

**SALINAS PLANNING COMMISSION  
RESOLUTION NO. 2020-**

**Resolution Approving a Conditional Use Permit for Residential Design Review to convert  
965 square feet of an existing 1,099 attic into a second story addition Located at 1054  
University Avenue (Conditional Use Permit 2020-001)**

**WHEREAS**, on January 24, 2020, the Property Owners, Eduardo, Helia, and Nefte Couttolenc, submitted an application for Conditional Use Permit 2020-001 for Residential Design Review to convert 965 square feet of an existing 1,099 attic into a second story addition located at 1054 University Avenue (Assessor's Parcel Number 016-052-005-000); and

**WHEREAS**, on October 9, 2020, a Notice of Intent to Approve Conditional Use Permit 2020-001 was distributed to the neighboring properties within 300 feet of 1054 University Avenue; and

**WHEREAS**, on October 14, 2020, the Community Development Department received email correspondence from Mr. Chuck Eads in protest of Conditional Use Permit 2020-001; and

**WHEREAS**, on November 4, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the November 18, 2020 Salinas Planning Commission hearing with direction to the applicant to revise the project plans; and

**WHEREAS**, on November 9, 2020, revised plans were submitted to the Community Development Department responding to Planning Commission direction;

**WHEREAS**, on November 18, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the December 16, 2020 Salinas Planning Commission hearing with direction to the applicant to revise the project plans; and

**WHEREAS**, on December 1, 2020, revised plans were submitted to the Community Development Department responding to Planning Commission direction;

**WHEREAS**, on December 16, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the January 20, 2021 Salinas Planning Commission hearing with direction to the applicant to revise the project plans; and

**WHEREAS**, on January 20, 2021, the Salinas Planning Commission, held a duly noticed public hearing to consider Conditional Use Permit 2020-001 and continued said item to the February 3, 2021 Salinas Planning Commission hearing; and

**WHEREAS**, on January 20, 2021, revised plans were submitted to the Community Development Department responding to Planning Commission direction;

**WHEREAS**, on February 3, 2021, the Salinas Planning Commission, held a duly noticed public hearing to consider revised Conditional Use Permit 2020-001; and

**WHEREAS**, the Planning Commission weighed the evidence presented at the February 3, 2021, considered the staff report, determined that positive findings could not be made for approval of the project, and adopted Resolution No. 2021-05 finding the project to be exempt from the California Environmental Quality Act (CEQA) and denying Conditional use Permit 2020-001; and

**WHEREAS**, on February 16, 2021, the Applicant/Property Owner filed an appeal of Planning Commission's denial of CUP 2020-001; and

**WHEREAS**, on March 16, 2021, the Salinas City Council, at the request of the City of Salinas, Applicant/Property Owner, held a duly noticed public hearing to consider the appeal to the Planning Commission denial of Conditional Use Permit 2020-001; and

**WHEREAS**, the City Council weighed the evidence presented at said public hearing, including the Staff Report which is on file at the Community Development Department together with the record of environmental review and remanded Conditional Use Permit 2020-001 back to Planning Commission for reconsideration; and

**WHEREAS**, on May 26, 2021, revised plans were submitted to the Community Development Department;

**WHEREAS**, on June 16, 2021, the Salinas Planning Commission, held a duly noticed public hearing to consider revised Conditional Use Permit 2020-001, which included the addition of a porch, which extends five-feet in front of the street façade and incorporates a two-foot high wrought iron rail on top with round/tapered columns at the front; and

**WHEREAS**, the project is determined to be exempt from the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, BE IT RESOLVED** by the Salinas Planning Commission that the Commission approves Conditional Use Permit 2020-001; and

**BE IT FURTHER RESOLVED** that the Salinas Planning Commission adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

***1. The revised project has been found to be a Class 1 Categorical Exemption pursuant to Guidelines section 15301 of the Guidelines to the California Environmental Quality Act;***

The revised Conditional Use Permit for Residential Design Review to convert 965 square feet of an existing 1,099 attic into a second story addition, is categorically exempt from further environmental analysis per CEQA Guidelines Section 15301 (Existing Facilities). The addition is less than 50 percent of the floor area of the existing house before the addition.

