

**Before the RMA Zoning Administrator
in and for the County of Monterey, State of California**

In the matter of the application of:

**KHALSA DEVELOPMENT (PLN190429)
RESOLUTION NO. 20-025**

Resolution by the Monterey Zoning Administrator:

- 1) Finding the project involves the construction of a single family dwelling in a residential area, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303(a) of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2; and
- 2) Approving a Design Approval for the construction of a 1,529 square foot two-story house with a 44 square foot porch and an attached 432 square foot two-car garage.

[PLN190429 Khalsa Development, 11430 Del Monte Ave., Castroville, North County Area Plan, Castroville Community Plan (APN: 030-321-031-000)]

The Khalsa Development application (PLN190429) came for a public hearing before the Zoning Administrator on June 25, 2020. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY/DESIGN** – The Project is consistent with the applicable plans and policies which designate this area as appropriate for development, and is consistent with design standards for the area.
EVIDENCE:
 - a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Castroville Community Plan;
 - Monterey County Zoning Ordinance (Title 21);Communications were received from the public during the course of review of the project indicating concerns and potential inconsistency with the Planned Unit Development of which this project is part, but research and communication with the agent relieved those concerns. A letter and follow-up email were sent in reference to PLN190428. They are attached to that project’s files, and discussed in the staff report. No conflicts were found to exist.
 - b) Allowed Use. The property is located at 11430 Del Monte Avenue, Castroville (Assessor’s Parcel Number 030-321-031-000), Castroville Community Plan. The proposed project is located on a 0.096 acre (4,205 square feet) vacant lot that is zoned residential.
 - c) Lot Legality. The subject parcel is located in a residential subdivision created through the Sat Kirtan Singh/Kaur Khalsa Villa de Castro

Planned Unit Development (Resolution PC-00012). It is identified as Lot 10 on the Final Map, recorded December 19, 2001. Therefore, the subject parcel is a legal lot of record.

- d) Design. Pursuant to the Castroville Community Plan, the project site and surrounding area are designated as a Design Control District (D District), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. Therefore, a Design Approval is required for the proposed development and the criteria to grant a Design Approval are met in this case. See Evidences e, f, g, and h below.
- e) The applicant proposes a two-story single family dwelling with attached two-car garage and small porch that incorporates architectural aesthetics in the Monterey style. The proposed architectural style is one of the preferred styles of the Castroville Community Plan Design Guidelines and is consistent with the surrounding residential neighborhood character.
- f) Material and Color Finishes. The applicant proposes exterior colors and materials that are consistent with the residential setting. The colors and materials include light beige stucco body, off-white fascia and gutter trim, and brown asphalt shingles. The proposed exterior finishes are consistent with the surrounding residential neighborhood character.
- g) Visual Resources. Based on the evidence described above, the proposed structures and uses are consistent with the surrounding residential neighborhood character (i.e., structural design features, colors, and material finishes). As proposed, the project is consistent with neighborhood character, and assures visual integrity.
- (h) Review of Development Standards. The project meets applicable development standards in the Castroville Community Plan. The parcel is currently a vacant lot, zoned Medium Density Residential-Castroville (MDR-C) and is considered an “infill site.” The Castroville Community Plan requires a minimum lot size of 2,500 square feet for small lot single family; the subject parcel is 4,205 square feet in size. Setbacks for small lots are 15 feet front, as low as zero side, provided that the standards for minimum distance between buildings on adjacent properties are maintained, and 10 feet rear. The proposed project is planned to have 22 feet front, 5 feet and 7 feet, 9 inch sides, and 32 feet rear setbacks. The minimum distance between buildings on adjacent properties is met. The height limit for small lot single family is 30 feet, and the proposed development height is 25 feet, 6 inches. The allowable lot coverage for small lots is 35%, and the coverage of the proposed project is 26%. The project meets Title 21 parking standards by planning two covered parking spaces. The plans include placement and type of lighting that meets the Castroville Community Plan’s requirements.
- i) The project was referred to the Castroville Land Use Advisory Committee (LUAC) for review on May 4, 2020. The members present voted to support design approval (3-0), 2 absent.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-

