Demolition Permit

Division of Planning, Engineering, and Environmental Compliance
City of Monterey

Introduction
The Monterey City Code defines Demolition as the act of renovating, reconstructing, removing, rebuilding, taking down, or destroying all or portions of a building or structure or making extensive repairs or modifications to a building or structure that involves removal or replacement of 50 percent or more of both the structural framing and cladding or the exterior walls within a 24-month period. This applies to, but is not limited to, moving or removing or in-filling windows, doorways, walls or any other feature.

When determining whether a building or structure is demolished, the following applies: a) the nonconforming portions of any wall shall be counted as removed or taken down, even when retention of these portions is proposed, b) any remaining exterior wall surfaces measuring 10 feet or less in length shall be counted as removed or taken down. Nonconforming walls may be retained through the Variance process outlined in Monterey City Code section 38-156 et seq. Minimal variations to the setback standards may be approved by the Architectural Review Committee pursuant to the Monterey City Code sections 38-22(D)(12), 38-23(D)(12), 38-24(D)(15), 38-25(D)(16) (Variations to Setback Standards). (Ord 3414, 07/2008)

When is a Demolition Required?
A Demolition Permit is required prior to the demolition of most structures in the City of Monterey. Contact the Planning Office with questions at (831) 646-3886.

Nonconforming Status
All applicants should be advised that certain existing site conditions on a property may be considered legal nonconforming. These conditions often include substandard setbacks, excessive lot coverage or height, or lack of required parking. The intentional demolition of a building will negate this status and you will be required to construct any new building according to current development standards.

Other Approvals
Once your application is approved by the Planning, Engineering, and Environmental Compliance Division, you will still be obligated to obtain permits from other Divisions or Public Agencies. These include the following:

1. Permits and Inspection Services – City of Monterey: A separate demolition permit is required.
2. Monterey Bay Unified Air Pollution Control District: A written clearance is required prior to submittal to Permits and Inspection Services for a demolition permit. This applies only to commercial buildings or multi-family buildings with more than four units.
3. PG&E – A written clearance is required confirming utility shut-off.
4. Monterey Peninsula Water Management District (MPWMD): Though not required, applicants are strongly advised to consult with the MPWMD prior to demolition and arrange an inspection of the property to confirm water fixtures or uses and establish a water credit for the property.

Environmental Review
The California Environmental Quality Act (CEQA) requires that the City review all projects for their potential impact on the environment. The required level of review and accompanying reports vary greatly by the type of project, its location, and other criteria. While some projects may be exempt from formal environmental review, others may require extensive study and the production of an Environmental Impact Report (EIR). Following a cursory review of an application, City staff will notify the applicant of the level of environmental review that will be required. Depending on the level of review required, an applicant may be asked for various technical studies such as traffic reports, archaeology reports, arborist reports, storm water plans, etc. Or, you may be asked for more specific information on the plans to clarify, reveal, or eliminate a potential environment impact.
**Process for Properties without Historic Zoning**

Prior to Demolition Permit review or decision, City staff must determine that the submitted application is complete. Once an application is deemed to be complete, the project application may be scheduled for discretionary review. An Intensive Survey of the property which is the subject of demolition, is required for issuance of a Demolition Permit. If the Intensive Survey concludes that the property does not meet the Criteria for Historic Zoning and should be removed from the Adopted Survey List, the demolition shall follow the regular City review process. If the Intensive Survey concludes that the property meets Criteria for Historic Zoning, the Historic Preservation Commission (HPC) shall review demolition impacts, including CEQA review, and may recommend a delay period to the City Council of up to 180 days for the subject property. Complete project applications are scheduled for hearing on a first-come, first-served basis. At hearing, the HPC may choose to approve the project, approve it with conditions, deny the project, or continue it for redesign. If the project is denied by the HPC, it may be appealed to the Planning Commission. If denied by the Planning Commission, the decision may be appealed to the City Council. A fee applies to appeal applications. If the hearing is continued for redesign, the resubmittal will be reviewed by staff for completeness prior to being rescheduled for a future hearing. If not appealed, all decisions are final ten days after the hearing.

