

Exhibit B

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DRAFT RESOLUTION

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

In the matter of the application of:

CHAPIN (PLN160206, PLN160207, PLN160208, and PLN160209)

RESOLUTION NO. 16 -

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically exempt per Section 15303 of the CEQA Guidelines; and
- 2) Approving Design Approvals to allow the construction of four (4) 1,348 square foot one-story single-family dwellings with attached 417 square foot garages, and approximately 320 linear feet of fencing.

[11681, 11683, 11685, and 11687 Preston Street, Castroville, North County; Castroville Community Plan (APNs: 030-011-015/16/17/18-000)]

The Chapin application (PLN160206/PLN160207/PLN160208/PLN160209) came on for public hearing before the Monterey County Zoning Administrator on May 26, 2016.

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

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project involves Design Approvals to allow the construction of four (4) 1,348 square foot one-story single-family dwellings with attached 417 square foot garages, and approximately 320 linear feet of fencing. Colors and materials include dark brown asphalt composition roofing tiles; off white and dark green or brown exterior accent paint; and taupe, tan, dark green, and reddish brown exterior paint with a stucco finish. The residences will have similar, but not identical, color schemes.
EVIDENCE: a) Applications for four Design Approvals were submitted on March 14, 2016.
b) The properties are located at 11681, 11683, 11685, and 11687 Preston Street, Castroville (Assessor's Parcel Numbers 030-011-015/16/17/18-000), Castroville Community Plan, North County Area Plan. Related to PLN080039. The parcels are zoned CP-HDR (Castroville Community Plan - High Density Residential), which allows single-family dwellings with the issuance of a Design Approval. Therefore, the project is an allowed land use for this site.
c) 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 Files PLN160206, PLN160207, PLN160208, and PLN160209.

2. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- 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;
 - North County Area Plan;
 - Castroville Community Plan; and
 - Monterey County Zoning Ordinance (Title 21).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) The project was referred to the Castroville Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because the project is a Design Approval subject to review by the Zoning Administrator.
 - c) The projects were scheduled before the Castroville Land Use Advisory Committee (LUAC) at a duly noticed public meeting on April 18, 2016; however, the LUAC did not meet due to lack of a quorum. Given the minor nature of the proposed development (i.e., single-family residences on infill lots), and the lack of public concern as evidenced by no public involvement at the noticed LUAC, the applications were not rescheduled for further LUAC consideration.
 - d) The current configuration and legality of the lots has been confirmed via Board of Supervisors Resolution No. 09-185, adopted March 17, 2009, and the Axtell Street Properties Final Map at Volume 24, Cities and Towns, Page 31, recorded August 23, 2011.
 - e) The project planner conducted a site inspection on April 18, 2016, to verify that the project on the subject parcel conforms to the plans listed above.
 - f) 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 Files PLN160206, PLN160207, PLN160208, and PLN160209.
3. **FINDING:** **DESIGN** – The design of the proposed project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity without imposing undue restrictions on private property.
- EVIDENCE:**
- a) The applicant proposes a single-family dwelling with attached garage on each of four residential, infill lots in the Castroville Community. The surrounding parcels support a mix of single-family dwellings and apartments. The proposed one-story single-family dwellings are also of comparable size to the one-story single-family dwellings in the adjacent neighborhood area. The colors and materials are consistent with other dwellings in the neighborhood, which include a combination of tan, brown, green, blue, and off-white colors. The colors and materials of the proposed single-family dwellings would also match a recently-completed apartment complex on an adjacent parcel. In addition, the proposed structures comply with the Castroville Community Plan

Design Guidelines with regard to style, compatibility, and architectural elements. The proposed development is not visible from Merritt Street nor from any common public viewing area; therefore, the proposed structures would not have an impact on a public viewshed. As proposed, the projects assure protection of the public viewshed, are consistent with neighborhood character, and assure visual integrity.

- b) The project planner conducted a site inspection on April 18, 2016, to verify that the project on the subject parcel conforms to the plans listed above and will not adversely impact the neighborhood character.
- c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA-Planning for the proposed development found in Project Files PLN160206, PLN160207, PLN160208, and PLN160209.

4. **FINDING:** **CEQA (Exempt):** - The project 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 categorically exempts the construction of new structures, including the first single-family dwelling per lot.
 - b) The project involves the construction of four separate single-family dwellings with an attached garage on four separate parcels, or one dwelling per parcel. Therefore, the project conforms to the categorical exemption identified in Evidence a) above.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on April 18, 2016.
 - d) 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.
 - e) 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 Files PLN160206, PLN160207, PLN160208, and PLN160209.

5. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: Section 21.44 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

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

- 1) Find the projects Categorically exempt per section 15303 of the CEQA Guidelines; and
- 2) Approves the Design Approvals, in general conformance with the attached plans, colors, and materials and subject to the attached two (2) conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 26th day of May 2016:

Jacqueline R. Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

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 _____.

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.

NOTES

You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County RMA-Planning and RMA-Building Services office in Salinas.