

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> March 13, 2014 <b>Time:</b> 1:40 P.M.	<b>Agenda Item No.: 2</b>
<b>Project Description:</b> Administrative Permit and Design Approval to allow the construction of a 4,028 square foot one-story single family dwelling located within a Visual Sensitivity ("VS") Overlay District. The project includes a 1,357 square foot attached garage, 164 square foot covered entry porch, 3,476 square foot barn with a 256 square foot covered porch, and approximately 1,577 cubic yards of associated grading (371 cubic yards cut; 1,206 cubic yards fill).	
<b>Project Location:</b> 321 Corral de Tierra Road, Salinas	<b>APN:</b> 151-031-008-000
<b>Planning File Number:</b> PLN130834	<b>Owner:</b> Randall Parola <b>Agent:</b> Ray & Debby Borzini
<b>Planning Area:</b> Toro Area Plan	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : "RC/10-VS" [Resource Conservation, 10 acres per unit with a Visual Sensitivity Overlay]	
<b>CEQA Action:</b> Categorically Exempt per Section 15303 (a)	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Find the project categorically exempt pursuant to Section 15303(a) of the CEQA Guidelines; and
- 2) Approve the Administrative Permit (PLN130834), based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

### PROJECT OVERVIEW:

On February 18, 2014, a letter was received from a neighbor opposing the project, and requested a public hearing before the Zoning Administrator. The neighbor requests denial of the proposed project, a single family dwelling with detached barn on a vacant legal lot, because, according to the neighbor, the project purposes a design and uses that would impact the viewshed, water, and traffic in the neighborhood.

Based on review of the project, it has been determined that the project is consistent with County policies and regulations, and is a suitable use. Staff recommends that the Zoning Administrator approve the project (see **Exhibit B** for further discussion).

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Monterey County Regional Fire Protection District


Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by Monterey County Regional Fire Protection District, RMA – Public Works Department and Environmental Health Bureau have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

The project was referred to the Toro Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC, but was requested for review by a concerned neighbor. On January 27, 2014, the LUAC recommended approval of



the project with a vote of 6 ayes and 1 no. The disagreeing member of the LUAC requested that the dwelling be lowered from a building height of 22 feet, 7 inches, to a height of 20 feet, that oak trees be planted to provide a visual buffer from Corral de Tierra Road, and that establishment of a building envelope is needed to limit development to only the area of the dwelling and barn. The applicant has agreed to plant oak trees on the property to reduce the visibility of the dwelling from Corral de Tierra Road. The planting will be reflected in the Landscaping Plan which is required as a condition of approval.

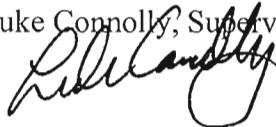
Note: The decision on this project is appealable to the Planning Commission.

  
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Dan Lister, Assistant Planner  
(831) 759-6617, [listerdm@co.monterey.ca.us](mailto:listerdm@co.monterey.ca.us)  
February 28, 2014

cc: Front Counter Copy; Zoning Administrator; Monterey County Regional Fire Protection District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; Luke Connolly, Supervising Planner; Dan Lister, Project Planner; Randall Parola, Owner; Ray and Debby Borzini, Applicant; Michael Weaver, neighbor; The Open Monterey Project; LandWatch; Planning File PLN130834.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Draft Resolution, including: <ul style="list-style-type: none"><li>• Conditions of Approval</li><li>• Site Plan, Floor Plan and Elevations</li></ul>
	Exhibit D	Vicinity Map
	Exhibit E	Toro Land Use Advisory Committee Minutes (LUAC)
	Exhibit F	Letter of opposition, dated February 18, 2014
	Exhibit G	Letter from Gary Breschini, neighbor

This report was reviewed by Luke Connolly, Supervising Planner.





