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

In the matter of the application of:

MONTEJANO (PLN170001) RESOLUTION NO. 17-012

Resolution by the Monterey County Zoning Administrator:

- Finding the project Categorically exempt per section 15303 (a) and (b) of the CEQA Guidelines; and
- 2) Approving three Design Approvals to allow the construction of three residential structures on lots created through an approved Parcel Map (under File No. PLN060581) that created three (3) lots of record: Lot A will contain a 2,160 square foot one-story single family dwelling with an attached garage; Lot B will contain a 2,160 square foot one-story single family dwelling with an attached garage; and Lot C will contain a 2,365 square foot one-story duplex with two attached garages.

11450 Poole Street, Castroville, North County Area Plan, Castroville Community Plan. (APN: 030-096-001-000)]

The Montejano application (PLN170001) came on for public hearing before the Monterey County Zoning Administrator on February 23, 2017. 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: CONSISTENCY/SITE SUITABILITY/ NO VIOLATIONS/

HEALTH AND SAFETY– The proposed project and/or use is consistent with the 2010 Monterey County General Plan, the North County Area Plan, Castroville Community Plan and the requirements of the applicable zoning ordinance (Title 21), to include Monterey County Code (MCC), and other County health, safety, and welfare ordinances related to land use development. The site is physically suitable for the use proposed, and no violations exist on the property.

EVIDENCE: a) The proposed pr

The proposed project consists of three Design Approvals to allow the construction of three single residential structures on lots created through an approved Parcel Map (under File No. PLN060581) that created three (3) lots of record: Lot A will contain a 2,160 square foot one-story single family dwelling with attached garage; Lot B will contain a 2,160 square foot one-story single family dwelling with attached garage; and Lot C will contain a 2,365 square foot one-story duplex with two

- attached garages. The proposed project is consistent with the allowable uses for the specified residential zone. The project site is a vacant corner lot within an existing residential neighborhood.
- b) The property is located at 11450 Poole Street, Castroville (Assessor's Parcel Number 030-096-001-000), North County Area Plan, Castroville Community Plan. The parcel is zoned Medium Density Residential, Castroville Community Plan (MDR-C), which allows the construction of a single family dwellings and a duplex with issuance of a Design Approval. Therefore, the project is an allowed land use for this site.
- c) The project has been reviewed for site suitability by RMA-Planning. The project planner conducted site inspection on January 30, 2017, to verify that the project on the subject parcel conforms to the applicable plans and policies.
- d) Monterey County RMA-Planning and RMA-Building Services records were reviewed, and the County is not aware of any active violations existing on the subject property.
- e) As proposed, the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- f) The following reports have been prepared and submitted for the proposed project:
 - Archaeological Report (LIB070052) prepared by Archaeological Consulting, Salinas, California, October 26, 2006;
 - Geotechnical Investigation (LIB070053)
 Prepared by Tharp & Associates, Inc., Aptos, California, November 21, 2006.
 - Geological Hazards Assessment (LIB070256) prepared by Greg Bloom from Butano Geotechnical Engineering, Inc., Watsonville, California, May 1, 2007.
 - Soils Engineering & Geologic Report (LIB0700054) prepared by Landset Engineers, Inc., Salinas, California June 1, 2004.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the development and use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- g) The project was referred to the Castroville Land Use Advisory Committee (LUAC) for review on February 6, 2016. The Committee did not have enough members present to meet quorum.
- h) 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 PLN170001.
- 2. **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 the construction of the following structures on approved Parcels A, B and C, created by Parcel Map File No.

PLN060581: Lot A will contain a 2,160 square foot one-story single family dwelling with attached garage; Lot B will contain a 2,160 square foot one-story single family dwelling with attached garage; and Lot C will contain a 2,365 square foot one-story duplex with two attached garages. The zoning designation of the site is CP or Community Plan Zoning District which is governed by Monterey County Code Chapter 21.39, which regulates the review of development in those areas of the County for which a community plan has been adopted. The subject property is within the Castroville Community Plan (Plan) and under this Plan, the zoning is MDR-C or Medium Density Residential, Castroville Community Plan. The Castroville Community Plan provides specific implementation requirements for new development such as specific Design Guidelines and Development Standards.

