

Exhibit B

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EXHIBIT B
DRAFT RESOLUTION

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

In the matter of the application of:

HOWE (PLN180534)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project Categorically exempt per section 15303(a) of the CEQA Guidelines and that there are no exceptions pursuant to Section 15300.2; and
- 2) Approving a Design Approval for the construction of an approximately 3,195 square foot two-story single family dwelling with an approximately 540 square foot attached garage and approximately 355 square foot attached guesthouse.

[PLN180534, 1105 Wildcat Canyon, Pebble Beach, Greater Monterey Peninsula Area Plan (APN: 007-441-012-000)]

The Julie Howe application (PLN180534) came on for public hearing before the Monterey County Zoning Administrator on May 9, 2019. 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** – 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;
 - Greater Monterey Peninsula Area;
 - 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 property is located at 1105 Wildcat Canyon, Pebble Beach (Assessor's Parcel Number 007-441-012-000), Greater Monterey Peninsula Area Plan. The parcel is zoned “MDR/B-6-D-RES” [Medium Density Residential/Building Site Overlay - Design Control-Recreational Equipment Storage Overlay], which allows for residential development with the issuance of a Design Approval.
c) Building Site District (B District) – The project is consistent with the purpose of the B District as specified in Section 21.42.020 of Title 21;

which states that the district provides regulations for review of development in areas for lot size and structure setbacks locations. The proposed project meets all the site development standards of the zoning district MDR/B-6-RES Zoning Ordinance.

Main Structure Setback and Height Requirements:

- Front Setback: 20 feet (minimum)
- Side Setback: 5 feet (minimum)
- Rear Setback: 10 feet (minimum)
- Maximum height: 30 feet

Proposed Setbacks and Height for PLN180534:

- Front Setback: 20 feet
- Side Setback: 10 feet (east elevation)
- Side Setback: 22 feet (west elevation)
- Rear Setback: 21 feet and 8 inches
- Maximum height: 27 feet

Therefore, the project as proposed meets the site development standards.

- d) Design Control District (D District) – The project is consistent with the purpose of the D District as specified in Section 21.44.010 of Title 21, where the location, size, configuration, materials, and colors of structures assures protection of the public viewshed and neighborhood character. The proposed development is located within suitable location of the lot approximately 26-feet from the front property line. Visually, this is consistent with the character of existing development within the neighborhood and consistent with the 20-foot setback requirement of the MDR/B-6-RES Zoning District. The project site is an existing 9,701 square-foot lot with two frontages from Middle Ranch Rd and Wildcat Canyon Road within the Monterey Peninsula Country Club Subdivision. The subject property is an approximately 9,701 square foot vacant corner lot located between Middle Ranch Road and Wildcat Road with the Monterey Peninsula Country Subdivision. The proposed two-story house has a 3,193 square foot floor plan. The floor plan of the residence is comprised of the kitchen, living room, laundry room, office, dining room, (1) master bedroom, (1) bedroom, (1) guest bedroom, (3½) bathrooms, 541 square foot (2) car garage, and attached 353 square foot guesthouse. The floor plan includes a second-story opened spaced loft approximately 202 square feet excluded from the total floor plan area. The residential development in the area includes single-story and double-story structures of similar architectural styles (i.e. Mid-Century Modern Ranch style residence) and massing. The home's design, detailing, and material quality are consistent with the existing neighborhood character as required by the design guidelines of the Design Control Zoning District.
- 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 PLN180534 attached hereto and incorporated herein by reference.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Monterey County Regional Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) On March 7, 2019, the Del Monte Forest Land Use Advisory Committee (LUAC) voted to recommend the project approved (5-0 vote) as submitted.
 - c) The Howe development application includes Design Approval for the construction of a 3,193 square foot two-story single family dwelling with a 514 square foot attached garage and 353 square foot attached guesthouse.
 - d) Pursuant to 21.44.040 of Monterey County Code, the Zoning Administrator is the appropriate authority to consider Design Approvals for new single family dwellings.
 - e) The project planner conducted a site inspection on March 7, 2019 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 PLN180534.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for 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, Monterey County Regional Fire Protection District, Public Works, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to 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 planner conducted a site inspection on March 7, 2019 to verify that the project on the subject parcel conforms to the plans listed above.
 - 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 File PLN180534.

4. **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 property is located within the Monterey Peninsula Country Club Subdivision. The neighborhood consists of both older and newer residences. The proposed new two-story dwelling unit building consists of a mid century modern ranch architecture style compatible with the overall character of the existing neighborhood subdivision and is

consistent with the Greater Monterey Peninsula Area Plan and the Monterey County Design Control Zoning District regulations.

- b) The proposed elevations incorporate architectural elements on all four sides of the building, including standing seam shed metal roof with exposed heavy timber rafters and overhang eaves, recessed walls, window bays, decorative beams, acrylic stucco wall finishes with stone veneer and vertical wood siding accents. The overall color scheme consists of a palette of Barley Beige and Carmel stone natural color. The residence is located in a neighborhood containing a mix of other traditional and modern style residences. The home's design, detailing, and material quality are consistent with the existing neighborhood character as required by the design guidelines of the Design Control Zoning District.
- c) The project planner conducted a site inspection on March 7, 2019 to verify that the project on the subject parcel conforms to the plans listed above.
- d) 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 PLN180534.

5. **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 Building Services Department records and is not aware of any violations existing on subject property.
 - b) The project planner conducted a site inspection on March 7, 2019 to verify that the project on the subject parcel conforms to the plans listed above.
 - c) 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 PLN180534.