**EXHIBIT A**  
**PROJECT INFORMATION FOR PLN130834**

<b>Project Title:</b>	Borzini	<b>Primary APN:</b>	151-031-008
<b>Location:</b>	321 Corral de Tierra Road, Salinas	<b>Coastal Zone:</b>	No
<b>Applicable Plan:</b>	Toro Area Plan	<b>Zoning:</b>	RC/10-VS
<b>Permit Type:</b>	Administrative Permit	<b>Plan Designation:</b>	Resource Conservation
<b>Environmental Status:</b>	Exempt	<b>Final Action Deadline:</b>	3/17/2014
<b>Advisory Committee:</b>	Toro		

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**Project Site Data:**

<b>Lot Size:</b>	14.023ac	<b>Coverage Allowed:</b>	25%
<b>Existing Structures:</b>	-	<b>Coverage Proposed:</b>	1.5%
<b>Proposed Structures:</b>	9,412sf	<b>Height Allowed:</b>	30'
<b>Total Square Feet:</b>	9,412sf	<b>Height Proposed:</b>	22' 7"

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**Resource Zones and Reports:**

<b>Environmentally Sensitive Habitat:</b>	No	<b>Erosion Hazard Zone:</b>	Low
<b>Botanical Report #:</b>	-	<b>Soils/Geo. Report #</b>	-
<b>Forest Mgt. Report #:</b>	-	<b>Geologic Hazard Zone:</b>	IV
<b>Archaeological Sensitivity Zone:</b>	High	<b>Geologic Report #:</b>	-
<b>Archaeological Report #:</b>	LIB130454	<b>Traffic Report #:</b>	N/A
<b>Fire Hazard Zone:</b>	V. High		

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**Other Information:**

<b>Water Source:</b>	Shared Well	<b>Sewage Disposal:</b>	Septic
<b>Fire District:</b>	Mo. Co. Regional	<b>Grading (cubic yards):</b>	1,577
<b>Tree Removal (Count/Type):</b>	None		



## EXHIBIT B DISCUSSION

The project consists of a 4,028 square foot one-story single family dwelling located within a Visual Sensitivity (“VS”) Overlay District. The project includes a 1,357 square foot attached three-car garage, 164 square foot covered entry porch, 3,476 square foot detached barn with a 256 square foot covered porch, and approximately 1,577 cubic yards of associated grading (371 cubic yards cut; 1,206 cubic yards fill).

Pursuant to Figure #16 of the Toro Area Plan entitled, “Scenic Highway Corridor & Visual Sensitivity” the property is located within a critical viewshed and must be consistent with the viewshed policies of the Toro Area Plan. Policy T-3.1 of the Toro Area Plan requires new development to be designed to enhance the scenic and rural nature of the area. The single family dwelling and barn is consistent with colors and materials used by other properties within the vicinity of the project. The project will also require native landscaping, including the planting of coast live oak trees, to reduce the visibility of the dwelling from Corral de Tierra Road. Based on the existing views of the property and area along Corral de Tierra Road, the project will not create additional impacts to the viewshed. Policy T-3.3 of the Toro Area Plan requires development to maintain a 100 foot front setback. As proposed, the project is located approximately 950 feet from Corral de Tierra Road. Policy T-3.5 of the Toro Area plan requires all exterior lighting to be designed to minimize light sources and preserve the quality of darkness. Consistent with this policy, the project requires an exterior lighting plan, as a condition of approval, which will be reviewed to ensure all exterior lighting is down-lit and unobtrusive to the area.

Additionally, the Toro Land Use Advisory Committee (LUAC) recommended approval of the project with a vote of 6 ayes and 1 no (see **Exhibit E**). The disagreeing member of the LUAC requested that the dwelling be lowered from a building height of 22 feet, 7 inches to 20 feet, that oak trees be planted to provide a visual buffer from Corral de Tierra Road, and that a building envelope be established to limit any future development outside of the area of the proposed development. The applicant has agreed to plant oak trees on the property to reduce the visibility of the dwelling from Corral de Tierra Road.

Pursuant to the Environmental Health Bureau, the dwelling will connect to an adjacent neighboring well and form a new water system. The well to serve the new water system underwent a source capacity test in 2006 and water quality sampling in 2013. All preliminary requirements for a new water system have been demonstrated. An Onsite Wastewater Treatment System (OWTS) will be installed. The OWTS is proposed in the most appropriate location on the site to ensure all setbacks will be maintained.

