



Zoning Administrator ANNOTATED AGENDA Regular Meeting

Zoning Administrator

Todd Bennett
Senior Associate Planner

City Council Chambers
Few Memorial Hall of Records
Pacific and Madison Streets
Monterey, California

April 28, 2005
4:00 p.m.

CALL TO ORDER:

Senior Associate Planner Bennett called the meeting to order at 4:00 PM

PUBLIC COMMENTS
PUBLIC COMMENTS allows the public to speak for a maximum of three minutes on any subject which is not on the agenda. Any person or group desiring to bring an item to the attention of the Zoning Administrator may do so by addressing the Administrator during Public Comments or by addressing a letter of explanation to: Zoning Administrator, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details.

Public Comments: None

PUBLIC HEARINGS
PUBLIC HEARINGS are held to receive public comment on certain items pending Zoning Administrator action. You are welcome to offer your comments after being recognized by the Administrator. The Administrator may limit the time allocated to each speaker.

- 1 **4 Justin Court; Application 05-039 to Reopen Use Permit 87-46; Applicant-Cliff Cowles / Owners - David and Sigrid Holland; I-R-20-D-2 Zoning District; Exempt from CEQA Requirements.**

Reopen Use Permit 87-46 to allow for an interior addition of 1,280 square feet.

Action: Approved with Standard Findings: 1) That the proposed use at 4 Justin Court is in accord with the objectives of this ordinance and the purposes of the I-R zone. 2) That the proposed use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city. 3) That the proposed use will comply with any specific condition required for that use.

Conditions of Approval: 1) That the re-opening of Use Permit 87-46 for the purposes of adding 1,280 square feet of additional floor area at the second floor is approved as shown on the May 2, 2005 site plan, floor plans and elevations. 2) That all development on the project property shall be constructed and thereafter maintained in accordance with the conditions of this permit. 3) The applicant shall comply with all of the requirements of the Building Division, including the installation of any additional exits necessary to meet UBC standards as they relate to the proposed and future use of the building. 3) The applicant shall comply with all of the requirements of the Fire Department, including but not limited to, a complete list of all chemicals used on-site for any current or future laboratory use. 4) This project is subject to the categorical water allocation program approved by the City Council. The applicant will proceed at his own risk that water may not be available at the time he requests building permits. No building permits will be issued if water is not available for this project. 5) This permit shall become null and void if not exercised or extended within twenty-four (24) months from the date

of granting by the Zoning Administrator. It is the applicant's responsibility to track the 24 month expiration date. No renewal notice will be sent to the applicant.

- 2 40 Boronda Lane; Application 05-126 for Extension of Permit 02-091 (Lot Line Adjustment, Use Permit and Variance); Applicant – Geralynn Tarantino / Owners – Steven Tarantino and Vince Giammanco; R-1-10-D-1 Zoning District; Exempt from CEQA Requirements.

Request time extension of Permit 02-091 (Lot Line Adjustment, Use Permit & Variance) allowing for adjustment of the dimensions of three existing R-1-10 lots of record.

Action: Approved with Standard Findings: 1) That the proposed use is in accord with the objectives of this ordinance and the purposes of the zone. 2) That the proposed use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city. 3) That the proposed use will comply with any specific condition required for that use.