6. **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) categorically exempts new construction of one single family residence, or a second dwelling unit in a residential zone.
 - b) The proposed project is the construction of a new single family dwelling an attached guesthouse, which meets the criteria for categorical exemption.
 - c) Archaeological sensitivity on the site is high. An archaeological report prepared by Susan Morely, M.A. Register of Professional Archaeologists Consulting (LIB180534) confirms that based upon the background research and field reconnaissance, they have concluded that there is no surface evidence of potentially significant archaeological resources on the project site.
 - d) No adverse environmental effects were identified during staff review of the development application during a site visit on March 7, 2019.
 - 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.

- 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 PLN180534.

7. **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 project Categorically exempt per section 15303 of the CEQA Guidelines; and
- 2) Approve a Design Approval for the construction of an approximately 3,195 square foot two-story single family dwelling with an approximately 540 square foot attached garage and approximately 355 square foot attached guesthouse, 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 9th day of May, 2019 by:

Mike Novo, 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

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

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

PLN180534

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Design Approval (PLN180534) allows for the construction of a 3,193 square foot two-story single family dwelling with a 541 square foot attached garage and 353 square foot attached guesthouse. The property is located at 1105 Wildcat Canyon, Pebble Beach, Greater Monterey Peninsula Area Plan (Assessor's Parcel Number 007-441-012-000), Greater Monterey Peninsula 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 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 The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "A Design Approval (PLN180534) allows the construction of a 3,193 square foot two-story single family dwelling with a 541 square foot attached garage and 353 square foot attached guesthouse. (Resolution Number ***) was approved by [Name of Hearing Body] for Assessor's Parcel Number *** on [Date the permit was approved]. The permit was granted subject to *** 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 Prior to the issuance of grading and building permits, certificates of compliance, or
Monitoring commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Action to be Performed: 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 If, during the course of construction, cultural, archaeological, historical or
Monitoring Measure: 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 The Owner/Applicant shall adhere to this condition on an on-going basis.
Monitoring
Action to be Performed:

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."

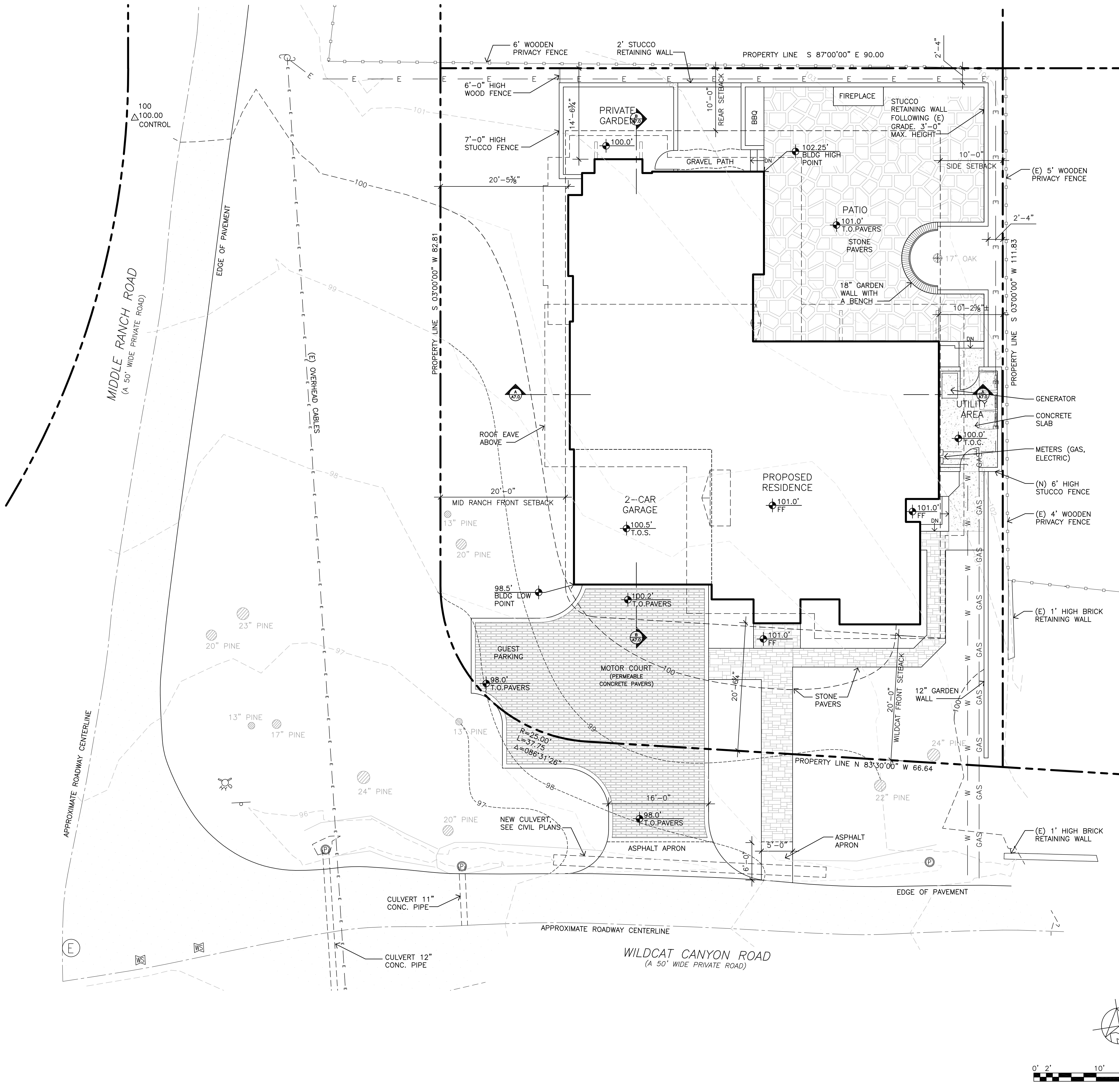
When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.