**2. *The proposed location of the use is in accord with the objectives of the General Plan, the Zoning Code, and the purposes of the district in which the site is located.***

The site is designated Low Density Residential by the 2002 Salinas General Plan. Per Page LU-31 of the General Plan, Low Density Residential provides for the development of single-family detached and attached homes. The proposed project is consistent with General Plan Goals and Policies. Located on an infill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4. The proposed project conforms to Community Design Element Policy CD-2.3, which requires infill development to be consistent with the scale and character of existing neighborhoods.

As shown on the official Zoning Map, the site is located in the Low-Density Residential District. Per Section 37-30.050, the purpose of the Low Density Residential District is to provide appropriately located areas for single-family dwellings, achieve design compatibility through the use of site development regulations and design standards, encourage attractive and interesting single-family residential streetscapes, and provide adequate light, air, privacy, and open space for each dwelling unit.

**3. *The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working adjacent to the neighborhood of such use, nor detrimental to the properties, or improvements in the vicinity or to the general welfare of the City.***

The site is designated Low Density Residential by the 2002 Salinas General Plan. Per Page LU-31 of the General Plan, Low Density Residential provides for the development of single-family detached and attached homes. The revised project is consistent with General Plan Goals and Policies. Located on an infill site, the addition would help maintain a compact City form, consistent with Land Use Policy LU-2.4. The revised project conforms to Community Design Element Policy CD-2.3, which requires infill development to be consistent with the scale and character of existing neighborhoods.

Existing single-family detached dwelling units surround the project site. The revised project would not be detrimental to the public health, safety and general welfare of the people of the City, because the project's revised plans would be in compliance with the following:

- a. The revised project is determined to be in compliance with the the Infill Development Regulations in Section 37-50.110(f) as identified in Finding No. 3 below.
- b. The revised project's design and scale are in compliance with the height and scale design requirements contained in Zoning Code Section 37-50.110(g)(1)(A-F) as identified in Finding No. 6 below.
- c. The revised project is determined to be compatible with adjacent properties.

- d. The placement of windows is conditioned to be frosted, louvered, or placed above eye level at the top third of the wall as to not create a direct line sight into living space or the backyard of adjacent properties in accordance with Section 37-50.110(f)(4)(B).

**4. *The proposed conditional use will comply with the provisions of the Salinas Zoning Code, including any specific conditions required for the proposed use.***

Conditions have been recommended for this permit to ensure that, when implemented, the revised project will conform and comply with the provisions of the Salinas Zoning Code. For example, a condition requires the windows to be frosted, louvered, or placed above eye level at the top third of the wall as to not create a direct line sight into living space or the backyard of adjacent properties consistent with Section 37-50.110(f)(4)(B).

*In addition to the above findings, Residential Design Review projects require that the following two findings per Zoning Code Section 37-60.500(f)(2)(A) & (B) must be established:*

**5. *The proposed dwelling, addition, or land subdivision will not adversely impact the character of the existing residential neighborhood.***

The revised project will not adversely impact the character of the existing neighborhood because the project has been determined by the Planning Commission to be in compliance the height and scale design requirements contained in Zoning Code Section 37-50.110(g)(1)(A-F) as identified in Finding No. 6 below and in compliance with the the Infill Development Regulations in Section 37-50.110(f) as identified in the table below and:

| <b>Infill Development Regulations – Zoning Code Section 37-50.110(f)</b>   | <b>Development Standard</b>                                      | <b>Proposed Development</b>                   | <b>Remarks</b>   |
|--|--|---|--|
| The minimum front and corner side yards shall be determined based on the average of the existing front and corner side yards for single-family detached dwelling units located within the neighboring block face. For purposes of calculating the average, the smallest yard and the greatest yard shall be disregarded. For an addition to an existing single-family detached dwelling unit, the existing front or corner side yard may be maintained, if less than the average for the neighboring block face. | Average front yard setback in neighboring block face is 20 feet. | Second story addition is setback 22'-6" feet. | Substantially conforms to the development regulation and standard. |
| The rear yard shall be in accordance with the base district regulations.   | Minimum 10 feet.   | 21 feet.                                      | Conforms to the development  |