### Project Opposition

On February 18, 2014, a letter was received from a neighbor opposing the project, and requesting a public hearing before the Zoning Administrator (see **Exhibit F**). The neighbor requests the denial of the proposed single family dwelling, with detached barn, because, in their view, the project poses impacts to the viewshed, water, and traffic based on the design of the dwelling and use of the barn as a horse shelter.

The following are comments from the neighbor, followed by staff’s response to the comments:

- 1) The Project Description is incomplete and has been changed.
  - a. The project name has changed from Parola to Borzini;
  - b. The amount of grading and fill has been changed from 1,444 cubic yards cut and 158 cubic yards fill to 370 cubic yards cut and 2,500 cubic yards fill. Moving dirt



around involves two environmental issues, one is where it's taken from, and two is where it is moved to. The site is fairly level. No reason is found for the amount of dirt to be moved, and dirt imported.

- c. The project description should clearly state that it is in the Toro Area Critical Viewshed category. The categories of Visual Sensitivity are Sensitive, Highly Sensitive, and Critical Viewshed. This proposed project is in the latter. Instead it is described as being in a Visually Sensitive Overlay District.

Staff's Response:

The project description is complete.

- The owner of the property is Randall Parola. The applicant, Ray and Debby Borzini, are currently working on purchasing the property. The property owner has given the Borzini's the authorization to apply for the proposed project.
  - The grading amount stated in the description is incorrect. The grading amounts are: 371 cubic yards cut, 1,206 cubic yards fill. 835 cubic yards of fill materials will be provided by the Marina Landfill. According to review of the project by the RMA - Public Works Department, and pursuant to the 2008 CEQA Air Quality Guidelines, temporary construction activities will not impact traffic or air quality.
  - The project description adequately describes the entitlements required for the proposed project, which identifies that the project is located in a Visually Sensitive District. The location of the project, being within a Critical Viewshed area, is described and discussed within the staff report and resolution.
- 2) A subdivision, minor subdivision, or lot split that initially created the 14-acre parcel could not be found, nor was there evidence of any CEQA review found. At some point County Planning should have figured this parcel would need infrastructure like water, utilities, fire protection storage tank, and access, prior to someone coming forward with a design review application. It raises a lot of questions, some of which are:
- a. Will electrical and phone line utilities be placed underground? From where?
  - b. The size of the proposed house and accessory structure will require a water storage tank for fire protection. Where will the tanks be located in the Critical Viewshed? Where will the fire hydrant be located?
  - c. Access to the project is referred to as being off Corral de Tierra Road. Plans and language should clearly indicate access shall be off of "Dean Road", a roadway that is off of Corral de Tierra Road. It otherwise opens the possibility of graded access through more Critical Viewshed. Vehicle access should be as close to the proposed project as is possible to minimize impacts to Critical Viewshed. (Reference Condition 7, Encroachment).
  - d. Will Dean Road be paved? With more vehicles using it, will it require paving, as others in the area have been required to do? (Reference Condition 13).

Staff's Response: A Lot Line Adjustment was approved on May 29, 2002 by the Director of Planning adjusting the property boundaries of three legal parcels (PLN010127). At the time, the subject parcel was adjusted from 27.2 acres to 14 acres. A lot line adjustment is not a subdivision, so infrastructure improvements typically associated with subdivision and developing property were not applied. The lot line adjustment was categorically exempt pursuant to Section 15305(a) of the CEQA Guidelines.

All utilities necessary to support a single family dwelling are required to be identified as part of the approval to develop the single family dwelling.



