

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

In the matter of the application of:

KHALSA DEVELOPMENT (PLN190428)

RESOLUTION NO. 20-024

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.

[PLN190428 Khalsa Development, 11434 Del Monte Ave., Castroville, North County Area Plan, Castroville Community Plan (APN: 030-321-030-000)]

The Khalsa Development application (PLN190428) 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. *See Evidence h below.* No conflicts were found to exist.
 - b) Allowed Use. The property is located at 11434 Del Monte Avenue, Castroville (Assessor's Parcel Number 030-321-030-000), Castroville Community Plan. The proposed project is located on a 0.08 acre (3,438 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 9 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 a small porch and an attached two-car garage 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 primary colors and materials include tan stucco body, light beige 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 3,438 square feet in size. Setbacks for small lots are 15 feet front, as low as zero, provided that the standards for minimum distance between buildings on adjacent properties are maintained on the sides, and 10 feet rear. The proposed project is planned to have 22 feet front, 5 feet and 7 feet, 9 inches sides, and 10 feet 4 inches rear setbacks. The minimum distance between buildings on adjacent properties is met. The height limit is 30 feet, and the proposed development is 25 feet in height. The allowable lot coverage for small lots is 35%, and the project is 32%. 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. A member of the public who wished to attend the LUAC meeting wrote a letter of concern about its day-of cancellation (due to County Administrator instructions in response to novel coronavirus concerns) and their

difficulty in finding subsequent online LUAC meeting posting. The letter of concern also highlighted two issues that they were going to speak to the LUAC about: the internal road in the PUD is unpaved, and a house on the opposite side of the PUD from the proposed project is perceived to be overcrowded and the occupants parking illegally. RMA-Planning staff and the project agent addressed these concerns with the member of the public.

- j) The application, project plans, letter of concern and follow up email, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN190428.

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 11434 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 PLN190428.

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 PLN190428.
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 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 PLN190428.
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

PLN190428

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Design Approval permit (PLN190428) allows the construction of a two-story single family dwelling with a small porch and an attached two-car garage. The property is located at 11434 Del Monte Avenue, Castroville (Assessor's Parcel Number 030-321-030-000), 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 20-024) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 030-321-030-000 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 Chief of 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: 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.

PLAN NOTATIONS

ACOUSTIC	ACST
ADAPTER	ADPTR
ADDENDUM, ADDITION (AL)	ADD
ADJACENT	ADJ
AGGREGATE	AGG
AIR CONDITION(ED)	AVC
ALARM	ALM
ALIGNMENT	ALIGN
ALTERNATE	ALT
ALUMINUM	ALUM
AMERICAN WIRE GAGE	AWG
AMPERAGE (CURRENT)	A
ANGLE (STRUCTURAL)	L
APARTMENT	APT
APPENDIX	APPRX
APPROXIMATE	APPROX
ARCHITECTURE, ARCHITECTURAL	ARCH
ASPHALT	ASPH
ASSEMBLY	ASSY
ASSISTANT	ASST
AVENUE	AVE
AVERAGE	AVG
BALCONY	BALC
BASE PLATE	BP
BEAM	BM
BEARING	BRG
BELOW	BLW
BENCHMARK	BM
BETWEEN	BETW
BIRMINGHAM WIRE GAGE	BWG
BOARD	BD
BOTTOM	BOT
BOTTOM CHORD	BC
BUILDING	BLDG
CABINET	CAB
CALIFORNIA MECHANICAL CODE	CMC
CALIFORNIA ELECTRICAL CODE	CEC
CALIFORNIA BUILDING CODE	CBC
CALIFORNIA PLUMBING CODE	CPC
CANTILEVER	CANTIL
CAPACITY	CAP
CAST IRON PIPE	CIP
CATALOG	CAT
CAULKING	CLKG
CEILING	CLG
CEMENT	CEM
CENTER	CTR
CENTERLINE	CL
CHECK VALVE	CV
CIRCLE	CIR
CIRCUIT	CKT
CIRCULAR	CIRC
CLEANOUT	CO
CLEAR	CLR
COATED	CTD
COLD WATER	CW
COLUMN	COL
COMPOSITION	COMP
CONCRETE	CONC
CONNECT, CONNECTOR	CONN
CONSTRUCTION	CONST
CONTINUE, CONTINUOUS	CONT
CONTRACT, CONTRACTOR	CONTR
COUNTERSINK	CSK
CUBIC	CU
DEAD LOAD	DL
DEGREE	DEG
DESIGN(ED)	DSGN
DETAIL	DET
DIAGONAL	DIAG
DIAMETER	DIA
DIMENSION	DIM
DISHWASHER	DW
DOOR	DR
DOUBLE	DBL
DOUBLE-HUNG (WINDOW)	DH
DOWN	DN
DOWNSPOUT	DS
EACH	EA
ELECTRIC, ELECTRICAL	ELEC
ELEVATION	EL
ENGINEER	ENGR
EQUAL	EQ
EQUIPMENT	EQUIP
EXCAVATE	EXC
EXHAUST	EXH
EXISTING	(E)
EXPANSION JOINT	EXP JNT (EJ)
EXPOSED	EXP
EXTERIOR	EXT
EXTINGUISHER	EXT
EXTRA HEAVY	XHYY
EXTRA STRONG	XSTR
EXTRUDE(D)	EXTD
EXHAUST FAN	EF
FABRICATE	FAB
FIBERGLASS REINFORCED	FRG
FIGURE	FIG
FINISHED FLOOR LEVEL	FF
FIREPROOF	FP
FLOOR	FL
FLOOR DRAIN	FD
FLOORING	FLG (FLRG)
FLUORESCENT	FLUOR
FOOTING	FTG
FOUNDATION	FDN
FORCED AIR FURNACE	FAU
FURNACE	FURN

