



CITY OF DEL REY OAKS

650 CANYON DEL REY BLVD, DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 FAX (831) 394-6421

AGENDA DEL REY OAKS PLANNING COMMISSION MEETING WEDNESDAY, March 13, 2024 AT 6:00 P.M.

Del Rey Oaks City Hall is inviting you to an **IN PERSON MEETING AT CITY HALL**
PLEASE NOTE THIS WILL BE LIVE STREAMED FOR VIEWING ONLY
YOU WILL NOT BE ABLE TO MAKE PUBLIC COMMENTS ON ZOOM

Join Zoom Meeting

<https://us02web.zoom.us/j/85103121001>

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT AGENDA:**

A. Adopt February 14, 2024 Planning Commission Meeting Minutes

4. **PUBLIC COMMENTS:**

Anyone wishing to address the Commission on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered by the Commission. *There will be a time limit of **not more than three minutes** for each speaker. No action will be taken by the Commission on matters brought up under this item and all comments will be referred to staff.*

5. **REPORTS:** Building Activity Report February 2024

6. **OLD BUSINESS:** None

7. **NEW BUSINESS:**

Action Items

A. Annual Progress Report on the Implementation of the General Plan

Consider Staff Report, Public Comments and Provide Recommendation to City Council

- B. Applicant's Name:** Vincent Machi
Owner's Name: Vincent Machi
File Number: ARC #24-02
Site Location: 985 Rosita Rd
Planning Area: APN #012-544-011
CEQA Determination: Categorically Exempt pursuant to Guidelines § 15061(c) and 15301
Project Description: Requesting Architectural Review to add a 238 square foot addition to the rear of the single family dwelling.
Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.
- C. Applicant's Name:** Jeffrey and Whitney Ernest
Owner's Name: Jeffrey and Whitney Ernest
File Number: ARC #24-03 & VAR #24-01
Site Location: 919 Via Verde
Planning Area: APN #012-542-003
CEQA Determination: Categorically Exempt pursuant to Guidelines § 15061(c) and 15301
Project Description: Requesting Architectural Review and Variance to add an 817 square foot addition to the rear and side of single-family dwelling.
Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

8. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS

9. NEXT MEETING: Wednesday, April 10, 2024 at 6pm

All enclosures and materials regarding this agenda are available for public review at Del Rey Oaks City Hall. Information distributed to the Planning Commission at the meeting becomes part of the public Record. A copy of written material, pictures, etc. should be provided to the Secretary for this purpose.

City of Del Rey Oaks

**City Hall
650 Canyon Del Rey Blvd
Del Rey Oaks, CA 93940**



Action Minutes

Wednesday, February 14, 2024 - 6:00 PM

Planning Commission – Regular Meeting

Del Rey Oaks Planning Commission

Mike Hayworth – Chair

Denise Wood – Vice Chair

George Jaksha – Commissioner

Gary Kreeger – Commissioner

Louise Goetzelt - Commissioner

Ann Ahmadi – Commissioner

Celine Pinet - Commissioner

6:00PM – Called to Order:

The meeting was called to order by Chair Hayworth.

Roll Call:

Present: Chair Hayworth, Vice Chair Wood, Commissioner Jaksha, Commissioner Goetzelt, Commissioner Kreeger, Commissioner Pinet and Commissioner Ahmadi

Staff Present:

City Manager Guertin and City Clerk Minami

Pledge of Allegiance:

Chair Hayworth led the Pledge of Allegiance.

Consent Agenda:

A. Adopt December 12, 2023, Planning Commission Meeting Minutes

A motion to approve was made by Commissioner Goetzelt and seconded by Commissioner Kreeger. Minutes were approved 7-0

Public Comment:

None

Reports:

The November Building Activity Report was accepted unanimously. City Clerk Minami mentioned error found after publication of packet.

Old Business:

None

New Business:

Applicant's Name:	Vincent Machi
Owner's Name:	Vincent Machi
File Number:	ARC #24-01
Site Location:	985 Rosita Rd
Planning Area:	APN #012-544-011
CEQA Determination:	Categorically Exempt pursuant to Guidelines § 15061(c) and 15301

Project Description: Requesting Architectural Review to add a 143 square foot addition to the rear of the single family dwelling.

Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

Vice Chair Wood steps down from dais, due to proximity of her home to the project.

Applicant explains the project and answered questions from the Commissioners

Commissioner Kreeger makes Motion to Approve ARC #24-01 as presented, Commissioner Jaksha seconds the motion.

Passes 6-0

Public Comment:

None

Announcements:

Commission Kreeger: Earth Day and the Ice Cream Social April 20, 2024

Commissioner Pinet: Lots of reading and research

Commissioner Ahmadi: Looking forward to conference in March

Next Meeting:

Wednesday, March 13, 2024 at 6pm

Adjournment:

6:20pm

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Month:	Name:	Address:	Description:	Contractor:	Permit#	
February	Bellinger	892 Portola	Misc repairs from Correction RPI	FGN Construction	B-24-09	
February	7-11 Store	425 Canyon Del Rey Rd	Steel Column Repair	CGP Maintenance and Construction	B-24-07	
January	Souza	99 Carlton	Repair carport	John Chatters	B-24-03	Finaled
January	Machi	985 Rosita Rd	Demo wall, update electric, new header	Owner	B-24-04	
January	Finaldi	121 Calle Del Oaks	Spray booth	Hastings Construction	B-24-02	
January	Cabanillos	46 Los Encinos	ADU	Charlie Hornisher H3 Design	B-24-01	
December	Naomi	979 Paloma	Retaining Wall (w/980 Rosita)	Michael Miller	B-23-62	
December	Jwaideh	980 Rosita	Retaining Wall	Michael Miller	B-23-61	
November	Jain	161 Calle Del Oaks	Motorized driveway gates	Salas O'Brien	B-23-59	
November	Williams	202 Calle Del Oaks	Indoor Swim School	ICON James Harrington	B-23-57	
October	Chabony	1 Robertson	Kitchen remodel	John Hansen Construction	B-23-56	
October	PG&E	700 Portola	New Diesel generator	EGA Network Inc	B-23-55	
October	Fuggitt	10 Carlton	Kitchen Remodel	John LeBlanc	B-23-54	Finaled
October	Munir S Munir	1019 Portola	Remodel	Owner/Builder	B-23-53	
August	Havens	9 Los Encinos Dr	Demo drywall in bdrms & studio	Disaster Kleen Up	B-23-49	Finaled
August	Rodrigues	1012 Rosita Rd.	Retaining Wall	Third Heaven	B-23-48	Finaled
August	Barber	999 Paloma Rd	Bathroom remodel	AA Construction Company	B-23-45	
July	Joshi	12 Quendale	Kitchen cabs, lights, slider	Tom Campagno Construction	B-23-42	
June	Motchkavitz	800 Arlington	ADU	Millette Constr.	B-23-39	
May	Derian	983 Portola	Remove Wall/Kitchen cabinets	Owner/Builder	B-23-31	Finaled
May	Machi	954 Portola	Demo, remodel, new kitchen	Owner/Builder	B-23-27	Finaled
April	Balaban	1117 Rosita	Remodel Kitchens and Bathrooms	Crabbe Construction & Design	B-23-24	
March	Kimber	8 Quendale	Kitchen remodel	Monterra	B-23-14	
March	Frazier	932 Via Verde	Bathroom remodel	Greg Cosmero Construction	B-23-10	Finaled
January	Fontes	20 Carlton	Replace and expand deck	Carmel Point Landscapes	B-23-03	Finaled



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PHONE (831) 394-8511 FAX (831) 394-6421

DATE: March 13, 2024
TO: Planning Commissioners and John Guertin, City Manager
FROM: Denise Duffy, City Planning Consultant
SUBJECT: 2023 General Plan Annual Progress Report Council Report

PURPOSE: Annual Progress Report on the General Plan and Housing Element

Annual Progress Report: Government Code section 65400(a)(2)(A) requires each City and County to provide an annual progress report to the Office of Planning and Research (OPR) and Housing and Community Development department (HCD) on the status of the general plan and progress in implementation of housing policies and programs since the previous reporting year. A primary purpose of this reporting is to detail the progress each jurisdiction has made in meeting the jurisdiction's share of regional housing needs allocation (RHNA) determined pursuant to Government Code section 65584, as well as updates on local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to Government Code section 65583(c)(3) (Id. at § 65400(a)(2)(B)). The general requirements to the General Plan Annual Progress Report (APR) and Housing Element APR are addressed below.

Requirements and Timing: The annual progress reports must be provided to the OPR and HCD on or before April 1st of each year. Jurisdictions report on a calendar-year basis (January 1 through December 31). There is no standardized format for the preparation of an APR for the General Plan. The form and content of the report may vary based on the circumstances, resources, and constraints of each jurisdiction. The City has prepared and submitted these reports annually.

2023 General Plan Annual Progress Report: The 2023 APR incorporates the adopted 2022 APR submitted in 2023. The purpose of an APR is to review progress made in implementing programs; it is not a review of adequacy of the adopted programs. The previous reporting in past years provided a comprehensive review of progress made on the City General Plan, including comprehensive listings of general plan policies, categorized by element.

As noted above, an APR is meant to review progress in implementing programs, and is not meant for a full General Plan review of individual policies or programs, or an assessment of the adequacy of the adopted programs. The assessment notes how, or if a policy was implemented during the reporting period (i.e., a description of any current or past year's activities were completed for implementation of a cited policy). The APR notes if any progress or implementation actions were taken related to the General Plan programs.

Note: This year, rather than individually detail each General Plan policy or program, as in past years, the General Plan APR is included, as noted below.

The most recent APR, adopted by the City Council in March 2023, continues to be applicable to this current APR reporting period. No changes were significant between the two reporting years in General Plan implementation.

Planning Commission and City Council considered the APR and recommended approval of the APR in 2023. Minor amendments corrections and additions were identified during hearings in 2023 and incorporated in the APR that was sent to HCD and OPR. No major implementation of policies and programs were identified for the reporting year 2023 related to General Plan implementation; the City focused efforts on development of Housing Element Programs, particularly updates to the adopted Housing Element for the City.

2023 Housing Element Annual Progress Report: Each jurisdiction (city council or board of supervisors) must also prepare and submit an APR on the jurisdiction's status and progress in implementing its Housing Element (Government Code Section 65400.). Each jurisdiction's Housing Element APR must be submitted to HCD and the Governor's Office of Planning and Research (OPR) by April 1st of each year and it covers the previous calendar year (January 1 to December 31, 2023). The purpose of the APR is to provide information regarding local agency progress in meeting its share of RHNA and removing governmental constraints to the development of housing pursuant to Government Code section 65583(c)(3). The focus of the report is progress made since the last reporting period. Since the City adopted a new Housing Element in 2023, the City Housing Element APR uses the program information in the Updated Housing Element submitted to HCD.