- Electrical and phone utilities will be provided from an existing power pole that runs along the road easement, known as Dean Road, to the subject property. From the utility pole, utilities will be placed underground.
  - Fire Protection water storage tanks will be located approximately 170 feet from the proposed barn. The tanks will be placed near existing trees to in order to block views of the tanks from the adjacent neighbors and from Corral de Tierra Road. A fire hydrant has not been required for this permit. Should a hydrant be required, the applicant will comply with what is recommended by the Fire District requirements.
  - The existing access easement, Dean Road, that will be used to access the subject property, will not be paved, nor is paving required. The access road was reviewed by RMA - Public Works and was found adequate for ingress and egress. As part of the Public Works Encroachment Permit, a small portion of the existing road within the County right-of-way is required to be paved. The applicant has been granted use of the easement, and will assist in maintaining access (see **Exhibit G**).
- 3) The Toro Area Plan update with the 2010 Monterey County General Plan involved much discussion regarding improvements to Corral de Tierra Road above Four Corners. The language discussed was improvements concurrent with development. What specific improvements to Corral de Tierra Road above Four Corners are being proposed with this proposed development? Large trucks with horse trailers hauling horses to and from this property will be an impact on the current Corral de Tierra Road above Four Corners.

Staff's Response: The comment refers to Policy T-1.1 of the Toro Area Plan, which requires development proposals on Corral de Tierra Road from "Four Corners" (Corral de Tierra, Calera Canyon, and Robley Road intersection) to Corral del Cielo to complete safety improvements concurrently with development. The RMA - Public Works Department determined that the current ingress and egress, from the property to Corral de Tierra Road, meet current safety standards and does not require improvements. The applicant currently lives at 153 Corral de Tierra Road where a horse trailer is currently being used to transport their horses. According to the applicant, the property will allow them to maintain their horses on the property and reduce the use of a horse trailer.

- 4) Regarding water, a long-term sustainable water supply, and a shared well; questions were e-mailed to EHB's Richard LeWarne on February 4, 2014, regarding the proposed water source being one well or two, which was the primary well, and included whether both of these wells had the required 72-hour pump tests. To date no response was received from EHB. Doesn't proof of a long-term sustainable water supply precede approval of house building plans?

Staff's Response: Pursuant to policy PS-3.1 of the 2010 Monterey County General Plan, proof of long-term sustainable water supply is not required for the first single family dwelling and non-habitable accessory uses on an existing lot of record. The project consists of a new single family dwelling with a detached barn to be placed on a vacant 14 acre legal lot of record. Additionally, pursuant to the Environmental Health Bureau, the well to serve the new water system underwent a source capacity test in 2006 and water quality sampling in 2013. All preliminary requirements for a new water system have been demonstrated.

- 5) The proposed Landscape Plan and Maintenance Condition 6, under Compliance or Monitoring Action to be performed are just wrong. The project is not located within the jurisdiction of the Monterey Peninsula Water Management District (MPWMD).



Staff's Response: The comment is correct. The landscaping plan condition has been revised removing the MPWMD jurisdiction requirements.

- 6) May I suggest reviewing Conditions imposed on APN 416-371-012, Resolution No. 040695, dated October 27, 2005, Gary Parola, Corral de Tierra Mears Ranch:
  - a. Deed restriction to be recorded stating that all exterior changes, including color changes associated with repainting or reroofing and including exterior lighting changes shall be approved by the Director of Planning.
  - b. Water conservation measures, especially for the horse usage proposed

Staff's Response: To staff's understanding, the deed restriction, applied to the approval of an Administrative Permit for a 5,636 square foot single family dwelling at 295C Corral de Tierra Road (PLN040695), was required because an existing barn on the property was non-conforming and would require additional approval for any exterior changes made to the structure. As for water conservation measures, the project was reviewed by the Water Resources Agency and the Environmental Health Bureau. The requirement condition was not applied to the subject project.

- 7) Does the proposed structure height include chimneys? The house plans included in with the staff report are hard to read.

Staff's Response: The proposed single family dwelling will have one chimney that is proposed at a height of 24.5 feet. The roofline is proposed at 22 feet, 7 inches. Pursuant to Section 21.62.030.A of the Height and Setback Exception regulations within the Monterey County Zoning Ordinance, a chimney may be erected to a greater height than the limit established for a district. The maximum height for the Resource Conservation Zoning District is 30 feet. No portion of the project will not exceed the maximum height of the district.

