
EXISTING COVERAGE : 1,050 sq = 17.5%
PROPOSED DEVELOPMENT : (525 sq) = 8.75%
PROPOSED ADDITION : 117 sq = 1.9%
PROPOSED TOTAL : 2,042 sq 34.1% cov.
12. CRYING : NONE LOT IS ESSENTIALLY LEVEL.
13. VEGETATION & SOIL : LIMITED BURN AREA
REMOVED. AREA OF DESIRED SOILS APPROX. 70%.
14. NEW ROAD TO ROLLING STATE, BUILT UP ON PAVED DRIVE OF
LOT 14. ROAD 10' WIDE. 10' WIDE DRIVE W/ 4' WALKER
SIDE DRIVE, DRIVE, & DRIVE.





GREATER SALINAS



APPLICANT: VALLEJO

APN: 177-042-004-000

FILE # PLN090377

300' Limit 2500' Limit City Limits Water