PROJECT DATA

PROPERTY OWNER: MS. JULIE HOWE
3057 CORMORANT RD.
PEBBLE BEACH, CA 93953
TEL. (831) 277-9595

PROJECT ADDRESS: 1105 WILDCAT CANYON RD.
PEBBLE BEACH, CA 93953

PROJECT DESCRIPTION: NEW ONE-STORY SINGLE FAMILY RESIDENCE WITH ATTACHED 2-CAR GARAGE AND A GUESTHOUSE; OUTDOOR FIREPLACE

APN: 007-441-012

LOT AND BLOCK: LOT: 12 BLOCK: 60

ZONING: MDR/B-6-D-RES

TYPE OF CONSTRUCTION: V-B

OCCUPANCY: R-3, U

STORIES: 1

HEIGHT LIMIT: 27'

GRADING: CUT - 78 C.Y. FILL - 96 C.Y.

TREE REMOVAL: NONE

APPLICABLE CODES: 2016 CBC, 2016 CRC, 2016 CFC, 2016 CPC, 2016 CEC, 2016 CMC, 2016 CALIFORNIA ENERGY CODE, 2016 CALIFORNIA GREEN BUILDING CODE

LOT AREA: 9,701 S.F.

FLOOR AREA CALCULATIONS

FLOOR AREA ALLOWED	35% = 3,395 S.F.
HOUSE	2,299 S.F.
GARAGE	541 S.F.
GUESTHOUSE	353 S.F.
LOFT	202 S.F. (NOT COUNTED)
TOTAL FAR	3,193 S.F.
FLOOR AREA PROPOSED	33% = 3,193 S.F.

SITE COVERAGE CALCULATIONS

SITE COVERAGE ALLOWED	35% = 3,395 S.F.
SITE COVERAGE PROPOSED	33% = 3,233 S.F.
SITE COVERAGE	AREA
HOUSE FOOTPRINT	3,209 S.F.
FIREPLACE	24 S.F.
TOTAL SITE COVERAGE	3,233 S.F.

PESCADERO WATERSHED COVERAGE ALLOWED 9,000 S.F.
PESCADERO WATERSHED COVERAGE PROPOSED 5,609 S.F.

PESCADERO COVERAGE	AREA
HOUSE FOOTPRINT	3,209 S.F.
FIREPLACE	24 S.F.
MOTOR COURT (ECO-PAVERS) - 50% OF 820	410 S.F.
FRONT PATH AND LANDING	227 S.F.
GUEST PATH AND LANDING	226 S.F.
REAR PATIO	1,345 S.F.
UTILITY AREA	168 S.F.
TOTAL PESCADERO COVERAGE	5,609 S.F.

ARCHAEOLOGICAL NOTE

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



SITE PLAN

1/8"=1'-0"

VICINITY MAP

NOT TO SCALE



ANATOLY OSTRETISOV
P.O. BOX 2272
MONTEREY, CA 93942
(831) 682-1331

THE HOWE RESIDENCE

1105 WILDCAT CANYON RD.
APN: 007-441-012
PEBBLE BEACH, CA. 93950

REVISIONS:

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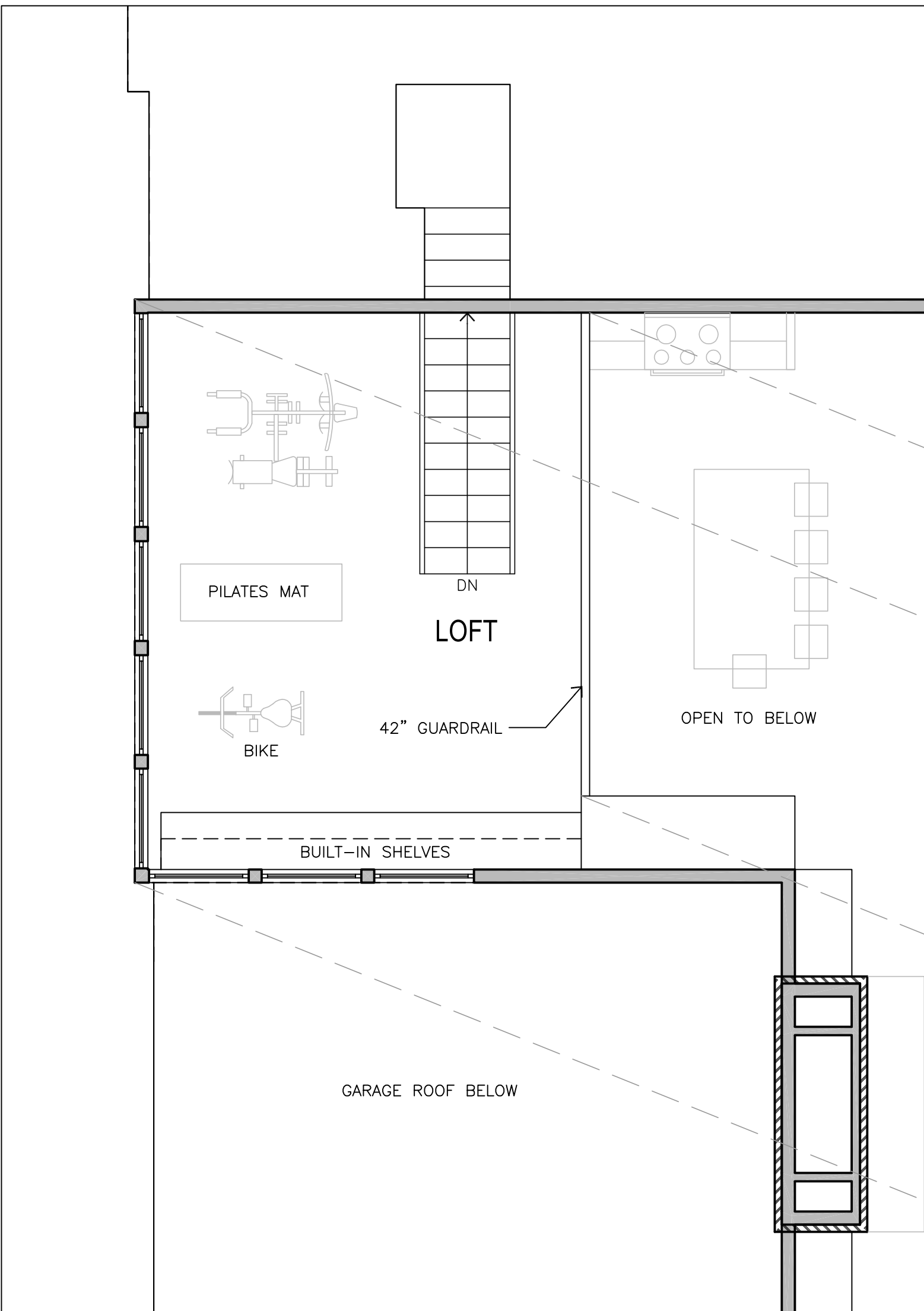
SITE PLAN