Action: Open Public Hearing and Consider Comments

Recommendation: Recommend approval to City Council.

Consideration of this item will be on the March 26, 2024 City Council agenda.

The City Council will consider the Recommendation from Planning Commission regarding the Draft 2023 Annual Progress Report on the Implementation of the General Plan.

The City Council will adopt a resolution to approve APR and direct submittal of APR to HCD/OPR.

Respectfully submitted,



Denise Duffy



CITY OF DEL REY OAKS

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PHONE (831) 394-8511 FAX (831) 394-6421

Draft City of Del Rey Oaks

2023 General Plan Annual Progress Report

March 13, 2024

Annual Progress Report

1.0 Introduction and Summary

Government Code Section 65400 requires the City to prepare an annual report on the status of the City's General Plan (Plan) and progress in its implementation (2023 General Plan Progress Annual Report). This Annual Progress Report (APR) must be provided to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD). The APR supplies a means to monitor the success of implementing the General Plan and determine if changes are needed in the Plan or in the implementation of its programs. The APR also provides information on the City's progress in meeting its share of regional housing needs allocation (RHNA) and summarizes the degree to which the General Plan complies with statutory requirement pursuant to Government Code Section 65040.2.

The format and content of this Annual Progress Report was prepared in accordance with the State's submittal requirements under California Government Code Section 65400. This General Plan Annual Progress Report is a reporting document and does not create or alter policy. The content is provided for informational purposes only and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306. The APR is meant as a progress document, with reporting required to be completed each year on the previous calendar-year (January 1 through December 31).

Updates: The Del Rey Oaks (City) General Plan was last updated in December 2023, with the adoption of the 6th Cycle Housing Element.¹ The original City General Plan was adopted in 1988. An update to the General Plan was approved in 1997 for lands within the former Fort Ord. This update approved land use designations and policies for the City's lands within City areas of former Fort Ord. The current General Plan contains policies and programs from the original General Plan, as well as policies from the 1997 General Plan Update for the former Fort Ord area. The current General Plan also includes the updated 2023 Housing Element. The major 2023 General Plan revision was amending the land use designations within the City owned portions of former Fort Ord to allow residential uses to meet regional housing needs. The General Plan has had no other updates during this reporting year (2023).

¹ The General Plan was also updated in 2023 with the 5th Cycle Update to the Housing Element.

2.0 APR Reviews

An APR is meant to address the progress the City has made towards implementing the actions of the General Plan. Although no major updates to the City General Plan have occurred over the years, the City has conducted annual comprehensive reviews of the City's policies in the past – most recently in 2022 and 2023 reporting years. The Planning Commission and City Council each held several public meetings to comprehensively review the implementation progress and status of each of the City's General Plan updates prior to submittal of each APR for the City of Del Rey Oaks. During these meetings, individual policies of the General Plan were reviewed, relevant projects undertaken by the City were identified, and progress on the implementation was discussed. The last General Plan APR (the 2022 APR) was considered and approved in March, 2023 by the City Council and reviewed in February, 2023, by the Planning Commission.

3.0 General Plan Implementation Progress

The major 2023 General Plan revision was amending the land use designations within the City owned portions of former Fort Ord to allow residential uses to meet regional housing needs. The General Plan has had no other updates during this reporting year (2023). There has not been any major change in policies to the General Plan nor any substantial change since the 2022 APR was submitted to HCD/OPR, other than noted above. Note: the purpose of the APR is a report on progress toward implementation of policies and programs. An APR is not meant as a refinement or revision to the City's General Plan. However, previous City comments on the General Plan are highlighted below:

- The General Plan includes a number of overall concepts/policies that are still current and compatible with the current vision and quality of life values of the City.
- The City has worked to progressively implement some of the policies outlined in each element of the City's General Plan, but the General Plan document needs updating in certain areas.
- In addition, Planning Commissioners and City Council members expressed support for adding policies related to climate change and to further consider those policies related to potential future development, particularly for housing and affordable housing availability.
- The City's General Plan policies need a comprehensive update, and the City Council affirmed this need in their comments on the APR in 2022 and 2023.
- The City has consistently reviewed the policy areas during annual meetings on the APR. In these meetings, the City identified policies that need updating, and noted additional steps would be needed to effectuate the General Plan more fully, or to update policies and programs related to issues facing the City today. Specific policy updates would be able to address current issues related to traffic, water, and land use.
- The Planning Commission expressed support for continuing review of the General Plan policies as part of future efforts to update the General Plan. This is consistent with City Council comments in 2022 and 2023.

4.0 Housing Element Implementation Progress

The City Planning Commission and City Council recognized the need for a Housing Element update; the 5th Cycle Housing Element was found compliant by HCD in 2023. The City also completed the 6th Housing Element Update and adopted the 6th Cycle Housing Element in December, 2023, as required by Government Code Section 65580 et seq. The 2023 Housing Element is a multi-year housing plan for the 6th Planning Cycle, 2023-2031 planning period. The City is working revising the 6th Cycle Housing Element Update to meet HCD requirements. The City held numerous workshops on the Housing Element updates throughout 2023 and adopted required rezoning and general plan update to allow housing in sites considered suitable during 2023. No other major implementation actions for the City Housing Element have occurred in 2023, as the City focused on completion of required rezoning and housing elements.

