

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:

DAMASCO FIDEL (PLN160099)

RESOLUTION NO. 16 -

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project Categorical Exempt per Section 15302 of the CEQA Guidelines; and
- 2) Approving a Design Approval to allow the construction of a 1965-square-foot, two-story, single-family dwelling with a 600-square-foot attached garage.

[10720 Davis Street, Castroville, North County;
Castroville Community Plan (APN: 030-042-002-000)]

The Damasco application (PLN160099) came on for public hearing before the Monterey County Zoning Administrator on August 25, 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 a Design Approval to allow the construction of a 1965-square-foot, two-story, single-family dwelling with a 600-square-foot attached garage.
EVIDENCE: a) Application for the Design Approval was submitted on February 12, 2016.
b) 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 PLN160099.
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 property is located at 10720 Davis Street, Castroville, North County, Castroville Community Plan. The parcel is 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.
- d) On August 1, 2016, the Castroville Land Use Advisory Committee (LUAC) voted to approve the project as submitted. They liked that the applicant was improving his parcel with new development.
- e) The project planner conducted a site inspection on August 1, 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 File PLN160099.

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 demolition of two existing single-family dwellings and the construction of a 1965-square-foot, two-story, single-family dwelling with a 600-square-foot attached garage and a 102-square-foot porch in the Castroville Community. The proposed structure is consistent with the surrounding residences and neighborhood character. The surrounding parcels support a recently constructed subdivision of single-family dwellings. The proposed two-story, single-family dwelling is of comparable size to the single-family dwellings in the adjacent neighborhood. The proposed structure is not visible from Merritt Street, or from any common public viewing area. Therefore, the proposed structure would not have an impact on a public viewshed, is consistent with neighborhood character, and assures visual integrity.
 - b) The proposed structure complies with the Castroville Community Plan Design Guidelines, Appendix A, with regard to style, compatibility, and architectural elements. The proposed structure, A Craftsman design, fits within the architectural theme in the context of a small historic community such as Castroville. Colors and materials include dark tan and grey composition roofing materials, dark tan exterior horizontal siding, and stucco with a light tan trim, which are consistent with existing single-family dwellings in the neighborhood.
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 15302 categorically exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the existing structure.
 - b) The project involves the demolition of existing structures and the construction of a new structure located in the same area as the existing structures. Therefore, the project conforms to the categorical exemption identified in Evidence a) above.
 - c) A Historic report (LIB160057) determined that the existing structures were not historic and should be allowed to be removed. As the project is located in a high archaeological sensitivity zone, an archaeological report (LIB160056) was prepared for the site. The report stated the results were negative with a potential for encountering any resources as low; and recommended the project should not be delayed for construction.
 - d) No adverse environmental effects were identified during staff review of the development application during a site visit on August 1, 2016.
 - e) 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.

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) Finds the project Categorically Exempt per section 15302 of the CEQA Guidelines; and
- 2) Approves the Design Approval, 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 25th day of August, 2016, by:

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 OF 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.

Monterey County RMA Planning

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

PLN160099

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Design Approval to allow the construction of a 1,965 square foot two-story single family dwelling with a 600 square foot attached garage. The property is located at 10720 Davis Street, Castroville, North County, Castroville Community 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 Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit 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.

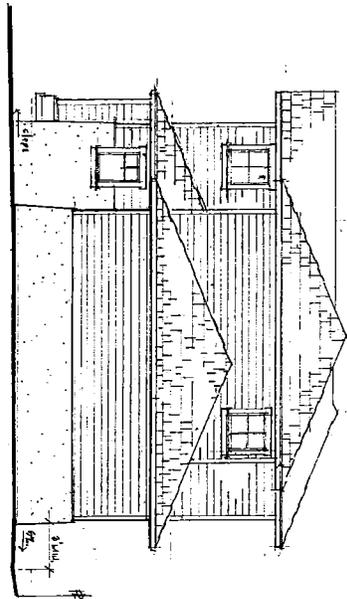
2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