Planning for the proposed development found in Project File PLN190429.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.
- EVIDENCE:** a) In 2000, the County approved the re-subdivision of five parcels bounded on the west by Geil Street, the south by Koester Street, and the east side by Del Monte Street, resulting in fourteen detached, single-family lots. The project was processed for environmental assessment under CEQA with an Initial Study and Negative Declaration. RMA Planning identified potential impacts to archaeological resources. “Preliminary Cultural Resources Reconnaissance of Assessor’s Parcel Number 030-227004, 05, 06, 07 and 08, in Castroville, Monterey County, California,” November 12, 1986 (LIB040418) by R. Paul Hampson and Gary S. Breschini Registered Professional Archaeologists with SOPA, concluded that there were no archaeological or cultural constraints that would indicate the site was not suitable for development. The subdivision was consistent with the 1982 Monterey County General Plan, which identified Castroville as a priority area for growth (1982 GP Appendix A, No. 4).
- b) Specific to the 11430 Del Monte Avenue lot, which is the subject site for this proposed development, a Geotechnical Report was prepared November 12, 2019 by Grice Engineering, Inc., Salinas CA. The report recommended loose near surface soils be taken into account during design and construction of the proposed residence. It concluded that there were no physical or environmental constraints that would indicate the site was not suitable for development.
- c) The project planner conducted a virtual site inspection on January 28, 2020 to verify that the project on the subject parcel conforms to the plans listed above and to verify that the site is suitable for this use.
- d) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN190429.
3. **FINDING:** **HEALTH AND SAFETY** – Construction of this single family dwelling and garage will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** a) The project was reviewed by RMA-Planning. Four conditions ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) The project has sewer and water lines onsite, with service provided by Castroville Community Service District.
- c) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-

Planning for the proposed development are found in Project File PLN190429.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:** a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records and is not aware of any violations existing on subject property.
- b) See preceding and following findings and evidence.
5. **FINDING** **CEQA (Exempt):** - The project is a single family dwelling, which is categorically exempt from environmental review, and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:** a) California Environmental Quality Act (CEQA) Guidelines Section 15303(a), categorically exempts the construction of one single family dwelling and accessory structures in a residential area.
- b) The proposed project is to construct a 1,529 square foot two-story house with a 44 square foot porch and an attached 432 square foot attached two-car garage. Therefore, the project qualifies for a Class 3 categorical exemption pursuant to Sections 15303(a) of the CEQA guidelines.
- c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact. No adverse environmental effects were identified during staff review of the development application.
- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN190429.
6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.
- EVIDENCE:** Section 21.80.040.A of the Monterey County Zoning Ordinance (Planning Commission).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- 1) Find the project includes construction of a single family dwelling in a residential area that qualifies for a Class 3 Categorical Exemption pursuant to Section 15303(a) of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2; and
- 2) Approve a Design Approval for the construction of a 1,529 square foot two-story house with a 44 square foot porch and an attached 432 square foot two-car garage, in general conformance with the attached plans and subject to the attached conditions which are both attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of June, 2020.



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **JUN 30 2020**.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **JUL 10 2020**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

This permit expires 3 year after the above date of granting thereof unless construction or use is started within this period.

Monterey County RMA Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN190429

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Design Approval permit (PLN190429) allows the construction of a two-story single family dwelling with a small porch and attached two-car garage. The property is located at 11430 Del Monte Avenue, Castroville (Assessor's Parcel Number 030-321-031-000), Castroville Community Plan, North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the RMA Chief of Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit, other than design changes to the garage doors as discussed in the Public Hearing, is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Design Approval (Resolution Number 20-025) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 030-321-031-000 on June 25, 2020. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the RMA Planning Director prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD012(G) - LANDSCAPE PLAN & MAINTENANCE (OTHER)