DATE: NOVEMBER 20, 2018

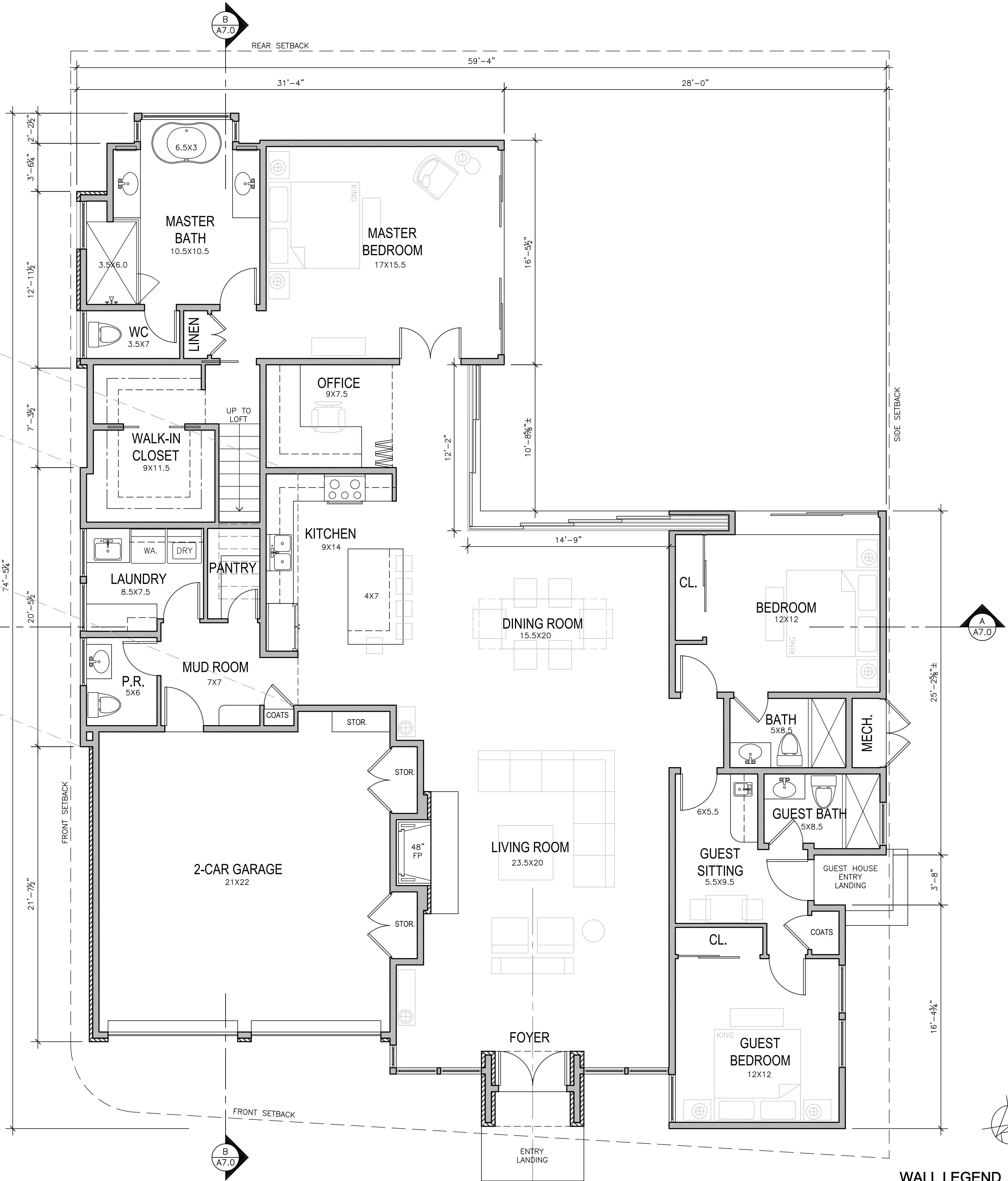
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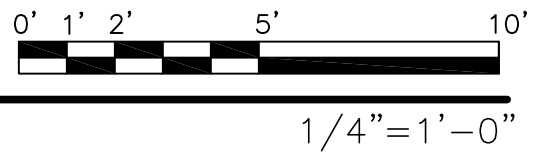
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LOFT PLAN