**Fees (see current fee schedule)**
- Demolition Review

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**TYPICAL DEMOLITION PERMIT REVIEW PROCESS**

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<thead>
<tr>
<th>APPLICANT</th>
<th>STAFF</th>
<th>HPC</th>
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</thead>
<tbody>
<tr>
<td><strong>START HERE</strong> Submit Application</td>
<td><strong>Review Application for Completeness</strong></td>
<td><strong>Continued for Redesign, etc.</strong></td>
</tr>
<tr>
<td>Make Corrections to Application</td>
<td>Incomplete</td>
<td>Historic Preservation Commission Hearing</td>
</tr>
<tr>
<td><strong>Clearance from:</strong></td>
<td>Complete</td>
<td>Approved</td>
</tr>
<tr>
<td>- Monterey Bay Unified Air Pollution Control District</td>
<td>Environmental Review (CEQA)</td>
<td>Denied</td>
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<tr>
<td>- PG&amp;E</td>
<td>Not Historic</td>
<td>Approved</td>
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<tr>
<td>- Monterey Peninsula Water Management District</td>
<td>Approved</td>
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<tr>
<td>- Housing and Property Management Division</td>
<td>Denied</td>
<td></td>
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<tr>
<td>Building Permits</td>
<td>Approved</td>
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<tr>
<td>Appeal to Planning Commission or City Council</td>
<td>Denied</td>
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SUBMITTAL CHECKLIST

Every application must include both Application Forms and Plans. The specific requirements are described below.

1. Project Application Form
   - Wet or digital signatures are required. Digital signatures must comply with Govt. Code section 16.5 requirements.
   - This form has three pages. Complete all three pages with necessary signatures.
   - Available online at http://monterey.org/Portals/0/Policies-Procedures/Planning/HowToApply/Appeals.pdf

2. General Requirements
   - Two (2) full-sized plan sets (24”x36”)
     - Use a minimum 1/8”=1’ scale for Site Plans and 1/4” = 1’ scale for all others.
   - One (1) reduced-size set in 11”x17”, unless all details are legible in 8.5”x11”
   - Electronic copy of plans in PDF form

3. Cover Sheet
   - Project address and Assessor’s Parcel Number
   - Applicant’s name, address, and daytime telephone number
   - Owner’s name, address, and daytime telephone number
   - Architect/Designer/Engineer’s name, address, telephone number, and stamp (if necessary)
   - Sheet index with sheet number and sheet titles

4. Photograph of the building proposed for demolition

5. Explanation of Request
   - Description of current and proposed uses of the property,
   - Explain the relationship of the proposed map or ordinance amendment to the General Plan and the effect on adjacent uses,
   - Explain any other purpose for the zoning map or ordinance amendment.

6. Environmental documentation – Environmental documentation may be necessary to examine potential environmental impacts of a proposed project, and may include, but not be limited to, the following typical reports and analyses:
   - Air quality report,
   - Arborist report,
   - Archaeology report,
   - Biological report,
   - Intensive Survey prepared by Qualified Architectural Historian if property is potentially or designated historic – Check with Planning Office for historic status,
   - Noise and Vibration study,
   - Storm Water Management Plan,
   - Traffic study, and,
   - Other reports/analyses, as necessary.

7. Other information – The following information may be required:
   - Clearance from:
     - Monterey Bay Unified Air Pollution Control District – Required in writing for commercial building demolitions and multi-family residential with more than four units.
     - PG&E – Required in writing confirming utility shut-off.
     - Monterey Peninsula Water Management District – Supply the MPWMD with formal notifications including, but not limited to, inspection of plumbing fixtures prior to issuance of demolition permit, and notice of completion of demolition, in order to ensure that the site’s water credits continue to run with the land.
     - Housing and Property Management Division – Required for any City of Monterey owned property or Wharf projects. Call 646-3995.
   - Wharf projects:

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1 At the discretion of the Chief of Planning, Engineering and Environmental Compliance, submittal of any submittal items may be waived if the project can be sufficiently described and considered without such information. Please inquire prior to submittal of an application.
- Structural engineering report may be required.

  If you have any questions regarding the above submittal requirements, please contact the Planning Office at (831) 646-3885.