5.0 APR 2023

Public meetings at the Planning Commission and City Council allow for public input into the process prior to the APR report approval and submittal of the APR to the State.

This 2023 APR incorporates this report and the following attachment submitted to HCD on Housing Element Program status; these documents collectively represent the APR review as required for the 2023 APR.

Attachment

- A. HCD Housing Element APR Policy Implementation Status

Attachment A

City of Del Rey Oaks 2023 Housing Element Annual Progress Report (HE APR) *

** Note: Programs reflect the City Housing Element in effect in 2023 for majority of the year.*

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction	Del Rey Oaks	
Reporting Year	2023	(Jan. 1 - Dec. 31)

ATTACHMENT TO DEL REY OAKS ANNUAL PROGRESS REPORT

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

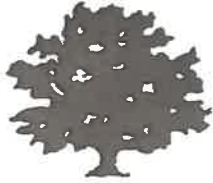
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program A.1 Accommodate the City's RHNA	Amend General Plan Land Use Map and Zoning Ordinance to allow residential uses as an allowed use for Site 1 and Site 1a by the third quarter of 2023.	3rd quarter 2023	The City amended the General Plan and adopted the Zoning Ordinance on October 24, 2023.
Program A.2 Develop written process for continued compliance with AB 2162	The City shall continue to comply with the requirements of state law AB 2162 (Chapter 753, statutes of 2018) and will develop a written process to adhere to the statutory requirements in accordance with state law.	4th quarter 2023	The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria. The City approved an updated ordinance to address AB 2162 compliance, including State required updates to the zoning ordinance related to emergency shelters, in December 2022. The City adopted an ADU ordinance in 2021.
Program B.1 Develop Inclusionary and Affordable Housing Requirements	The City will adopt an Inclusionary and Affordable Housing Ordinance that will require new residential development or redevelopment in the City to meet the City's RHNA requirements as identified in the AMBAG RHNA.	By the end of 4th quarter 2023	The City adopted the Affordable Housing Zoning Ordinance on October 24, 2023.

<p>Program B.2 Facilitate Affordable Housing for All Income Levels</p>	<p>Actively seek funding opportunities to increase the supply of affordable housing for lower income households, analyze sites owned by the City to identify those that could be suitable to support affordable housing. Seek to leverage these funds with federal, state, and County HOME funds to increase the amount of affordable housing on housing strategy sites. Work with developers of housing strategy sites and non-profit developers to identify opportunities to increase the percentage of affordable housing by encouraging developers to apply for available funds and utilize other creative mechanisms.</p>	<p>Ongoing work with developers; report on funding annually to City Council</p>	<p>This program is an ongoing action, consistent with the City recently adopted Housing Element, 6th Cycle. The City is also working to secure a developer for the former Fort Ord site See also above item.</p>
<p>Program B.3 Utilize Section 8 Housing Choice Vouchers</p>	<p>The City, working with the Housing Authority of Monterey County (HAMC), shall provide information and incentives to property owners to encourage them to sign Section 8 agreements with the HAMC. The number of applications received will depend upon how many property owners apply for Section 8 agreements with the HAMC and City. This program could provide rental assistance to at least two or three renters per year.</p>	<p>First full active year 2022</p>	<p>The City updated their programs related to this in 2023; did not have an opportunity to implement this Program in 2023.</p>
<p>Program B.4 Preferential Housing for Del Rey Oaks Residents and Workers</p>	<p>Adopt a Preferential Housing Ordinance</p>	<p>4th quarter 2023</p>	<p>This program has been revised and updated for 6th Cycle; questions were raised on how to address this program to offer to Del Rey Oaks residents and workers on a preferential basis.</p>

<p>Program B.5 Develop a Density Bonus Ordinance Consistent with State law</p>	<p>Adopt a City Density Bonus Ordinance, consistent with Government Code and State Density Bonus Law</p>	<p>4th quarter 2023</p>	<p>The City currently follows State requirement for Density Bonus law. After researching this issue, the City determined working under the State requirements was the appropriate approach.</p>
<p>Program B.6 Facilitate Affordable Rental Units</p>	<p>City continues to research available funds to assist in the construction of affordable units (and accessory dwelling units) to low-income and very low-income households annually.</p>	<p>Anticipated to start seeking funding opportunities beginning 2020 and running into 2023</p>	<p>The City has filed and received LEAP and REAP grants in 2020 and REAP 2.0 in 2023, for use in updating the Housing Element for compliance in the 5th and 6th Cycle Planning period. The City will continue to pursue available funding.</p>
<p>Program C.1 Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35, or where appropriate, waiving City fees or regulatory requirements.</p>	<p>Review, and as needed, revise the site improvement standards and development procedures to meet the program objective.</p>	<p>By end of 4th quarter 2023</p>	<p>The City facilitated the development of ADUs in 2023, updated the City programs for ADUs and is currently working with HCD on refined programs. The City will continue to provide assistance to permitting housing consistent with State law.</p>
<p>Program C.2 Encourage the construction of Accessory Dwelling Units</p>	<p>The City will encourage the construction of ADUs by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications. The City will provide information concerning the City's amended ordinance at City Hall. The City will give an annual report on new secondary units constructed to City Council.</p>	<p>3rd quarter 2023</p>	<p>See above. The City adopted an ADU ordinance in 2021 and will continue to expedite permit processing for ADUs.</p>
<p>Program C.3 Mitigating Constraints</p>	<p>The City will review Zoning Ordinance amendments to mitigate constraints on housing.</p>	<p>3rd quarter 2023</p>	<p>The City regularly reviews City Zoning Ordinance to ensure regulatory constraints do not constrain housing development. As part of the Housing Element updates ongoing, zoning ordinance amendments and housing constraints have been reviewed. The City adopted ordinances and amendments for former Fort Ord sites for affordable housing in 2023.</p>