- 8) Is the very large amount of imported grading material for purposes of an earthen berm? A berm to help shield the house from Corral de Tierra?

Staff's Response: The 1,577 cubic yards of grading will not be used to create a berm. The grading is required to create a level pad for the proposed development.

- 9) Will there be extensive fencing in critical viewshed? Will there be any fencing? I don't find any shown on the plans provided.

Staff's Response: The project does not propose the installation of new fencing. The property currently has barbed-wire fencing with wood posts surrounding the property. The applicant stated that only minor repairs to the current fencing may be done.

#### Recommendation

Based on review of the project, it has been determined that the project is consistent with County policies and regulations, and is a suitable use. Staff recommends that the Zoning Administrator approve the Administrative Permit (PLN130834) subject to conditions of approval.



**EXHIBIT C**  
**DRAFT RESOLUTION**

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

In the matter of the application of:

**Borzini (PLN130834)**

**RESOLUTION NO. \_\_\_\_\_**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Finding the project Categorically Exempt pursuant to Section 15303(a) of the CEQA Guidelines; and
- 2) Approving an Administrative Permit and Design Approval to allow the construction of a 4,028 square foot one-story single family dwelling located within a Visual Sensitivity (“VS”) Overlay District. The project includes a 1,357 square foot attached garage, 164 square foot covered entry porch, 3,476 square foot barn with a 256 square foot covered porch, and approximately 1,577 cubic yards of associated grading (371 cubic yards cut; 1,206 cubic yards fill).

(PLN130834), Borzini, 321 Corral de Tierra Road,  
Salinas, Toro Area Plan (APN: 151-031-008-000)

**The Borzini application (PLN130834) came on for a public hearing before the Monterey County Zoning Administrator on March 13, 2014. 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** – 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 (GP);
  - Toro Area Plan (AP);
  - Monterey County Zoning Ordinance, Title 21 (MCC);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 321 Corral de Tierra Road, Salinas (Assessor’s Parcel Number 151-031-008-000), Toro Area Plan. The parcel is zoned “RC/10-VS” [Resource Conservation, 10 acres per



unit with a Visual Sensitivity Overlay] which allows the development of a single family dwelling on a legal lot of record (Section 21.36.030.A, MCC). Therefore, the project is an allowed land use for this site.

- c) According Chapter 21.46 of the Monterey County Zoning Ordinance regarding regulations for development within a Visual Sensitivity (“VS”) Overlay District, an Administrative Permit is required if proposed development has been determined not to create a substantial adverse visual impact from a common public viewing area (Section 21.46.030.D.2, MCC). Upon review of the project and on-site investigation, the project will not create a significant adverse visual impact from Corral de Tierra Road, the only common public viewing area within the vicinity.
- d) The project planner conducted a site inspection on November 27, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- e) Pursuant to Figure #16 of the Toro Area Plan entitled, “Scenic Highway Corridor & Visual Sensitivity” the property is located within a critical viewshed area and must be consistent with the viewshed policies of the Toro Area Plan (see Finding & Evidence No. 6 for consistency evidence).
- f) The project was referred to the Toro Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC, but was requested for review by a concerned neighbor. On January 27, 2014, the LUAC recommended approval of the project with a vote of 6 ayes and 1 no. The disagreeing member of the LUAC requested that the dwelling be lowered from a building height of 22 feet, 7 inches to 20 feet, that oak trees are planted to provide a visual buffer from Corral de Tierra Road, and that a building envelope is needed to limit development outside of the proposed development. The applicant has agreed to plant coast live oak trees on the property to reduce the dwelling’s visibility from Corral de Tierra Road. The planting will be reflected in the Landscaping Plan which is required as a condition of approval.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130834.

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 Department, Monterey County Regional Fire Protection District, Public Works, 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) Staff identified potential impacts to Archaeological Resources. The following report has been prepared:
  - “APN 151-031-008 (Archaeological Report)” (LIB130454) prepared by Archaeological Consulting, Salinas, CA, dated November 21, 2013.

The above-mentioned technical report by an outside consultant indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed this report and concurs with the conclusion.