22

STREET

36

35

34

33

32

31

30

29

28

27

26

25

24

23

22

21

MOYER

MAPLE

STREET

23

SCALE: 1" = 40 FT.

**BUILDING DESIGN
& CONSULTING**


draft

2150 GARDEN RD., SUITE B3 / MONTEREY, CA 93940
(831) 846-5986 FAX 846-5988

**BUILDING DESIGN
& CONSULTING**

drafttect

2150 GARDEN RD., SUITE B3 / MONTEREY, CA 93940
(831) 646-5988 FAX 646-5988

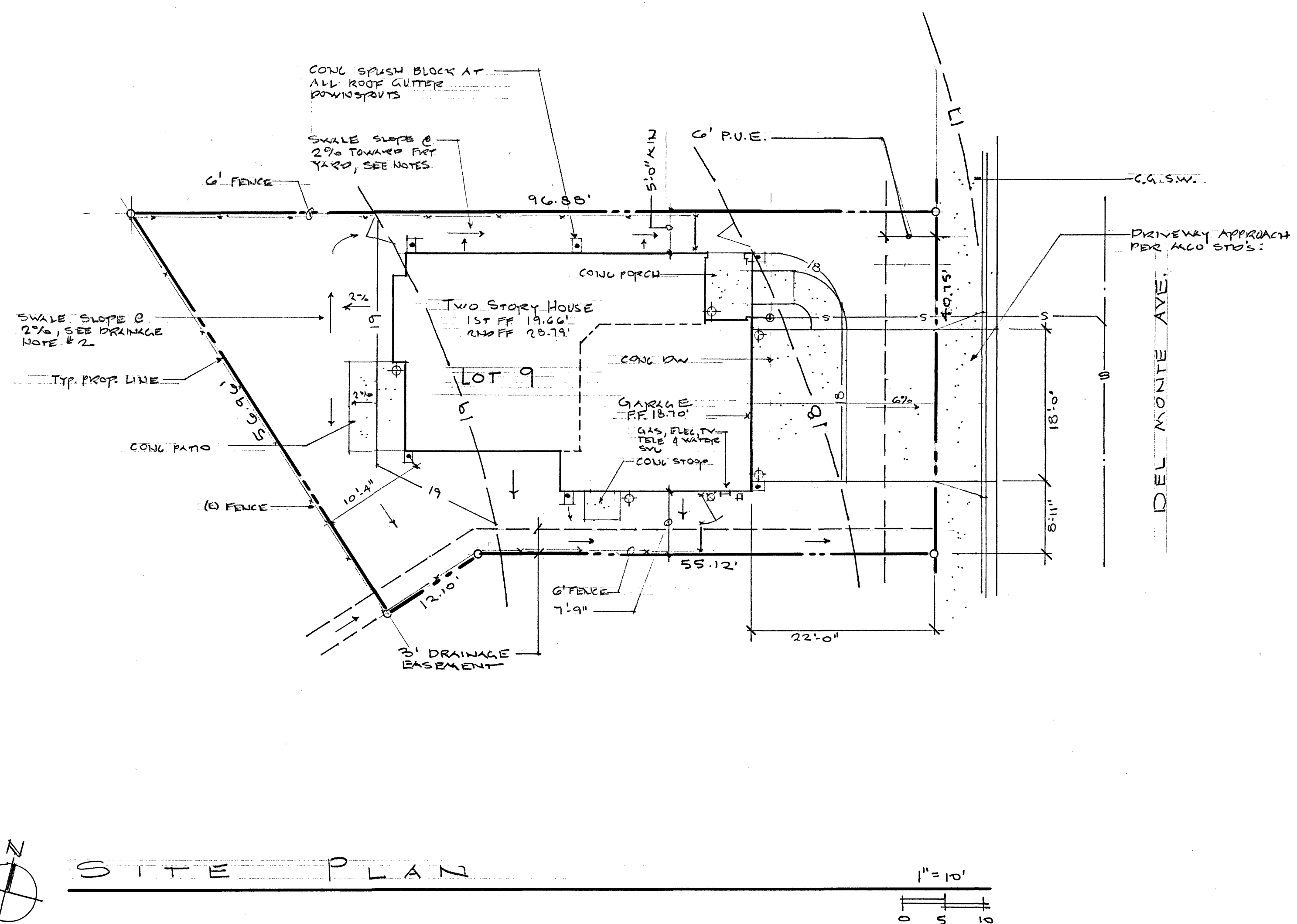
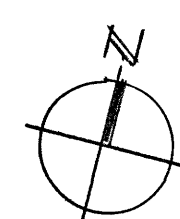
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Job	46-2019
Sheet	
Of	5 Sheets

DRAINAGE NOTES

1. Roof drain downspouts shall be installed on all roof overhangs, and shall discharge onto concrete splash blocks or pavement, and drain away from structure as noted below.
2. All finish grades including patios, and driveways shall be contoured to slope away from proposed structures:

Site Grading (CRC 401.3): Surface Drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. **Exception:** Where lot lines, walls, slopes, or other physical barriers prohibit 6 inches of fall within 10 feet, drains or swales shall be constructed to ensure drainage away from the structure. Impervious surface (pavers, etc.) within 10 feet of the building foundation shall slope a minimum of 2 percent away from the building.

All drainage facilities should be checked and maintained periodically to remove obstructions and assure proper function.
3. See sheet #C1 for erosion control and BMP's.

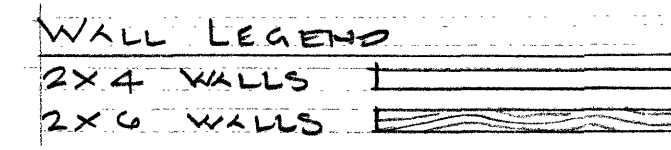
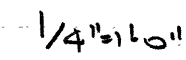