<p>Program C.4 Ensure the Availability of an Adequate Water Supply to Serve the Long-Term Housing Needs of the City</p>	<p>The City will continue to work with the MPWMD, MCWD, and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development.</p>	<p>By the end of 2020 and throughout 5th Cycle</p>	<p>The City staff has been in discussion with MPWMD, MCWD, and AMBAG regarding Del Rey Oaks' water supply and RHNA. The City is working with the MPWMD to increase water allocated to affordable units, subject to State approval due to the existing water moratorium and State Cease and Desist Order. The City conducted outreach with MPWMD and MCWD on water availability for housing development. The City has an agreement with MCWD for water service and water supply for former Fort Ord development within City limits.</p>
<p>Program D.1 Promote Fair Housing by Providing Educational and Referral Materials</p>	<p>Provide Fair housing education materials at City Hall in English and Spanish, post information on the City website and provide information in City newsletter annually.</p>	<p>1st quarter 2023 and ongoing</p>	<p>The City is researching Fair Housing resources in English and Spanish to accommodate all the community members. The City commits to provide housing resources information in both English and Spanish.</p>
<p>Program D.2 Provide Opportunity for and Encourage the Development of Adequate Housing for the City's Special Needs Groups</p>	<p>The City will aim to update the Zoning Ordinance by the end of 2023. It will aim to identify at least one residential project by 2024 that is targeted for seniors and/or persons with mobility impairments. The City will monitor these programs through annual reports to the City Council, with the first annual report by the end of 2021.</p>	<p>Zoning Ordinance by 2023. Special Needs Group residential development by 2024. Annual Reporting by 2021.</p>	<p>The City adopted ordinances and amendments concerning the definition of "Family", emergency shelters, density bonuses, zoning for affordable housing in 2023. The City will continue to identify projects and provide annual reports to the City Council.</p>
<p>Program D.3 Special Needs Housing for Disabled Persons</p>	<p>Review zoning code and report to City Council on needed updates to address State law by first quarter 2023. Amendments to Zoning Code and the updated Housing Element shall be adopted by end of 2023.</p>	<p>By the end of 2023</p>	<p>See above. The City adopted a definition of "Family" and an emergency shelter ordinance in 2023, and an ADU ordinance in 2021. The City will continue to review the zoning code to identify and remove additional constraints and amend the Zoning Ordinance to ensure that future projects incorporate accessible design.</p>
<p>Program D.4 Support Programs to Reduce Homelessness</p>	<p>Amend the City Zoning Ordinance to include provisions for emergency shelters as needed by end of first quarter 2023.</p>	<p>By the end of 1st quarter 2023</p>	<p>The City adopted an emergency shelter ordinance in 2023.</p>

<p>Program D.5 Develop written process for continued compliance with AB 101</p>	<p>The City shall continue to comply with the requirements of AB 101 and develop a written compliance process to adhere to the statutory requirements in accordance with state law.</p>	<p>Ongoing AB 101 compliance. Written AB 101 compliance process by the end of 3rd quarter 2023</p>	<p>The City complies with the requirements of AB 101. Written compliance process was not completed.</p>
<p>Program E.1 Assist in Rehabilitating Housing</p>	<p>The City will investigate available low-interest loans, subsidies, and grants from federal and State agencies to provide rehabilitation funds. As funding becomes available, the City shall provide grants and/or low interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities.</p>	<p>Assist two households by the end of 2021</p>	<p>Subject to federal funding the City will look to assist an average of one to two households (ranging from single-family, multi-family, and mobile homes), dependent on need. The City is continuing to investigate available low-interest loans, subsidies, and grants from federal and State agencies.</p>
<p>Program E.2 Continue Code Enforcement</p>	<p>The City will continue to perform code enforcement for areas or homes with building code violations posing life and/or safety risks to occupants and/or significant property maintenance concerns and ensure that such violations are adequately abated.</p>	<p>Ongoing</p>	<p>No code violations have been identified. When code violations are cited, enforcement officers will provide a list of potential funding sources to homeowners. No timeline as this is an ongoing action.</p>
<p>Program E.3 Energy Conservation and Energy Efficient Opportunities</p>	<p>Information detailing energy conservation programs shall be provided at the City Hall and shall be included on the City's website and updated at least once per year. Energy conservation programs targeted to low-income households shall be promoted in the City newsletter at least once per year and available at the City Hall.</p>	<p>Annually by December of each year</p>	<p>The City continues to research alternative energy conservation programs targeted for all citizens.</p>



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STAFF REPORT

DATE: March 13, 2024
TO: Planning Commission
FROM: Karen Minami-City Clerk
SUBJECT: Agenda Item 7.B.-985 Rosita Rd
CEQA: Categorically Exempt pursuant to Guidelines § 15301 and 15061(c)

Applicant's Name:	Vincent Machi
Owner's Name:	Vincent Machi
File Number:	ARC #24-02
Site Location:	985 Rosita Rd
Planning Area:	APN #012-544-011
CEQA Determination:	Categorically Exempt pursuant to Guidelines § 15061(c) and 15301
Project Description:	Requesting Architectural Review to add a 238 square foot addition to the rear of the single family dwelling.
Recommended Action:	Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

Vice Chair Wood will step down to due to proximity of project.