- c) Staff conducted a site inspection on November 27, 2013 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130834.

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 the RMA - Planning Department, Monterey County Regional Fire Protection District, Public Works, Environmental Health Bureau, 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) Necessary public facilities will be provided. The dwelling will connect to an adjacent neighboring well and form a new water system. The well to serve the new water system underwent a source capacity test in 2006 and water quality sampling in 2013. All preliminary requirements for a new water system have been demonstrated. An Onsite Wastewater Treatment System (OWTS) will be installed. The OWTS is proposed in the most appropriate location on the site to ensure all setbacks will be maintained. The project has been reviewed and deemed consistent by the Environmental Health Bureau subject to conditions of approval.
- c) Staff conducted a site inspection on November 27, 2013 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130834.

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 Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on November 27, 2013 and researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN130834.
5. **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 single family dwellings.
  - b) The project consists of a new single family dwelling with a detached barn (accessory to the main dwelling). The project is consistent with the intent of Section 15303, Class 3 of the CEQA Guidelines.
  - c) No adverse environmental effects were identified during staff review of the development application during a site visit on November 27, 2013.
  - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
  - e) Staff conducted a site inspection on November 27, 2013 to verify that the site is suitable for this use.
  - f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130834.
6. **FINDING:** **VIEWSHED** – The subject project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
- EVIDENCE:**
- a) The project includes application for development within a critical viewshed. In accordance with the applicable policies of the Toro Area Plan and the Monterey County Zoning Ordinance (Title 21), an Administrative Permit is required and the criteria to grant said permit have been met.
  - b) Policy T-3.1 of the Toro Area Plan requires development to be design to enhance the scenic and rural nature of the area. The single family dwelling and barn is consistent with colors and materials used by other properties within the vicinity of the project. The project will also require native landscaping including the planting of oak trees to reduce project visibility from Corral de Tierra Road. Based on existing visibility along Corral de Tierra Road, the project will not create additional impacts to the viewshed.
  - c) The project planner conducted a site inspection on November 27, 2013 to verify that the project minimizes development within the viewshed or to identify methods to minimize the development.



- d) Policy T-3.3 of the Toro Area Plan requires development to maintain a 100 foot front setback. The project is located approximately 950 feet from Corral de Tierra Road.
- e) Policy T-3.5 of the Toro Area plan requires all exterior lighting to be designed to minimize light sources and preserve the quality of darkness. The project requires an exterior lighting plan, as a condition of approval, which will be review to ensure all exterior lighting is down-lit and unobtrusive to the area.
- f) The project as proposed and conditioned is consistent with policies of the Toro Area Plan dealing with visual resources and will not have a significant impact on the critical viewshed.
- g) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN130834.

7. **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:

- A. Find the project categorically exempt pursuant to Section 15303(a) of the CEQA Guidelines; and
- B. Approve an Administrative Permit and Design Approval to allow the construction of a 4,028 square foot one-story single family dwelling located within a Visual Sensitivity ("VS") Overlay District. The project includes a 1,357 square foot attached garage, 164 square foot covered entry porch, 3,476 square foot barn with a 256 square foot covered porch, and approximately 1,577 cubic yards of associated grading (371 cubic yards cut; 1,206 cubic yards fill), in general conformance with the attached sketch and subject to the conditions, both being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 13th day of March, 2014.

\_\_\_\_\_  
Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION 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 the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.



# Monterey County Planning Department

## DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN130834

### 1. PD001 - SPECIFIC USES ONLY

<b>Responsible</b>	Planning Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>This Administrative Permit (PLN130834) allows the construction of a 4,028 square foot one-story single family dwelling located within a Visual Sensitivity ("VS") Overlay District. The project includes a 1,357 square foot attached garage, 164 square foot covered entry porch, 3,476 square foot barn with a 256 square foot covered porch, and approximately 1,577 cubic yards of associated grading (371 cubic yards cut; 1,206 cubic yards fill). The property is located at 321 Corral de Tierra Road, Salinas(Assessor's Parcel Number 151-031-008-000), Toro 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)</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.</p>