**BUILDING DESIGN
& CONSULTING**

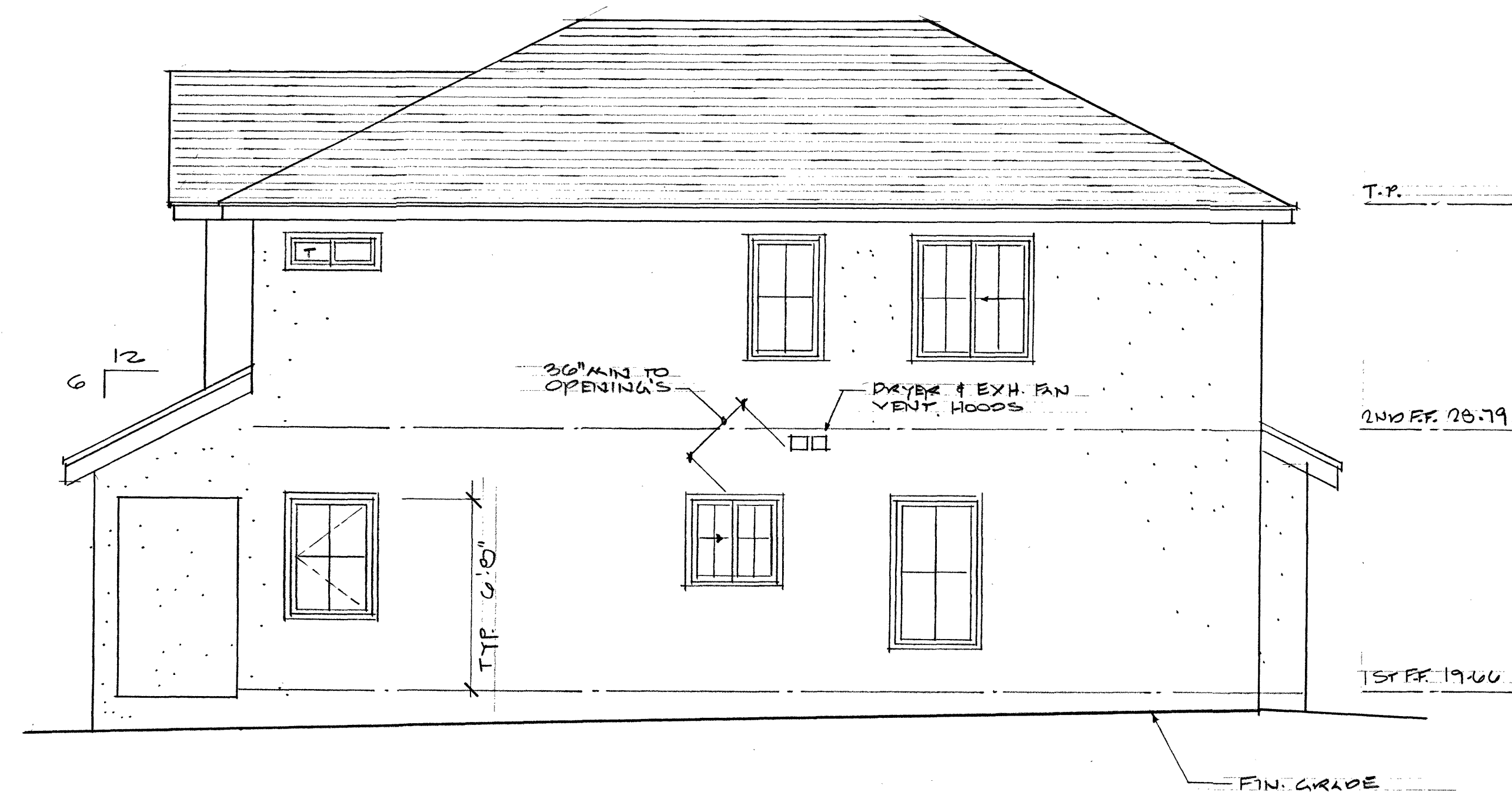
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2150 GARDEN RD., SUITE B3 / MONTEREY, CA 93940
(831) 646-5986
FAX 646-5988

Date	9.28.19
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Job	46-2019
Sheet	A2
Of	Sheets