FLOOR PLAN



WALL LEGEND

- 2X WOOD STUD WALL
- STONE VENEER

AO ARCHITECTURAL
DESIGN

ANATOLY OSTRETSOV
P.O. BOX 2272
MONTEREY, CA 93942
(831) 682-1331

PEBBLE BEACH, CA, 93950

APN: 007-441-012

1105 WILDCAT CANYON RD.

REVISIONS:

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FLOOR PLAN

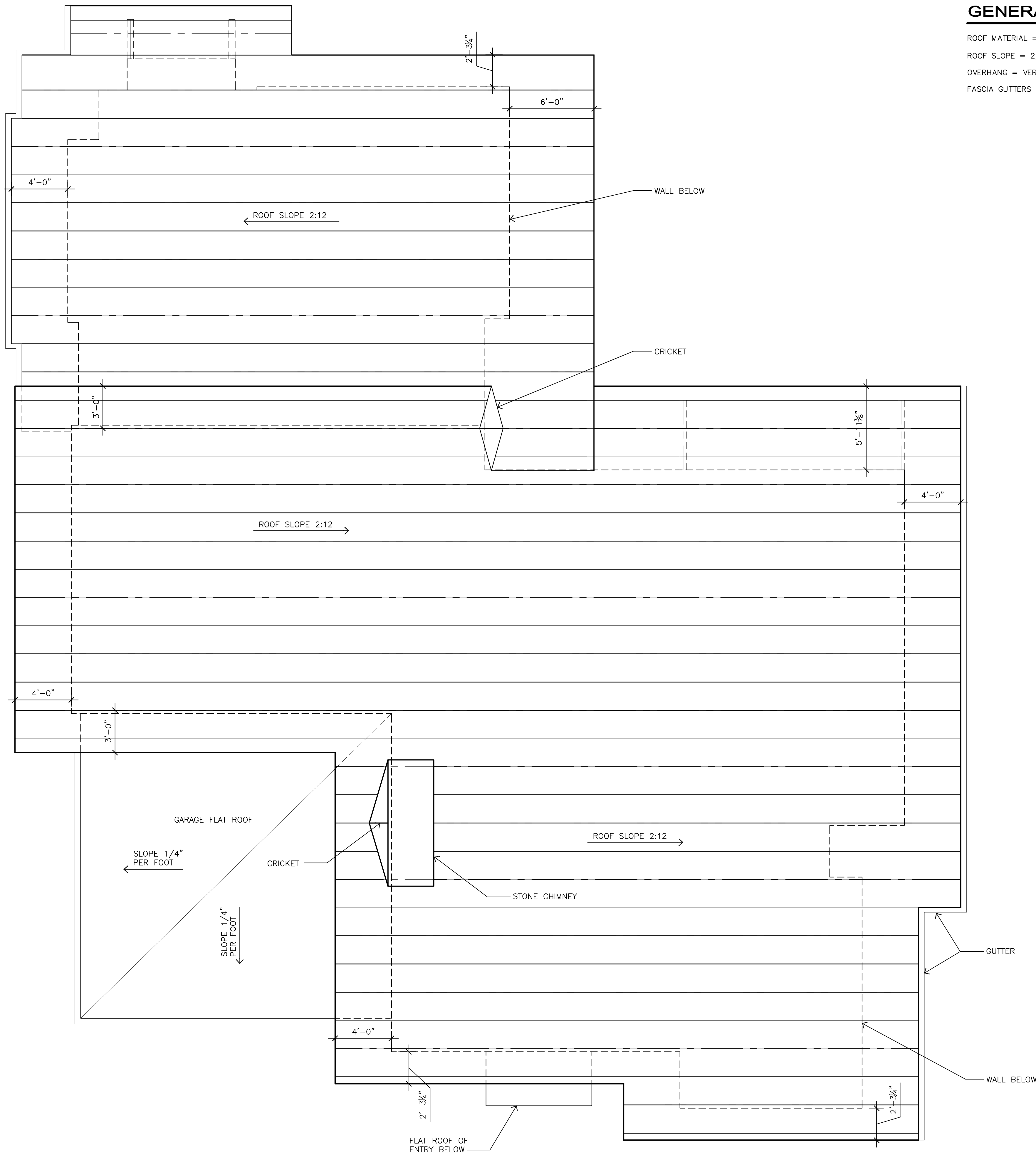
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DESIGN APPROVAL

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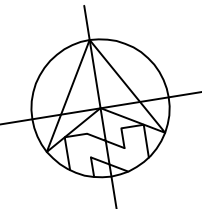
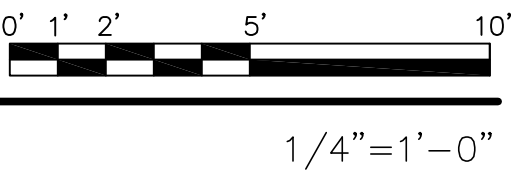
Use of these plans and specifications is restricted to the original site for which they were prepared and publication thereof is expressly limited to such use. Reuse or reproduction of publication by any method in whole or in part is prohibited. Title to plans and specifications remain with the architect, and visual contact with them constitutes prima facie evidence of the acceptance of these restrictions.

