

ORDINANCE NO. 3643 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

REZONING THE PROPERTY AT 580 CALLE PRINCIPAL FROM PC-D TO PC-D-H-1

WHEREAS, applicant Merritt Hawley of MAP Architect, on behalf of owner Blake Matheson, Raven's Path LLC, requested H-1 (Landmark Historic Resource) overlay zoning for the Miller Adobe at 580 Calle Principal (Exhibit A);

WHEREAS, as required by Monterey City Code, an intensive historic survey (DPR 523B form) prepared by Seth Bergstein, a Qualified Architectural Historian, was submitted as part of the application;

WHEREAS, the subject property, known as the Miller Adobe (1874), qualifies as a landmark historic resource;

WHEREAS, the property is significant under California Criterion 1/National Register Criterion A because of its association with the "Early American Monterey" period. The *National Historic Landmark District and Downtown Area Historic Context Statement* establishes the historic significance of the project site under the theme, Early American Monterey (1846-1879). The property is eligible in the area of history for its association with Early American Monterey period. The Historic Context Statement states, "Properties from this era can also be significant for their association with Monterey's ongoing development in the early American years, a period during which Monterey served as an important commercial hub for the Monterey Bay region."

WHEREAS, the historian indicates, "Since the subject property is eligible under National Register Criterion A/California Register Criterion 1 and is an adobe residence built prior to 1879, the property qualifies for H-1 Landmark zoning. It might also be the last constructed adobe in Monterey;

WHEREAS, the property retains a high degree of historic integrity, including location, design (reduced due to 1980 reconstruction), setting, materials, workmanship, feeling, and association;

WHEREAS, the HPC, at a properly noticed public hearing on October 14th, 2021, carefully considered all of the information presented to it, including the agenda report and information submitted at the public hearing by interested persons;

WHEREAS, the PC, at a properly noticed public hearing held on October 26, 2021 carefully considered all of the information presented to it, including the agenda report and information submitted at the public hearing by interested persons;

WHEREAS, the City of Monterey Planning Office determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 19, Section 15301, Class 1, Section 15305, Class 5, and Section 15331, Class 31) because the project consists of minor repair and alterations to an existing building, addition of H-1 overlay zoning to the property which will not result in significant changes to land use limitations and will require maintenance of

a designated historic building that has been determined to be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Mills Act contracts also require that all work performed subsequent to entering into a contract is consistent with those standards. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2.

Exception a - Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The addition of H-1 overlay zoning would not impact a resource of critical concern. The project proposes maintenance of a historic building consistent with the Secretary of the Interior's Standards. The project would have a positive impact in that a historic resource would be maintained. The environment is not particularly sensitive (existing building and paved areas). No excavation or digging is proposed.

Exception b - Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The addition of H-1 overlay zoning would add an additional layer of protection to the resource. The project proposes maintenance of a building consistent with the Secretary of the Interior's Standards. No cumulative impacts would occur.

Exception c - Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. No unusual circumstances exist at the site. The building is an existing structure and the surrounding environment is an established residential area. The addition of H-1 overlay zoning would add an additional layer of protection to the resource. The project proposes to maintain the structure consistent with the Secretary of the Interior's Standards for Rehabilitation. Therefore, a significant effect would not occur.

Exception d - Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The project proposes rehabilitation and maintenance of a building consistent with the Secretary of the Interior's Standards. The property is not located on or viewable from a state scenic highway. Therefore, impacts to scenic highways would not occur.

Exception e - Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The project site is not listed pursuant to Government Code Section 65962.5. The project would have no impact to hazardous waste sites.

Exception f - Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The building is eligible as a local historic resource and the addition of H-1 overlay zoning would add an additional layer of protection to the resource. The building maintenance would be consistent with the Secretary of the Interior's Standards for Rehabilitation.

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1: The property at 580 Calle Principal is hereby rezoned from PC-D (Planned Community Downtown Specific Plan) to PC-D-H-1 (Planned Community Downtown Specific Plan – Landmark Historic Resource Overlay).

SECTION 2: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 16th day of November, 2021, by the following vote:

AYES:	4	COUNCILMEMBERS:	Albert, Haffa, Williamson, Roberson
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Smith
ABSTAIN:	0	COUNCILMEMBERS:	None


APPROVED:

ATTEST:

DocuSigned by:

 FA1981217DEE4FB...

 Mayor of said City

DocuSigned by:

 ED8453A4F62C4AA...

 City Clerk thereof

580 Calle Principal