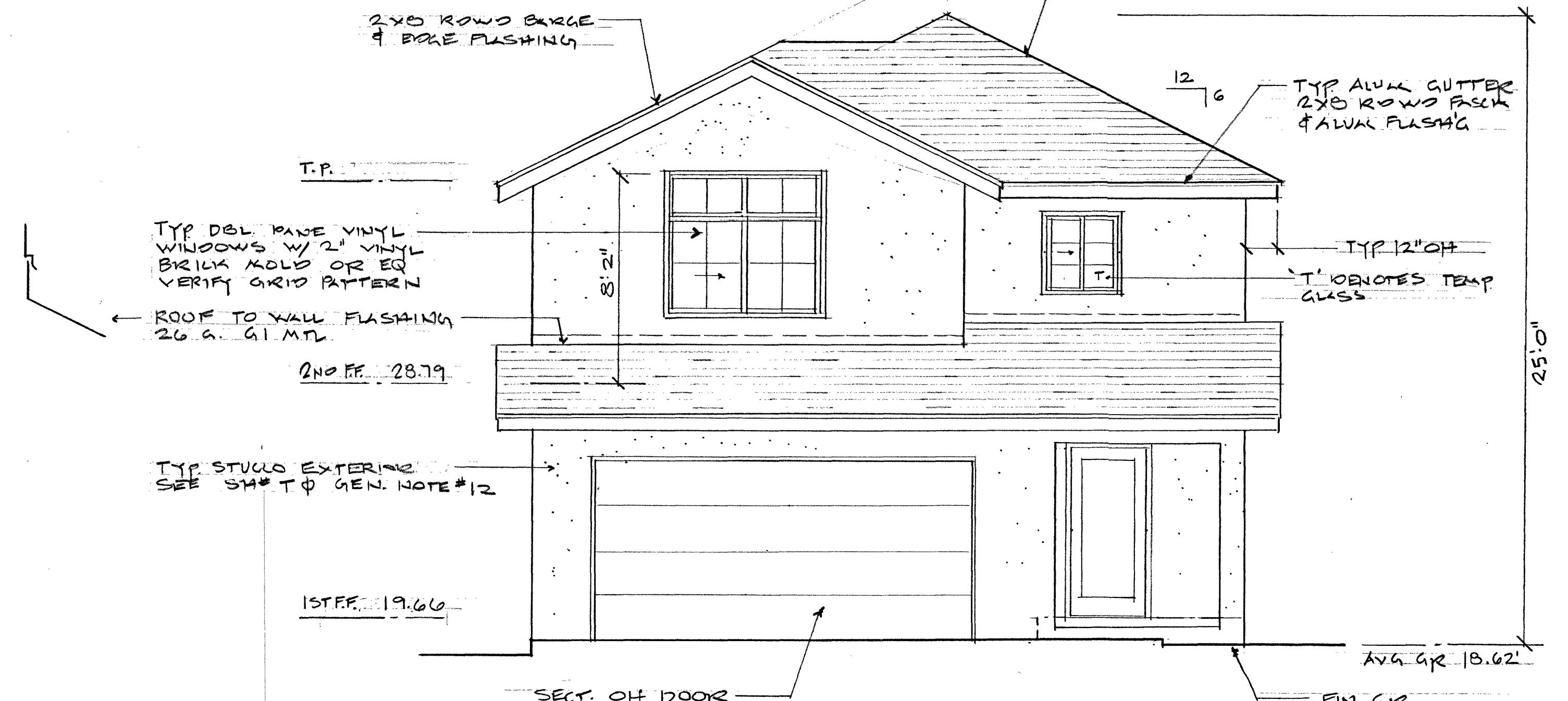

$$1/4 = 0.25$$


FIRST STORY