### 2. PD002 - NOTICE PERMIT APPROVAL

<b>Responsible</b>	Planning Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>The applicant shall record a Permit Approval Notice. This notice shall state:</p> <p>"An Administrative Permit (Resolution Number _____) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 151-031-008-000 on March 13, 2014. The permit was granted subject to 17 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."</p> <p>Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.</p>



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

<b>Responsible</b>	Planning Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>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.</p> <p>(RMA - Planning)</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>The Owner/Applicant shall adhere to this condition on an on-going basis.</p> <p>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.</p>

### 4. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

<b>Responsible</b>	Planning Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>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 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. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.</p> <p>(RMA - Planning)</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>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.</p> <p>Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.</p>

### 5. PD032(A) - PERMIT EXPIRATION

<b>Responsible</b>	Planning Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>The permit shall be granted for a time period of 3 years, to expire on March 13, 2017 unless use of the property or actual construction has begun within this period. (RMA-Planning)</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.</p>



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

<b>Responsible</b>	Planning Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>The site shall be landscaped. Prior to the issuance of building permits, two (2) copies of a landscaping plan shall be submitted to the Director of RMA - Planning. 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. Native drought-resistant plants shall be used to reduce water usage. 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)</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>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 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."</p> <p>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.</p> <p>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.</p>

#### 7. PW0005 - ENCROACHMENT (STD DRIVEWAY)

<b>Responsible</b>	Public Works Department
<b>Condition/Mitigation Monitoring Measure:</b>	Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Corral De Tierra Road.
<b>Compliance or Monitoring Action to be Performed:</b>	Prior to Building/Grading Permits Issuance, Owner/Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible in obtaining all permits and environmental clearances.

#### 8. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

<b>Responsible</b>	Public Works Department
<b>Condition/Mitigation Monitoring Measure:</b>	Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule.
<b>Compliance or Monitoring Action to be Performed:</b>	Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the DPW.



## 9. PW0044 - CONSTRUCTION MANAGEMENT PLAN

<b>Responsible</b>	Public Works Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information:</p> <p>Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project.</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<ol style="list-style-type: none"><li>1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.</li><li>2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.</li></ol>

## 10. EHSP01 - ONSITE WASTEWATER TREATMENT SYSTEM DESIGN

<b>Responsible</b>	Health Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>The Environmental Health Bureau (EHB) has determined that adequate area exists for onsite wastewater disposal for the proposed development. Submit onsite wastewater treatment system (OWTS) plans for review and approval indicating the location, design layout and size specifications that meets standards found in Monterey County Code Chapter 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, Regional Water Quality Control Board.</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to issuance of construction permit, submit an OWTS application and design plans for review and approval by the EHB. Applicant shall obtain a permit to install the OWTS from EHB.</p>

## 11. EHSP02 - NEW WATER SYSTEM PERMIT

<b>Responsible</b>	Health Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>Pursuant to Monterey County Code Chapter 15.04, Domestic Water Systems, obtain a new water system permit from the Environmental Health Bureau.</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to issuance of grading/construction permits, submit necessary water system application, reports and testing results to Environmental Health Bureau for review and approval.</p>

## 12. EHSP03 - FIRE FLOW STANDARDS

<b>Responsible</b>	Health Department
<b>Condition/Mitigation Monitoring Measure:</b>	<p>Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency.</p>
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to installing system improvements, submit plans for the proposed water system improvements to the local fire protection agency for review and approval.</p> <p>Submit a set of signed or wet-stamped water system plans approved by the local fire protection agency to EHB for review and approval.</p>



### 13. FIRE007 - DRIVEWAYS

Responsible	Fire
Condition/Mitigation Monitoring Measure:	<p>Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Monterey County Regional Fire District)</p>
Compliance or Monitoring Action to be Performed:	<p>Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.</p> <p>Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.</p>

### 14. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible	Fire
Condition/Mitigation Monitoring Measure:	<p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Monterey County Regional Fire District)</p>
Compliance or Monitoring Action to be Performed:	<p>Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.</p> <p>Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.</p>