Responsible Department: RMA-Planning

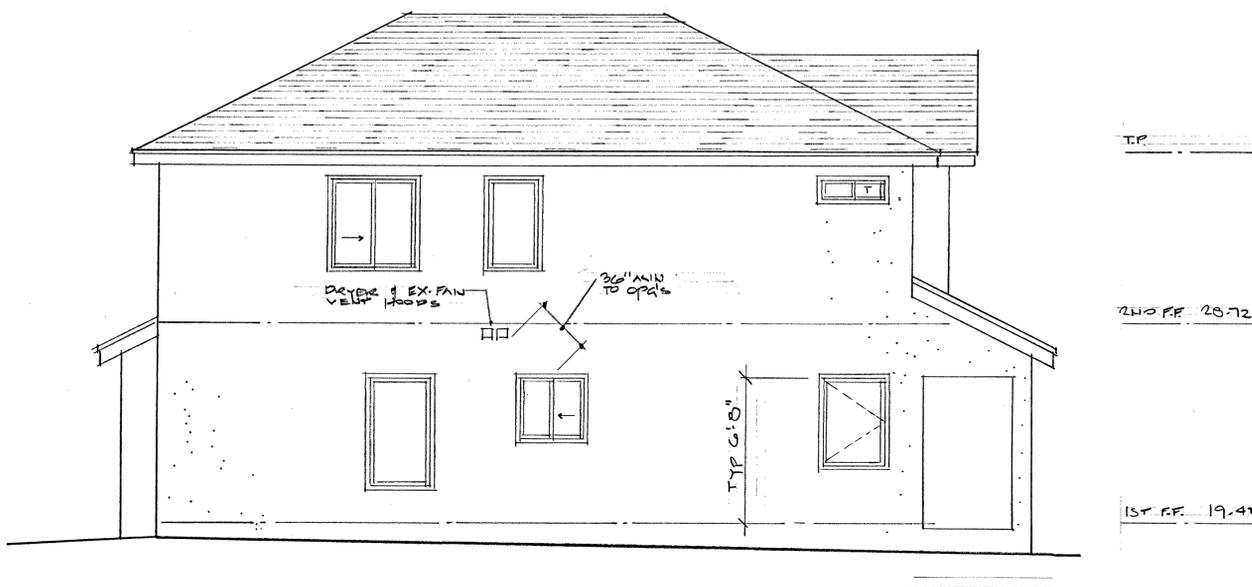
Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the RMA Chief of Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

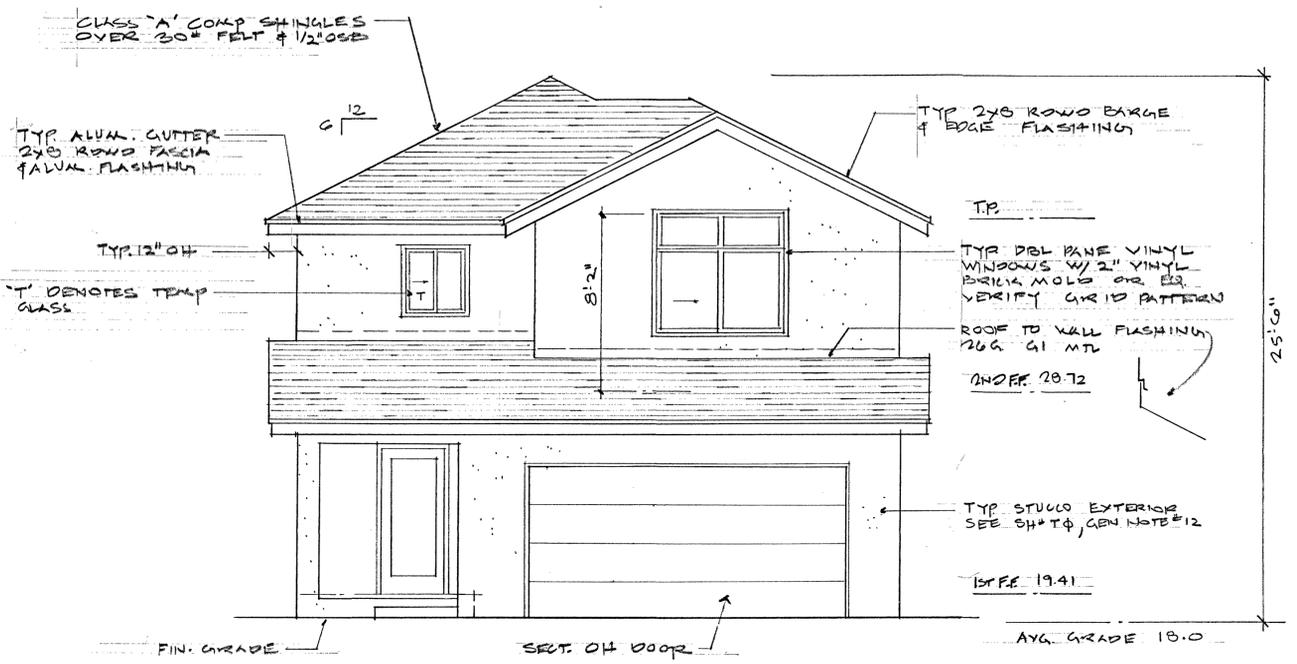
Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be installed and inspected.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