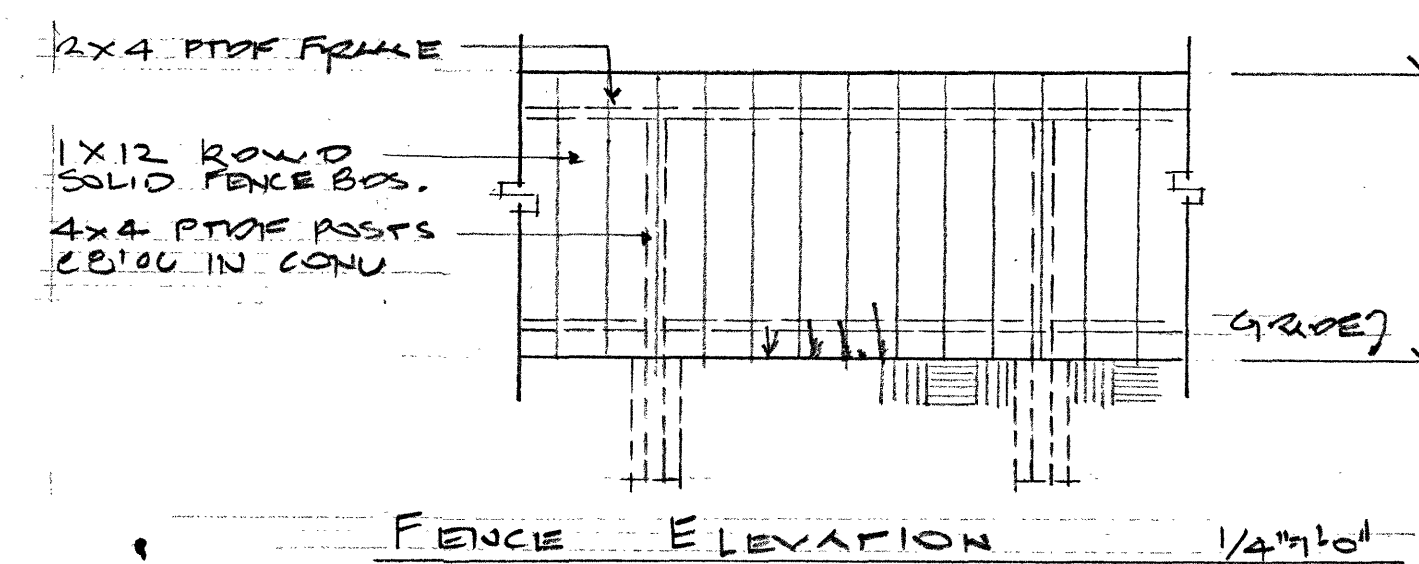
NORTH ELEVATION

1/4"=1'-0"



EAST ELEVATION

1/4"=1'-0"