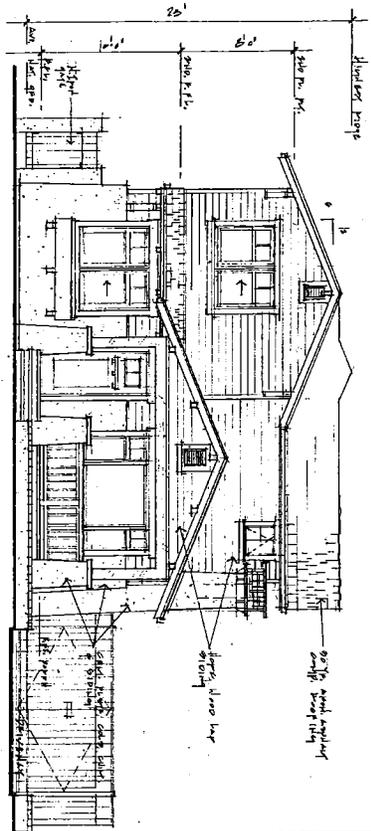
Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Design Approval (Resolution Number ***) was approved by the Zoning Administrator for Assessor's Parcel Number 030-042-002-000 on August 25, 2016. The permit was granted subject to 2 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 Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

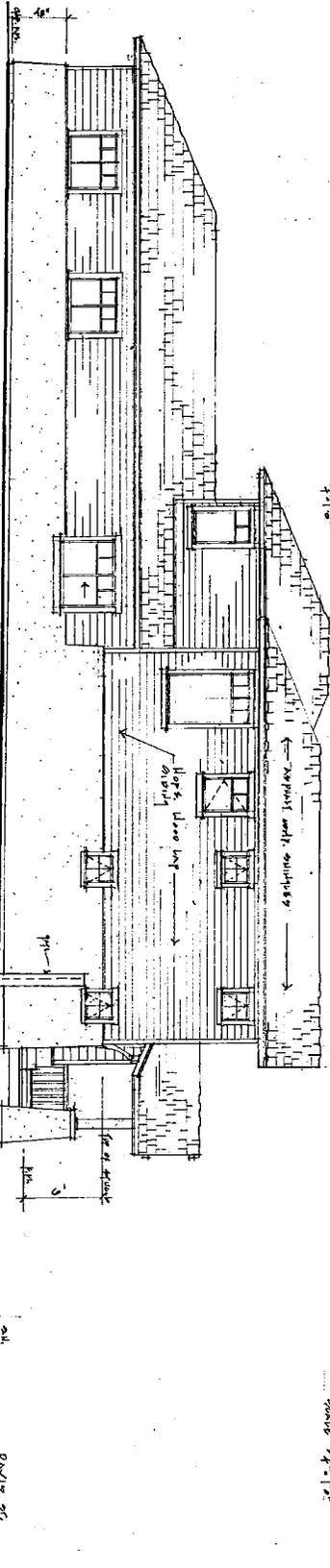
Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.



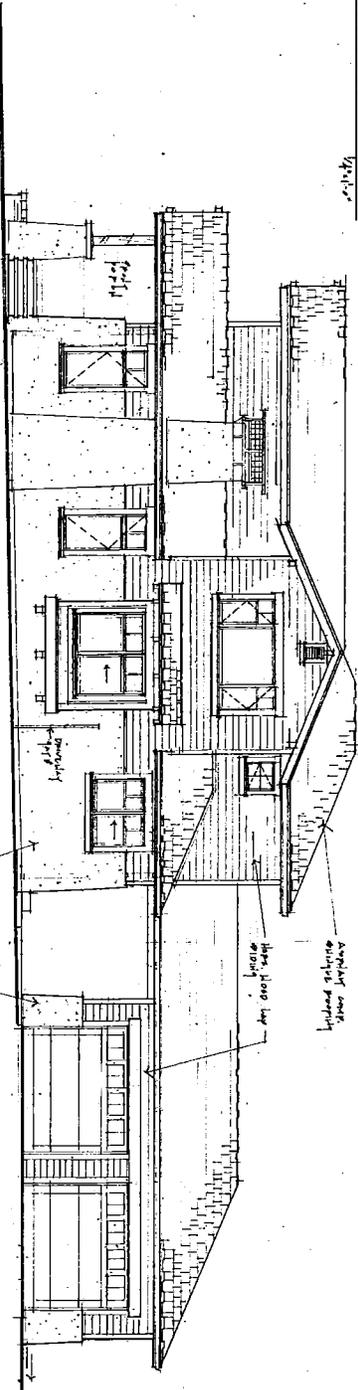
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

NO.	DATE	BY	REVISION
A-3	1/27/85	DM	
	01/27/85	DM	

DAMASCO RESIDENCE
 NEW HOME
 10720 DAVIS STREET, CASTROVILLE, CA.

NO.	DATE	BY	REVISION