|   |   |   |   |
|---|---|---|---|
|   |   |   | regulation and standard.  |
| The minimum interior side yard shall be five feet for the first twenty feet in building height with an additional two and one-half feet of yard required for each additional five feet, or a fraction thereof, of building height as measured to the peak of the roof.                                  | Minimum 5 feet.   | 13 feet.  | Conforms to the development regulation and standard.  |
| For additions: Maximum .40 FAR or two thousand five hundred square feet or the square footage of the existing house plus one thousand square feet, whichever is greater.  | 4,194 square feet (3,194 s.f. per approved Building Permit No. B14-0203 plus 1,000 square feet is the greatest). A portion of the 1,099 square foot attic is to be demolished reducing the area to 965 square feet. | 4,159 square feet.  | Conforms to the development regulation and standard with a condition requiring partial reduction in area. |
| The maximum height to the peak of the roof shall not exceed the height of the highest roof peak on the neighboring block face, or thirty feet, whichever is more.   | Maximum 30 feet.  | 24'-1".   | Conforms to the development regulation and standard.  |
| The perceived scale of new dwelling units and additions should be minimized. To achieve this, two-story buildings should be stepped back from streets and adjacent smaller residential dwellings units, broken up into smaller architectural components, or include a substantial single-story element. | Stepped back from streets and adjacent smaller residential dwellings units, broken up into smaller architectural components, or include a substantial single-story element.   | A projecting porch is proposed thereby minimizing the scale and bulk. | Substantially conforms to the development regulation and standard.  |

|   |   |                                    |   |
|---|---|------------------------------------|---|
| For additions, roof forms and pitch shall match the existing dwelling unit.   | Match the existing dwelling unit.   | Match the existing dwelling unit.  | Conforms to the development regulation and standard.  |
| Placement of windows and openings should not create a direct line sight into the living space or the backyard of adjacent properties. Where privacy is a concern, windows should be staggered, frosted, louvered, or placed above eye level at the top third of the wall. | Should not create a direct line sight into the living space or the backyard of adjacent properties. | Windows are staggered and frosted. | Conforms to the development regulation and standard with a condition requiring privacy treatment. |

**6. *The proposed dwelling or addition will be compatible with scale, bulk, height, and location of existing single-family detached dwellings located on the neighboring block face.***

The revised project has been determined to be compatible with scale, bulk, height, and location of existing dwellings on the neighboring block face. The neighboring block face is defined as those single-family detached dwelling units situated on lots or parcels located within one hundred and fifty feet of the nearest property line of the subject site. Such lots or parcels shall include, but not be limited to, those lots or parcels that abut, face, or are located on the same street as the subject site. If a lot or parcel is vacant, undeveloped, or contains another use other than a single-family detached dwelling unit within the neighboring block face, the next closest lot with a single-family detached dwelling unit shall be deemed part of the neighboring block face. If any piece or portion of a lot or parcel is located within the neighboring block face, the entire parcel or lot shall be deemed to be in the neighboring block face.

Per Section 37-50.110(a), the purpose of Infill Residential Development is to preserve existing residential patterns and development, and reinforce the character and functional relationships of established neighborhoods; development is compatible in scale and height with the neighboring single-family detached residential dwelling units through the use of similar proportions, level of details, and scale; and development reflects some of the best characteristics of adjacent dwelling units in the choice of materials and colors, windows, height, and roofline. The proposed 22'-6"-foot front yard setback measured from the front property line to the second story addition, which meets the minimum 20-foot front yard setback. The proposed 24'-1" height of the second story addition does not exceed the maximum 30 foot height allowed in the R-L-5.5 Zoning District.

The height and scale design requirements contained in Zoning Code Section 37-50.110(g)(1)(A-F) are met as identified by the following:

- a) The height and scale is existing.
- b) The front porch has been added to reduce the appearance of the mass so as not to overwhelm existing dwelling units with disproportionate size.

- c) The architectural projection of the proposed porch into the front yard setback along street façade helps to:
  - a. Maintain similar horizontal and vertical proportions with adjacent facades,
  - b. Reduces scale and bulk of the second-story addition so as not to dominate the existing scale of the neighborhood,
  - c. Reflect a design that has a harmonious transition between new development and existing development,
  - d. Provides for a substantial single-story element,
- d) The second-story addition's proposed roof pitch and eaves maintain a proportional relationship with buildings on adjacent properties.
- e) Accent materials and varied wall planes break up the vertical mass of the second-story addition with the following: stone veneer around main entry door, projecting porch with columns extended into front yard setback over main entry door, and decorative steel grill and wood corbels facing the street.

**PASSED AND ADOPTED** this 16th day of June 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and adopted by the affirmative and majority vote of said Planning Commission at a meeting held on February 3, 2021, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: \_\_\_\_\_

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Courtney Grossman  
Secretary