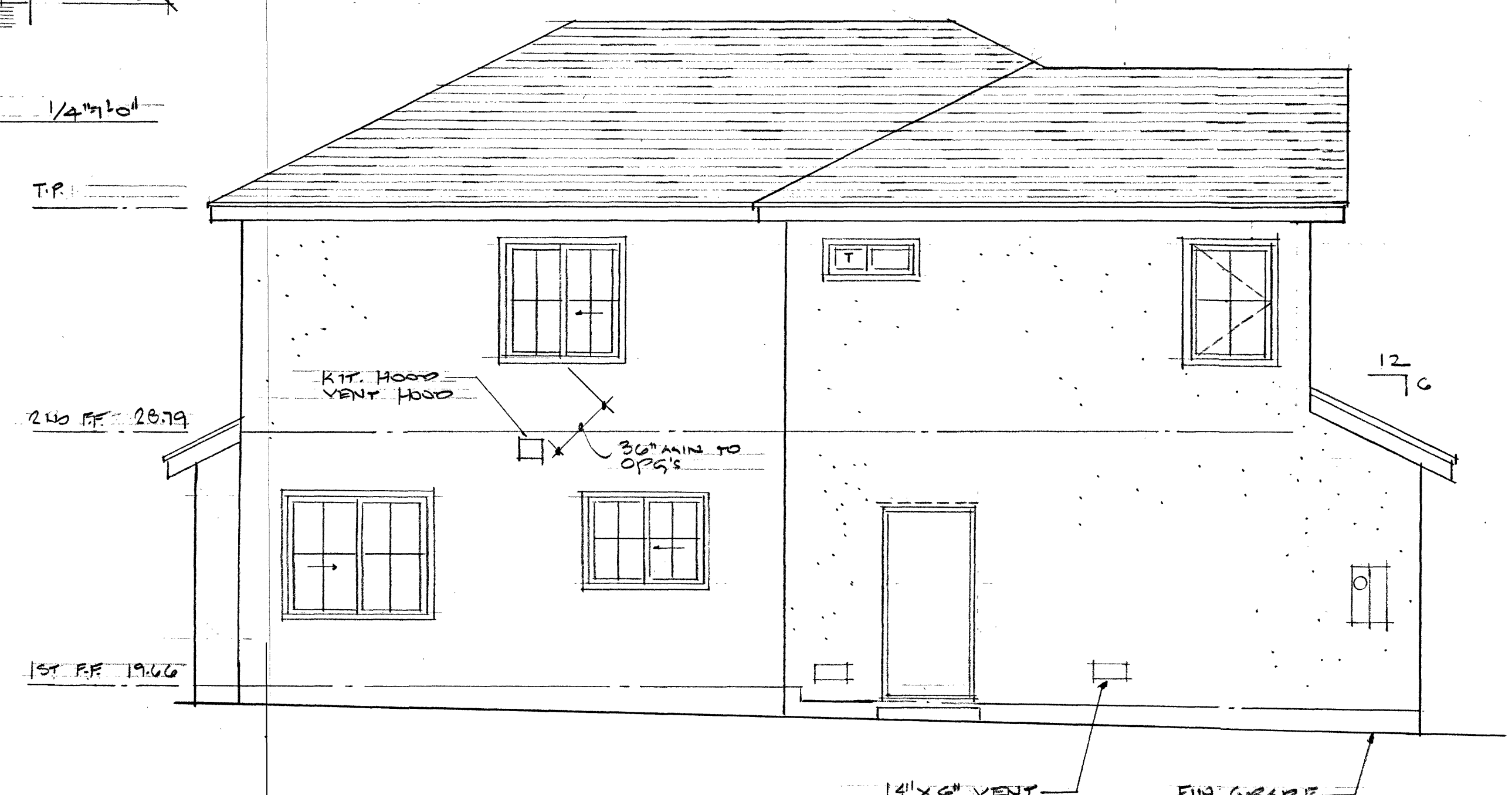
FENCE ELEVATION

1/4"=1'-0"



WEST ELEVATION

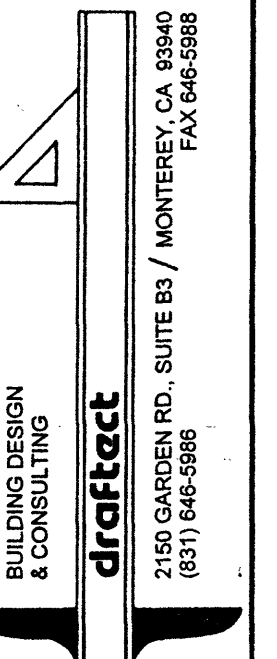
1/4"=1'-0"



SOUTH ELEVATION

1/4"=1'-0"

REVISIONS	BY
11-18-19	D
12-13-19	D

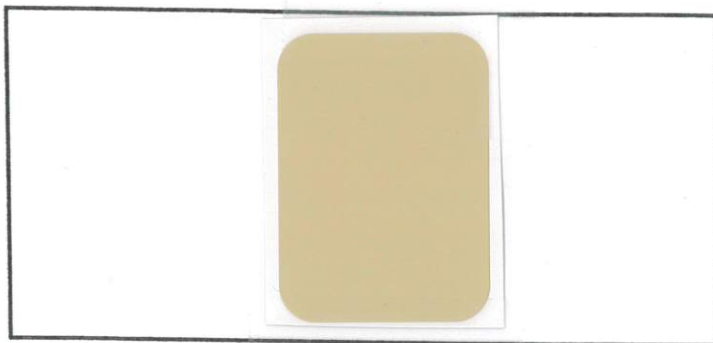


KHALSA RESIDENCE
11434 DEL MONTE AVENUE
CASTROVILLE, CALIFORNIA
APN: 030-321-030-000

Date 9-28-19
Scale
Drawn
Job 46-2819
Sheet A3 Of 3 Sheets

COLOR SAMPLES FOR PROJECT FILE NO. PUN190428

HARI - 11434 DEL MONTE AVE.



Materials: STUCCO

Description: BODY

Colors: KELLY MOORE

MISSION TAN
302



Materials: FASCIA & GUTTER

Description: _____

Colors: KELLY MOORE

SWISS COFFEE
23



Materials: ASPHALT COMP. SHINGLES

Description: ROOF

Colors: GAF: BARKWOOD

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