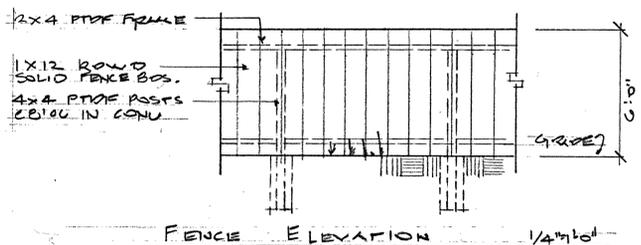
REVISIONS	BY
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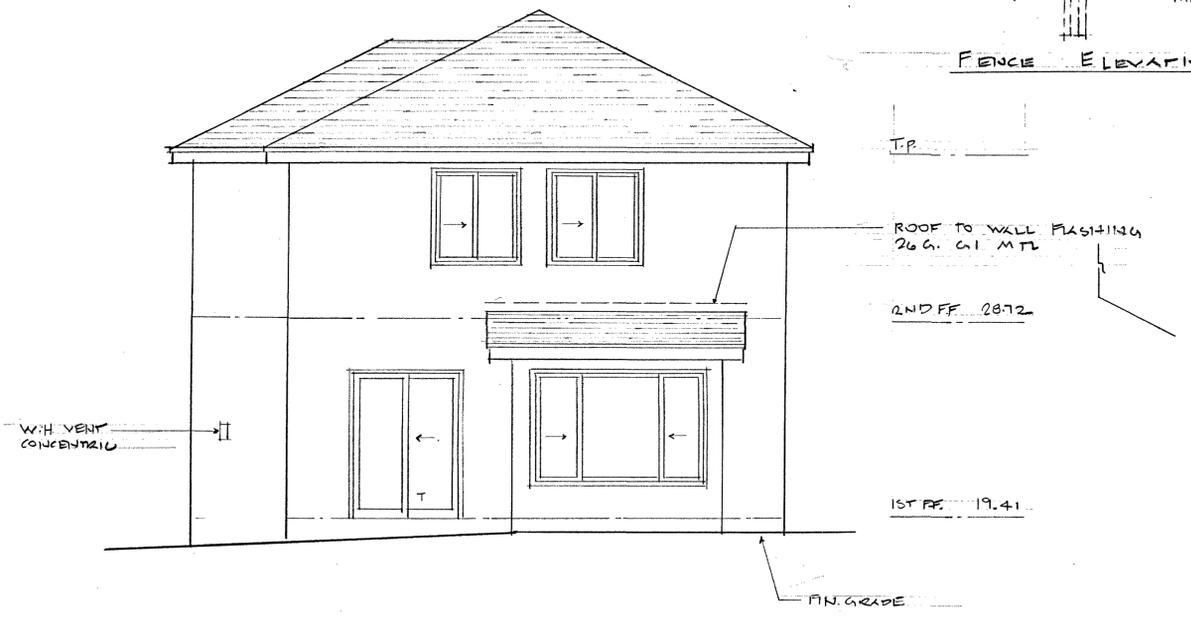
SOUTH ELEVATION 1/4"=1'-0"