CITY OF DEL REY OAKS

Use Permit: Conditional
Choose all that Apply Minor
 Home Occupational
 Signage
 Auxiliary Building

Variance: Yes No

Architectural Review Type:

Residential
 Commercial

Applicants Name: Vincent Machi

Owner's Name: Vincent Machi

Project Address: 985 Rosita Rd

Telephone#: 831-402-4203 APN #: 012-544-011-000

Lot #: Block: Subdivision:

INSTRUCTIONS:

- 1. Briefly, using as much detail as possible, describe the nature of your permit request.
2. For variance request, also include in writing A, B & C of section 17.44.020 along with a details plot plan.

Adding addition to rear of house. Addition will consist of a bedroom with on-suite Full bathroom. A total of 238 Square feet will be added.

Check here if additional materials are attached.

Applicant's Signature

I HAVE RECEIVED A COPY OF THE CITY'S FLAGGING/NETTING POLICY AND UNDERSTAND THE REQUIREMENTS THAT MUST BE MET Initial Here

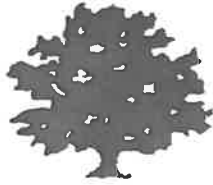
-FOR OFFICE USE ONLY-

APPLICATION # ARE 24-02 DATE: 2/22/24

FEE 0 CASH/CHECK/CC # 0 RECEIVED BY: K Minami

DATE SCHEDULED FOR CONSIDERATION March 13, 2024 @ 6 pm

APPROVED DENIED



CITY OF DEL REY OAKS

650 CANYON DEL REY BLVD., DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 FAX (831) 394-6421

STAFF REPORT

DATE: March 13, 2024
TO: Planning Commission
FROM: Karen Minami-City Clerk
SUBJECT: Agenda Item 7.C.- 919 Via Verde
CEQA: Categorically Exempt pursuant to Guidelines § 15301 and 15061(c)

Applicant's Name:	Jeffrey and Whitney Ernest
Owner's Name:	Jeffrey and Whitney Ernest
File Number:	ARC #24-03 & VAR #24-01
Site Location:	919 Via Verde
Planning Area:	APN #012-542-003
CEQA Determination:	Categorically Exempt pursuant to Guidelines § 15061(c) and 15301
Project Description:	Requesting Architectural Review and Variance to add an 817 square foot addition to the rear and side of single-family dwelling.
Recommended Action:	Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.



CITY OF DEL REY OAKS

RECEIVED

FEB 28 2024

CITY OF DEL REY OAKS CITY CLERK

Use Permit: [] Conditional [] Minor [] Home Occupational [] Signage [] Auxiliary Building
Choose all that Apply
Variance: [x] Yes [] No
Architectural Review Type: [x] Residential [] Commercial

Applicants Name: JEFFREY and WHITNEY ERNEST

Owner's Name: JEFFREY and WHITNEY ERNEST

Project Address: 919 Via Verde Del Rey Oaks, CA 93940

Telephone#: (831) 869-1186 APN #: 012-542-003-000

Lot #: 3 Block: 2 Subdivision: Del Rey Terrace - Sayers Subdivision

INSTRUCTIONS:

- 1. Briefly, using as much detail as possible, describe the nature of your permit request.
2. For variance request, also include in writing A, B & C of section 17.44.020 along with a details plot plan.

Remodel of home with an addition of 817 SF, including a remodeled kitchen, living room, dining room, laundry room and larger garage. Proposed maximum roof ridge line to remain the same. Exterior materials to match existing.

[x] Check here if additional materials are attached.

[Signature] Applicant's Signature

I HAVE RECEIVED A COPY OF THE CITY'S FLAGGING/NETTING POLICY AND UNDERSTAND THE REQUIREMENTS THAT MUST BE MET Initial Here [Signature]

APPLICATION # VAR 24-01/ARC 24-03 DATE: 2/28/24
\$ 820.00

FEE \$ 200.00 CASH/CHECK/CC # 6914 RECEIVED BY: R. Minion
\$ 1020.00

DATE SCHEDULED FOR CONSIDERATION March 13, 2024 @ 6:00 pm

APPROVED _____ DENIED _____

For variance requests, include in writing A, B & C of section 17.44.020, along with application and detailed plot plan.

- A. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings and/or uses in the same district;**

EVIDENCE:

First, the topography of our lot is unique from most lots in Del Rey Oaks. It is not a level lot like almost all of the community North of California Highway 218 and South East of the Community. It is also not situated on an extremely steep lot like many of the larger two-story homes in our community near Angelus Way and the South Side of Via Verde. It is a hillside lot on the uphill side of the road it fronts on and is accessed by. It has a steep first third of the lot up, a level building envelope, and another significant slope in the back third of the property. This topography requires safe parking to only occur in the middle of our property, from front to back. So unlike many of my neighbors with wider, longer or flatter driveways and or garages we cannot park a car on the level and walk around our car on the level to unload groceries and our three children. Additionally, our current garage is not big enough to fit our family vehicle.