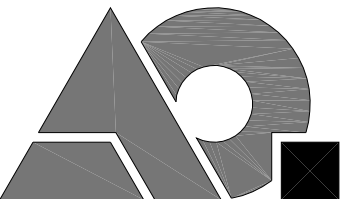


GENERAL ROOF NOTES

ROOF MATERIAL = CLASS 'A' STANDING SEAM METAL ROOF
ROOF SLOPE = 2/12 UNLESS OTHERWISE NOTED
OVERHANG = VARIES, SEE PLAN
FASCIA GUTTERS WITH SQUARE DOWNSPOUTS TO MATCH ROOF MATERIAL

ROOF PLAN





AO ARCHITECTURAL
DESIGN

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THE HOWE RESIDENCE

1105 WILDCAT CANYON RD.

PEBBLE BEACH, CA, 93960

REVISIONS:

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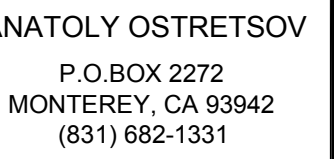
ROOF PLAN

DATE: NOVEMBER 20, 2018

DESIGN APPROVAL

SHEET NO.

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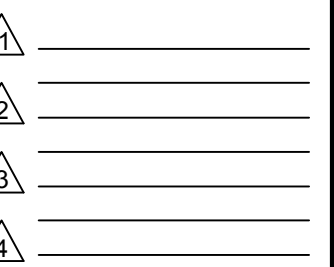
PEBBLE BEACH, CA, 93950

APN: 007-441-012

11105 WILDCAT CANYON RD.

THE HOWE RESIDENCE

VISIONS:



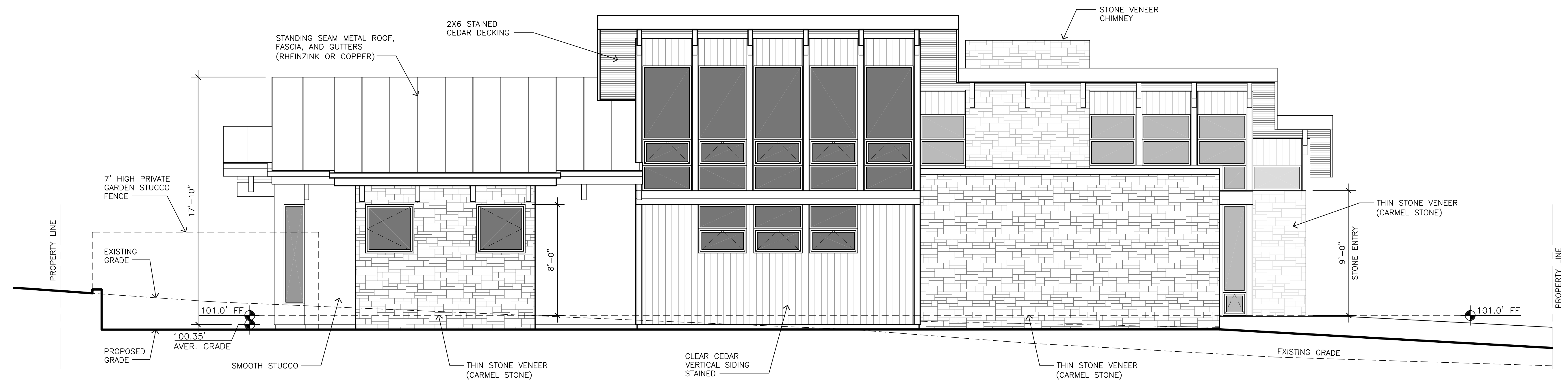
EXTERIOR ELEVATIONS

DATE: NOVEMBER 20, 2018

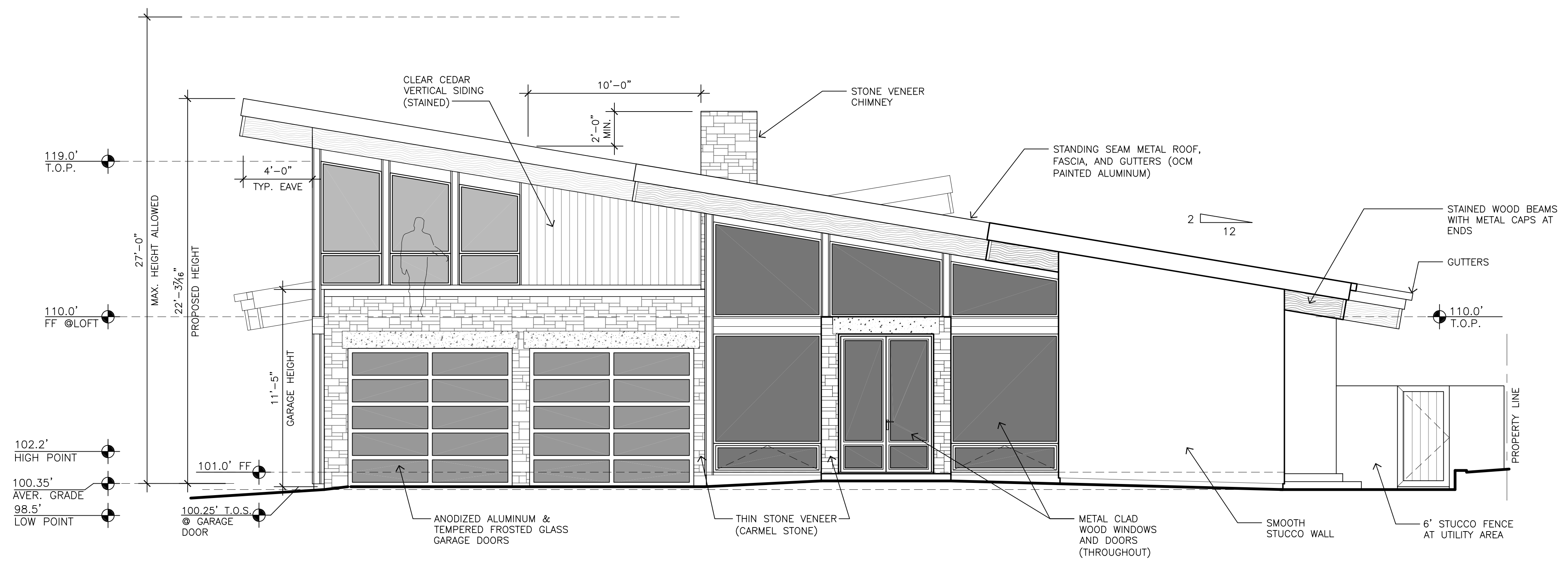
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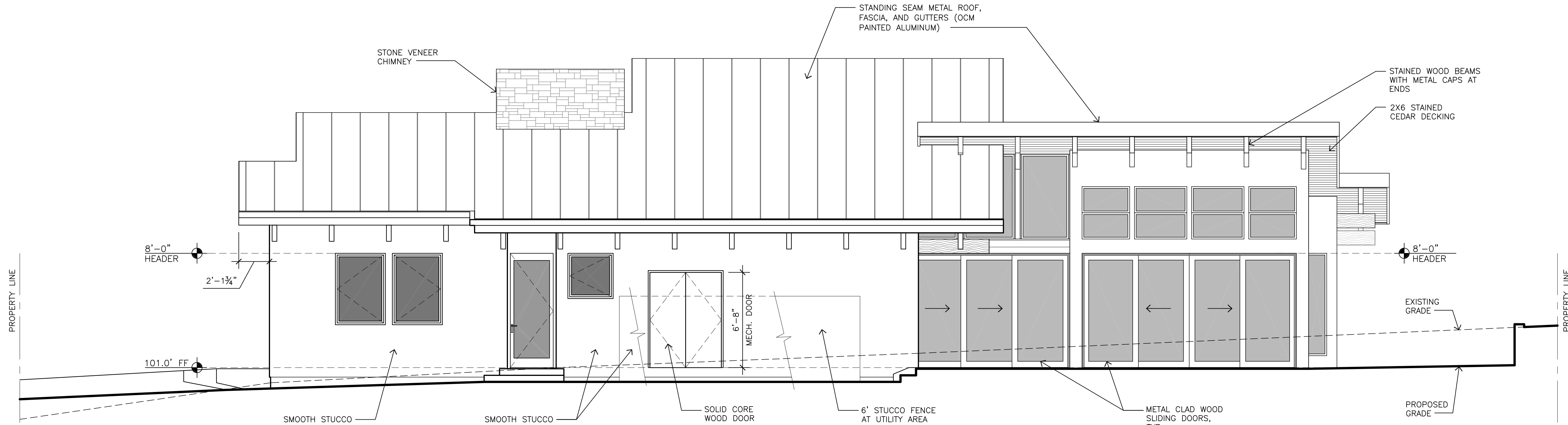


WEST ELEVATION

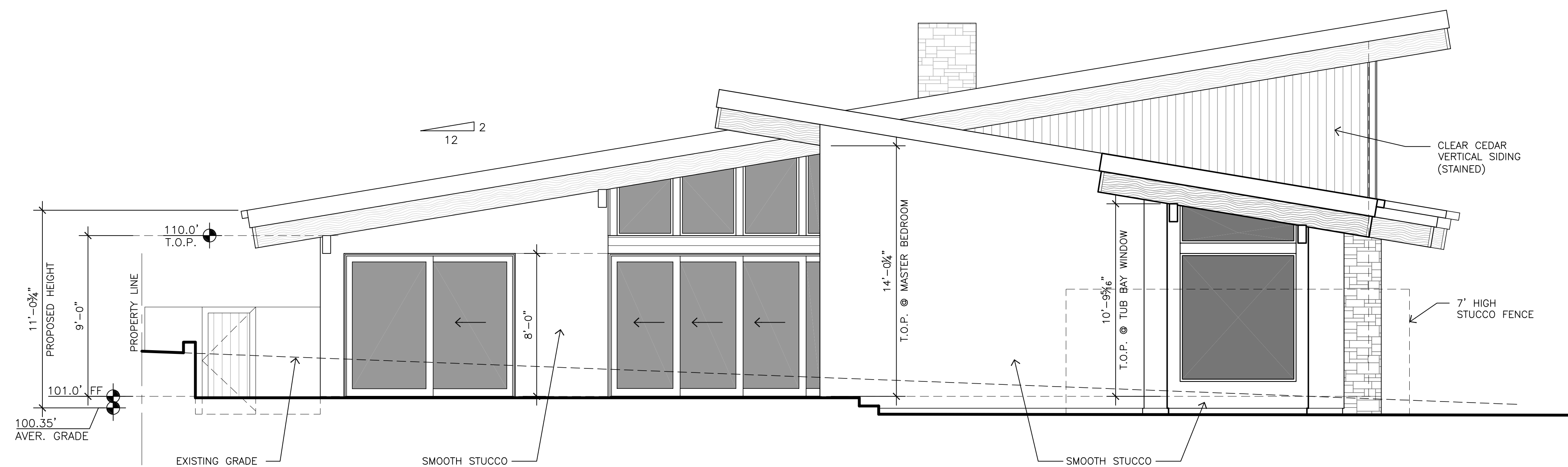
$$1/4'' = 1' - 0''$$


SOUTH ELEVATION

$$1/4'' = 1' - 0''$$



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



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



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(831) 682-1331

THE HOWE RESIDENCE

PEBBLE BEACH, CA 93950

APN: 007-441-012

1105 WILDCAT CANYON RD.

REVISIONS:	
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EXTERIOR
ELEVATIONS

DATE: NOVEMBER 20, 2018

DESIGN APPROVAL

SHEET NO.