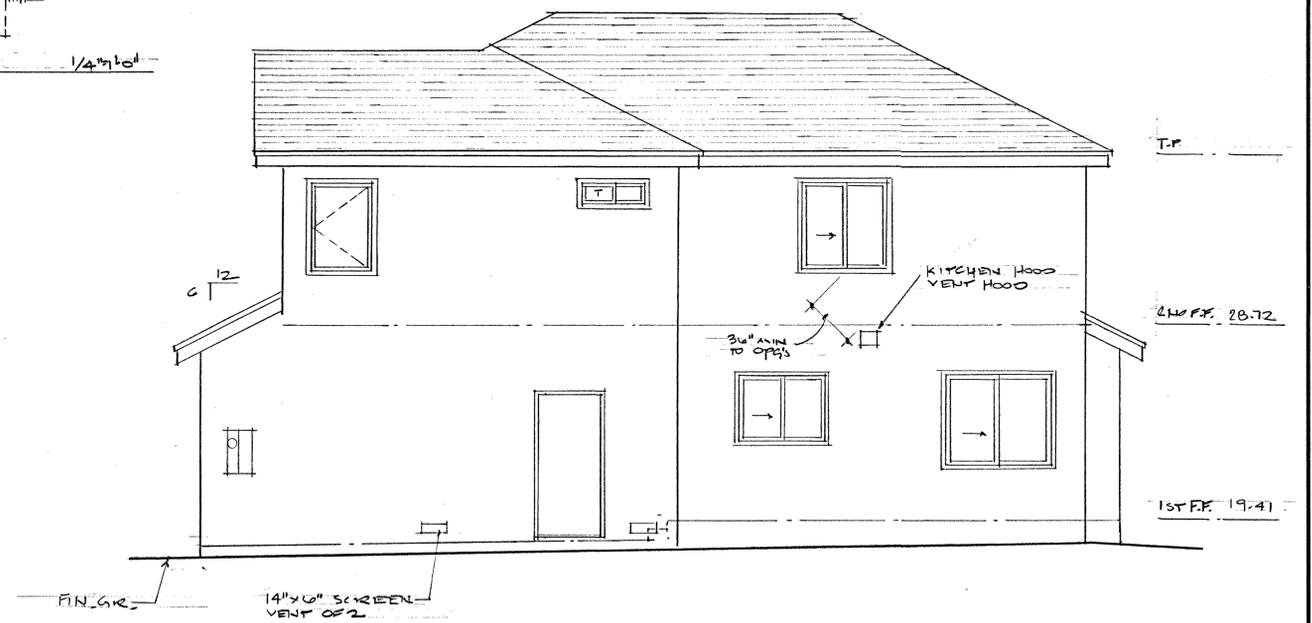
EAST ELEVATION 1/4"=1'-0"



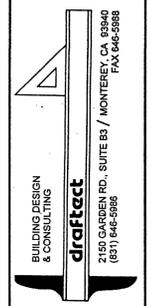
FENCE ELEVATION 1/4"=1'-0"



WEST ELEVATION 1/4"=1'-0"



NORTH ELEVATION 1/4"=1'-0"

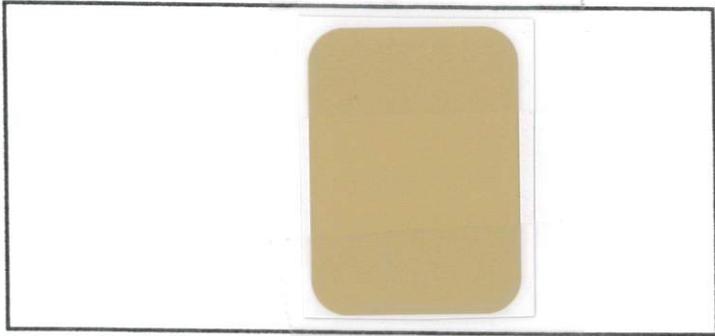


KHALSA RESIDENCE
11430 DEL MONTE AVENUE
CASTROVILLE, CALIFORNIA
APN: 030-321-031-000

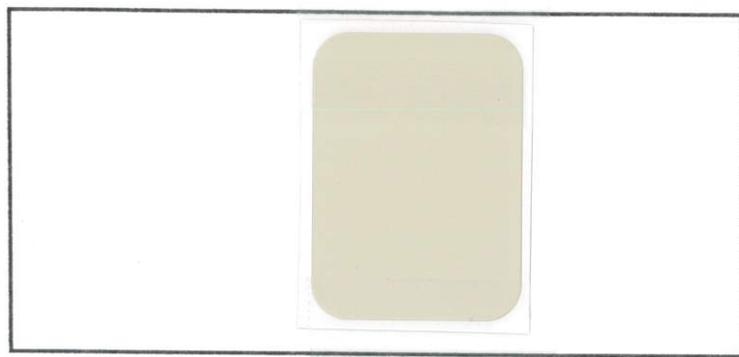
Date	11-2-19
Scale	
Drawn	
Job	G5-2019
Sheet	A3
Of	3

COLOR SAMPLES FOR PROJECT FILE NO. PUN190429
DATA - 11430 DEL MONTE AVE.

RECEIVED
DEC 17 2019
Monterey County
Resource Management Agency



Materials: STUCCO Colors: KELLY MOORE SPANISH SAND
Description: BODY 231



Materials: FASCIA & GUTTER Colors: KELLY MOORE BONE
Description: 27



Materials: ASPHALT COMP. SHINGLES Colors: GAF: BARKWOOD
Description: ROOF

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