Secondly, different from many of my neighbors, the developer of our building oriented our home to the opposite of our neighbor to the East (the Roach Family at 929 Via Verde) so our garages face one another rather than our garage facing the bedroom side of our neighbor's house. This creates a unique opportunity to move our garage closer to the property line than the standard side yard setback without negatively affecting our neighbor. Moreover, our home was originally designed with no overhangs on its gable end elevations. Thus the garage face we wish to extend 2.5' feet into the side yard setback will not protrude any further than the 2.5' feet. This is far less visually impactful than the side yard setback than a traditional home with eaves on both the shed roof elevations and gable end elevations would be.

Thirdly, our use case is exceptional in the neighborhood. We are trying to utilize our garage to house our family vehicle and our family's necessary storage. The Oxford English Dictionary defines a garage as, "A building, either private or public, intended for the storage and shelter of motor vehicles while not in use." The vast majority of our community has a

different use case for their garage. Most use their garage for storage only. Others have converted their garages into additional living space. However, neither of these uses appears to be desirable to the City. Based on the current city requirements for a mandatory garage at each dwelling and for it to be bigger than the original developers of our neighborhood built (Original garages are often just over 200 SF and the current requirement is 288 SF) it is clear that the city would like to see garages used to store a car. With a family of five, we need a larger family vehicle than most. With three young children, we need more room to get in and out of that vehicle than most. With a large family like ours, many things must be stored in our garage alongside the car. Our garage needs to be longer and wider for us to practically be able to use it. Technically, we can meet the expanded garage square footage requirements by elongating our garage to the front setback but practically we cannot. The existing side yard setback does not allow enough width for our family car and storage. The handful of members of our community who use their garages to store their family vehicles have one thing in common, their garages are wide. Without moving our garage 2.5' into our side yard setback we will not be able to utilize our garage as intended and desired by the City of Del Rey Oaks. If this variance is allowed it will beautify the city and get another car off the streets and onto the homeowner's property.

B. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner;

EVIDENCE:

Without this variance, we will be forced to move the front wall of our garage forward but still be unable to use it to house our family car. This combination will require my wife to park on a steep hill which is not good for the transmission and emergency brake of her vehicle. This means she will have to park on the street which will remove the benefit of off-street parking that should come with the bundle of property rights we gained when we purchased this property five years ago. Furthermore, this long and yet still too narrow garage will deprive us of our ability to have a usable garage on our property. These are two substantial negatives that will greatly diminish our enjoyment of the property.

However, greater than these is that a denial of this variance would deprive us of the same rights that many other Del Rey Oaks Residents have received over time. As we were

reaching out to neighbors about our hopes and plans to remodel our home and stay here in Del Rey Oaks forever, two of our direct neighbors shared about variances they had received. For example, our neighbors directly across the street, Larry and Marian Frazier, were granted a variance in 1999 to widen their garage to their property line, 7.5' beyond their side yard setback. We are only asking to build 2.5' into our sideyard setback. This would leave a full 5' from our new garage wall to our property line. This 5' side yard meets the spirit of the law for our neighborhood. Furthermore, when researching the current code cycle's minimum allowable side yard width (See 17.08.060.A) this 5' side yard is still in keeping with the city's minimum allowable side yard width. We are just requesting to have the same consideration that the City has provided our neighbors in the past.

Finally, we have reached out to our direct neighbors and everyone we have talked to understands our unique circumstance and is in support of our project. So to deny our variance application would keep us from enjoying the property we bought and be counter to the desires of your constituents. It is one thing to protect the community from non-conforming building projects but here you would be denying the community a project that they are in favor of.

C. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood or the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood.

EVIDENCE:

The people living or working in the neighborhood will have no adverse effect by your approval of this variance. There is no potential contamination or danger that approving this variance will cause. All construction will be contained on site. All maintenance will be easily performed onsite in our remaining side yard. Visually there will still be safety sight lines between our garage and the property line fence. Physically there will still be good access for emergency workers like police, fire, and paramedics in case they ever need to move quickly around our property to aid a neighbor. The remaining side yard will allow even large objects to be brought around the side of the house without any inconvenience to our neighbors. Moreover, there are only five neighbors who can even see the relationship

2/28/24 - Variance Request – Jeff & Whitney Ernest - 919 Via Verde Del Rey Oaks, CA 93940

between our property line fence and our garage. All five, have written support letters in favor of this project.

Moreover, a benefit is the house will appear more proportional. The property will have a universally usable garage. The property value of the house will go up. Indirectly this will help the property values of the whole community. Furthermore, because the sideyard will be so close to its typical setback for a lot of our width, 5' versus 7.5', it will be very difficult for anyone to notice that our garage is even built into the sideyard setback at all.

Accordingly, this variance has no materially detrimental impact on the public welfare of the community. The support for this project evidences that this is true, and approval of the variance will not risk any injurious impact on the property.

This variance will not directly impact the improvements in said neighborhood. However, indirectly, it will enhance the neighborhood as another newly restored and aesthetically appealing property in the community.

Finally, see some of the support letters attached here. There are a few more still to come.