Conditions of Approval: 1) The Lot Line Adjustment, Variance and Use Permit are approved for a lot line adjustment to adjust the dimensions of three existing R-1-10 lots of record as shown on the Preliminary Map dated March 18, 2003. Lot 1 will be reduced from 10,672 square feet to 9,789 square feet (new Adjusted Lot A). Lot 2 will be increased from 6,884 square feet to 7,430 square feet (new Adjusted Lot B). Lot 3 will be increased from 6,567 square feet to 6,904 square feet (new Adjusted Lot C). Lots B and C do not have direct access to a street and an easement is shown to provide access to Boronda Lane. The Variance allows the lot area for Adjusted Lot A to be reduced to less than 10,000 square feet. 2) That prior to finalizing the Lot Line Adjustment, the applicant shall obtain a demolition permit and remove the existing residence that is shown to be located on Adjusted Lot A and Adjusted Lot B. 3) Prior to issuance of a Certificate of Compliance, the applicant shall submit deeds and legal descriptions for the newly configured parcels and easements for access and utilities to the City Engineer for review and approval. The City Engineer will record all documents only after these documents are deemed complete and acceptable to the City Engineer. 4) Prior to the time that any application for development of the lots is submitted, or prior to any ground disturbance on the site, whichever occurs first; archival research shall be undertaken for the project site in order to determine: 1) if the standing wall is noted in any historic records for the property and 2) if any other structures related to the Casa Boronda were located in the project area. In addition, the siltstone wall on the two proposed upper lots (Adjusted Lots B and C) should be examined by a qualified architectural historian or historic architect to evaluate its age and possible association with the Casa Boronda. After archival research has been completed, preliminary archaeological testing under the direction of a qualified historic archaeologist shall be conducted to determine the nature, extent and significance of the cultural deposit on the project parcel under the applicable provisions of the Public Resources Code. In making this determination, the following, at minimum, shall be addressed:

- a. What are the contents and functions of the site in the project area?
- b. During which temporal period was the site occupied?
- c. What role did the site play in the settlement and subsistence patterns of the region?

Data collection shall include, but not be limited to, surface and subsurface mapping of the locations of historic materials, a minimum of 1x1 meter test units, or the equivalent,

excavated in the area of greatest anticipated data recovery using standard archaeological techniques. Studies shall be conducted on all materials recovered including ceramics, glass shards, metal artifacts, fauna and beads.

Following the test excavation, a *Preliminary Archaeological Report and Archaeological Mitigation Plan* shall be prepared and submitted to the lead agency. The Plan shall evaluate the significance of the cultural resource on the project site and recommend appropriate mitigations to be implemented prior to approval of future development of the site.

A final Technical Report that documents the results of all analyses subsequent to excavation shall be completed within one year of completion of the fieldwork and submitted to the lead agency and to the Regional Information Center at Sonoma State University. 5) If prehistoric or historic archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. 6) This project is subject to the categorical water allocation approved by the City Council. The applicant will proceed at his own risk that water, if required for this project, may not be available at the time he requests building permits. No permits will be issued if water is not available. 7) The Lot Line Adjustment approval shall be null and void if required recordation with the County Recorder is not completed within one year of the date of approval by the Zoning Administrator. 8) This permit shall become null and void if not exercised or extended within twelve (12) months of the date of granting by the Zoning Administrator. It is the applicant's responsibility to track the 12-month expiration date and request permit approval.

- 3 2455 Henderson Way; Application 05-009 to Reopen Major Use Permit 99-326; Applicant - Russell E. Cudney/Owner – Comcast; I-R-130 Zoning District; Exempt from CEQA Requirements.

Continued from April 14, 2004. Request to Reopen Permit 99-326 to install 2 new satellite dishes and relocate one satellite dish.

Action: The request to re-open Use Permit 99-326 to allow for the installation of 1 new satellite dish antennae and to relocate one satellite dish antennae is approved with Standard Findings.

Conditions of Approval: 1) Architectural Review Committee (ARC) application required. Staff will evaluate the project upon submittal, and make a determination whether the project can be reviewed administratively or by the ARC. 2) Tree protection standards are imposed. 3) If any tree(s) will be removed as a result of this approval, the tree will be replaced at a 3 to 1 ratio, with a like species of tree, on the subject site. 4) This permit shall become null and void if not exercised or extended within twenty-four (24) months of the date of granting by the Zoning Administrator. It is the applicant's responsibility to track the 24-month expiration date and request permit approval.

ADJOURNMENT:

The next meeting will be held May 12, 2005

ZONING ADMINISTRATOR: _____
SENIOR ASSOCIATE PLANNER TODD BENNETT