- b) The designs of the two (2) single family dwellings is consistent with the Castroville Community Plan Residential Design Guidelines and Development Standards. The design is also consistent with the existing neighborhood character because the applicant has incorporated aspects from the Residential Design Guidelines and the Craftsman architectural theme which is encouraged in proposed residential structures. For example, the single family dwellings proposed on Lots A and B are 16 foot high single story, stucco finish Craftsman inspired designs with high pitched roofs, columns decorated with brick veneer, and a small front porch. The proposed colors for the structures are earth tone colors.
- c) The design of the duplex is consistent with the Castroville Community Plan Residential Design Guidelines and Development Standards. The design is also consistent with the existing neighborhood character because the applicant has incorporated aspects from the Residential Design Guidelines and the Craftsman architectural theme which is encouraged in proposed residential structures. The duplex proposed on Lot C is a single story 15 foot high, stucco finish Craftsman inspired design with a high roof pitch and decorative stone along the base of the duplex. The proposed colors for the structures are earth tone colors.
- d) The overall end result of this proposed project will resemble the existing neighborhood character and comply with the Design Guidelines and Development Standards of the Castroville Community Plan.
- e) The project planner conducted a site inspection on January 30, 2017 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 the Monterey County RMA - Planning for the proposed development found in Project File PLN170001.
- 3. **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 (a) and (b) categorically exempts the construction of one single-family residence or a second dwelling unit in a residential zone and the

- construction of a duplex or similar multi-family residential structure, totaling no more than four dwelling units.
- b) This project meets the standards of the exemption because the project involves for the construction of one (1) single family residence on a vacant lot (Lots A and B) and the construction of a duplex on a vacant lot (Lot C).
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on January 30, 2017.
- 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 File PLN170001.
- 4. **FINDING**:

APPEALABILITY - The decision on this project may be appealed to the

Board of Supervisors.

EVIDENCE:

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 project Categorically exempt per section 15303 (a) and (b) of the CEQA Guidelines; and
- 2) Approve three Design Approvals to allow the construction of three single family dwellings on lots created through an approved Parcel Map (under File No. PLN060581) that created three (3) lots of record: Lot A will contain a 2,160 square foot one-story single family dwelling with an attached garage; Lot B will contain a 2,160 square foot one-story single family dwelling with an attached garage; and Lot C will contain a 2,365 square foot one-story duplex with two attached garages, in general conformance with the attached sketch, colors, and materials and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 23rd day of February, 2017

Mike Novo, Zoning Administrator

FEB **27** 2017

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 MAR 0 9 2017

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

1. 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 Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

Monterey County RMA Planning

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

PLN170001

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Design Approval permit (PLN170001) allows the construction of two (2) single 2,160 square foot family homes and a 2,365 square foot duplex. The property is 11450 Poole Street, Castroville (current Assessor's Parcel 030-096-001-000), North County Area Plan, 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.

PLN170001

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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:

"Three Design Approvals to allow the construction of three residential structures on lots created through an approved Parcel Map (under File No. PLN060581) that created three (3) lots of record: Lot A will contain a 2,160 square foot one-story single family dwelling with an attached garage; Lot B will contain a 2,160 square foot one-story single family dwelling with an attached garage; and Lot C will contain a 2,365 square foot one-story duplex with two attached garages. (Resolution Number by Zoning Administrator for Assessor's 17-012 was approved Parcel 030-096-001-000 on February 23, 2017. The permit was granted subject to six (6) 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.

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

Responsible Department:

RMA-Planning

Condition/Mitigation Monitoring Measure:

during the course of construction. cultural, archaeological. historical 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 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.

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4. PD012(F) - LANDSCAPE PLAN & MAINTENANCE (SFD ONLY)

Responsible Department: RMA-Planning

Condition/Mitigation **Monitoring Measure:**

The three sites shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan per each parcel, shall be submitted to the Director of RMA - 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 materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. **Before** occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; 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 the RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or All landscape plans shall be signed and stamped by Biological Survey as applicable. 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 either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning.

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.

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5. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department:

RMA-Planning

Condition/Mitigation **Monitoring Measure:**

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.

(RMA - Planning)

Compliance or Monitoring **Action to be Performed:**

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

6. PD041 - HEIGHT VERIFICATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

The applicant shall have a benchmark placed upon the property and identify the The benchmark shall remain visible on-site until benchmark on the building plans. final building inspection. The applicant shall provide evidence from a licensed engineer or surveyor to the Director of RMA - Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA -Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading or building permits, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection.

Prior to the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

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