First and Last Name(s): Patrick + Loretta Blakeley

Address: 909 Via Verde

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

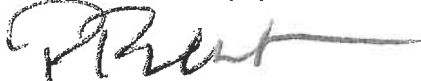
Dear Jeff and Whitney,

Thank you for taking the time to show me the plan for your proposed garage and house expansion including a requested variance that would allow you to expand your garage into your East side yard setback 2.5'. Based on the fact that you will still have a side yard that meets the City's currently adopted minimum side yard setback under a certain circumstance, the fact that you will still have a significant visible and useable setback, and because your remaining sideyard will aesthetically match with the larger Del Rey Oaks neighborhood, we are forwarding this letter of support which may be shared with the Del Rey Oaks City Staff and Del Rey Oaks Planning Commission.

Sincerely,

First and Last Name(s): Patrick Blakeley

Signature(s): Loretta Blakeley



Loretta Blakeley

First and Last Name(s): Bob & Diane McDowell

Address: 916 VIA VERDE

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

Dear Jeff and Whitney,

Thank you for taking the time to show me the plan for your proposed garage and house expansion including a requested variance that would allow you to expand your garage into your East side yard setback 2.5'. Based on the fact that you will still have a side yard that meets the City's currently adopted minimum side yard setback under a certain circumstance, the fact that you will still have a significant visible and useable setback, and because your remaining sideyard will aesthetically match with the larger Del Rey Oaks neighborhood, we are forwarding this letter of support which may be shared with the Del Rey Oaks City Staff and Del Rey Oaks Planning Commission.

Sincerely,

First and Last Name(s):

Signature(s):

Bob McDowell
Diane McDowell

First and Last Name(s): Michelle Bedard, Brianna Torres

Address: 924 Via Verde, Del Rey Oaks, Ca. 93940

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

Dear Jeff and Whitney,

Thank you for taking the time to show me the plan for your proposed garage and house expansion including a requested variance that would allow you to expand your garage into your East side yard setback 2.5'. Based on the fact that you will still have a side yard that meets the City's currently adopted minimum side yard setback under a certain circumstance, the fact that you will still have a significant visible and useable setback, and because your remaining sideyard will aesthetically match with the larger Del Rey Oaks neighborhood, we are forwarding this letter of support which may be shared with the Del Rey Oaks City Staff and Del Rey Oaks Planning Commission.

Sincerely,

First and Last Name(s): Michelle Bedard, Brianna Torres

Signature(s):

Handwritten signatures of Michelle Bedard and Brianna Torres.

First and Last Name(s): RANDY & ANN ROACH

Address: 929 VIA VERDE

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

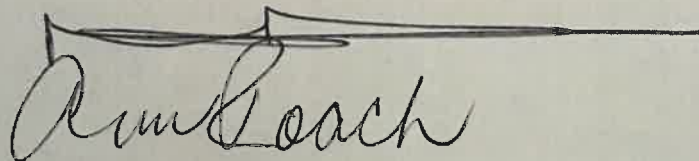
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Sincerely,

First and Last Name(s): RANDY & ANN ROACH

Signature(s):

A handwritten signature in cursive script that reads "Ann Roach". The signature is written in black ink and is positioned below a horizontal line that serves as a separator between the signature label and the signature itself.

First and Last Name(s): *Angela Roach*

Address: *929 Via Verde, DRD*

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

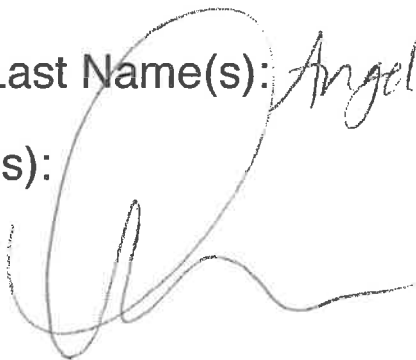
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Sincerely,

First and Last Name(s): *Angela Roach*

Signature(s):

A handwritten signature in black ink, appearing to be 'Angela Roach', written over a large, light-colored circular scribble or stamp.

First and Last Name(s): Laurence Frazier
Marian Frazier

Address: 932 Via Verde
Del Rey Oaks, CA 93940

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

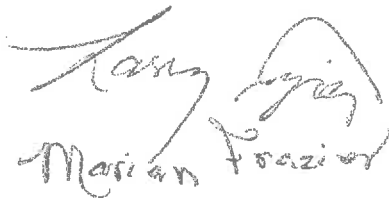
Dear Jeff and Whitney,

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Sincerely,

First and Last Name(s): Laurence Frazier
Marian Frazier

Signature(s):



Marian Frazier

First and Last Name(s): *Maxine L. Mason*

Address: *932 Paloma Rd.*

February 25, 2024

RE: Support for Side Yard Setback Variance at 919 Via Verde

Dear Jeff and Whitney,

Thank you for taking the time to show me the plan for your proposed garage and house expansion including a requested variance that would allow you to expand your garage into your East side yard setback 2.5'. Based on the fact that you will still have a side yard that meets the City's currently adopted minimum side yard setback under a certain circumstance, the fact that you will still have a significant visible and useable setback, and because your remaining sideyard will aesthetically match with the larger Del Rey Oaks neighborhood, we are forwarding this letter of support which may be shared with the Del Rey Oaks City Staff and Del Rey Oaks Planning Commission.

Sincerely,

First and Last Name(s):

Signature(s): *Maxine L. Mason*