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THE HOWE RESIDENCE

REVISIONS:
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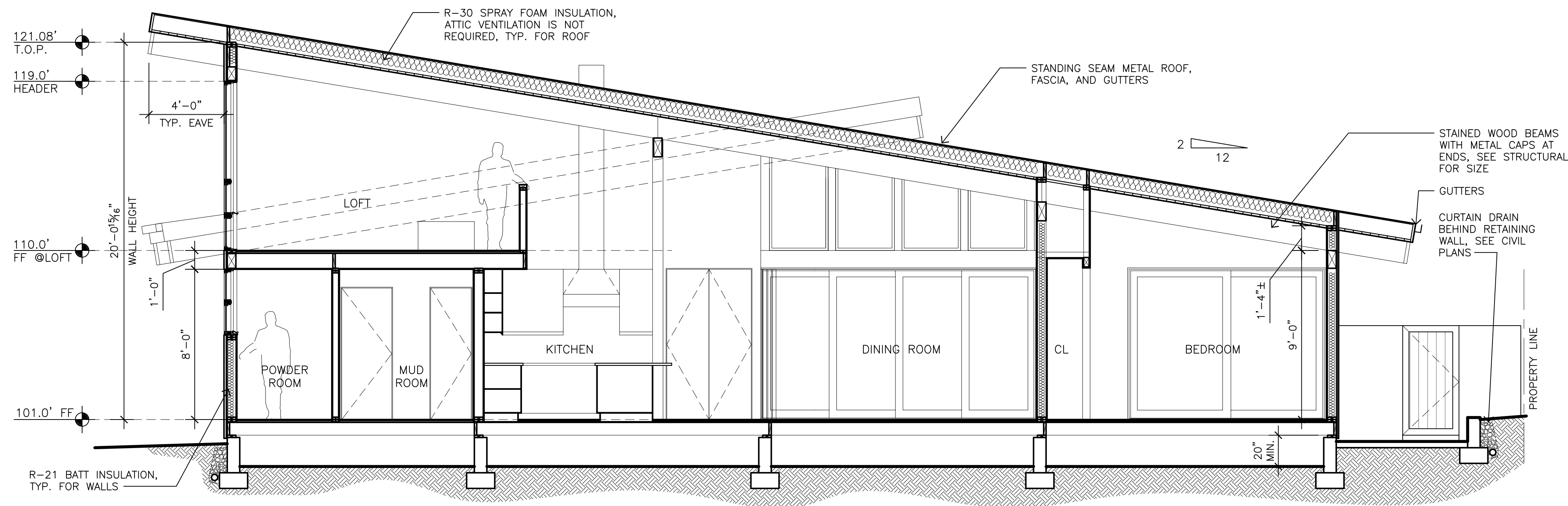
BUILDING
SECTIONS

DATE: NOVEMBER 20, 2018

DESIGN APPROVAL

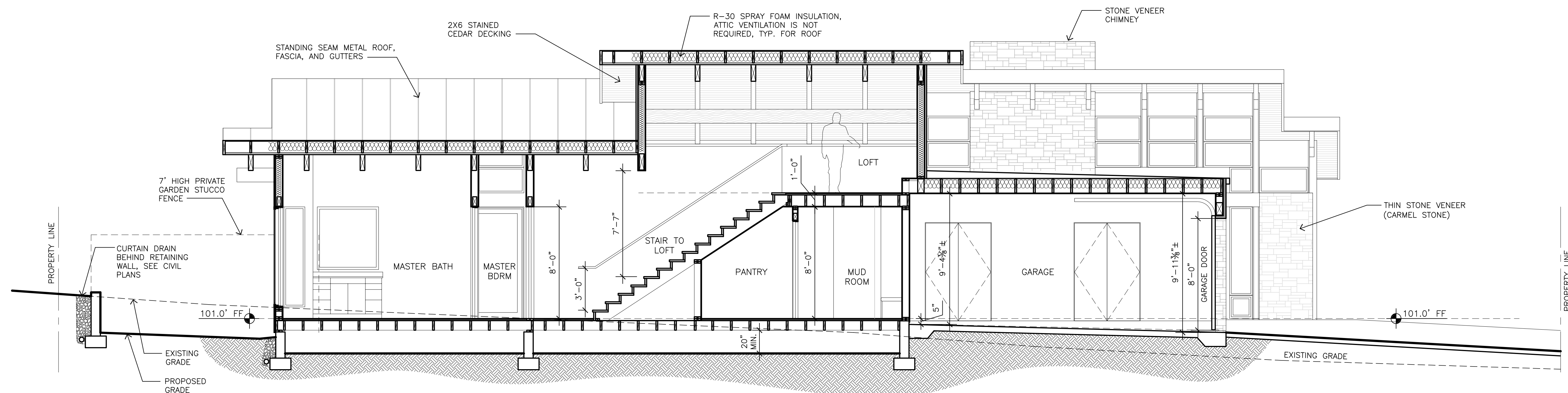
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SECTION A-A

1/4"=1'-0"



SECTION B-B

1/4"=1'-0"