#### 15. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

<b>Responsible</b>	Fire
<b>Condition/Mitigation Monitoring Measure:</b>	Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Monterey County Regional Fire District)
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.</p> <p>Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.</p>

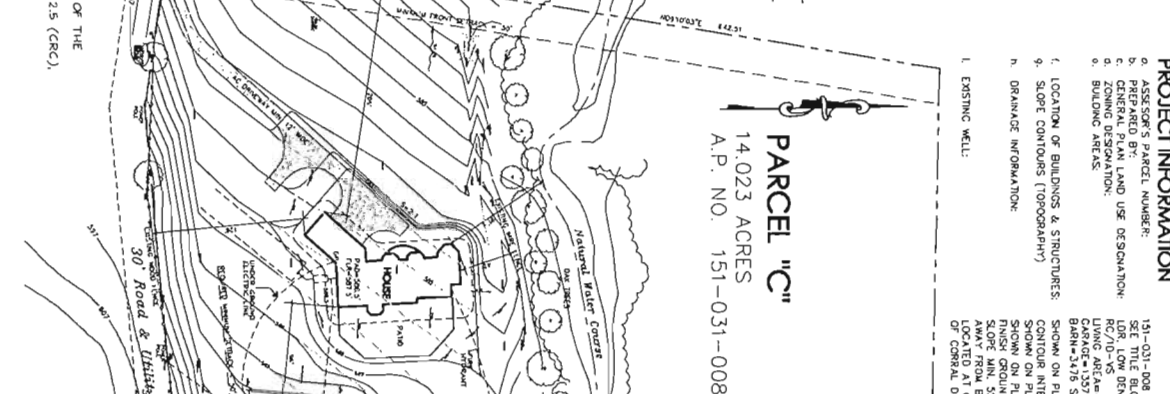
#### 16. FIRE021 - FIRE PROTECTION- SPRINKLER SYSTEM (STANDARD)

<b>Responsible</b>	Fire
<b>Condition/Mitigation Monitoring Measure:</b>	The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Monterey County Regional Fire District)
<b>Compliance or Monitoring Action to be Performed:</b>	<p>Prior to issuance of grading and/or building permit, Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.</p> <p>Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough sprinkler inspection.</p> <p>Prior to requesting a final building inspection, the Applicant shall complete the installation of the fire sprinkler system and obtain fire department approval of the final fire sprinkler inspection.</p>

#### 17. FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)

<b>Responsible</b>	Fire
<b>Condition/Mitigation Monitoring Measure:</b>	All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Monterey County Regional Fire District)
<b>Compliance or Monitoring Action to be Performed:</b>	Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.





6. ASSessor's PARCEL NUMBER:
7. PREPARED BY:
8. GENERAL PLAN LAND USE DESIGNATION:
9. ZONING DESIGNATION:
10. BUILDING AREAS:
11. LOCATION OF BUILDINGS & STRUCTURES:
12. SLOPE CONTOURS (TOPOGRAPHY)
13. DRAINAGE INFORMATION:
14. EXISTING WELL:

151-031-008  
SEE TITLE BLOCK  
LDR, LOW DENSITY RESIDENTIAL  
RC/70-55  
LIVING AREA=14028 SF.  
GARAGE=1357 SF. PORCH=164 SF.  
BATH=2476 SF., BATH PORCH=256 SF.  
SHOWN ON PLOT PLAN  
CONTOUR INTERVAL = 1'  
SHOWN ON PLOT & SITE PLANS  
SHOWN ON PLOT & SITE PLANS  
FINISH GROUND AT BUILDINGS TO  
SLOPE MIN. 2% FOR MAX. 10 FT.  
AWAY FROM BUILDINGS  
LOCATED AT OFF WESTER & SIDE  
OF CORRAL DE TIERRA ROAD

14.023 ACRES  
A.P. NO. 151-031-008

SHEET NO.	SHEET TITLE
1	Plot & Site Plan
2	Grading Plan
3	Foundation Plan
4	Floor Details
5	Roof Plan
6	Elevations
7	Section Elevation & Roof
8	Roof Truss
9	Structural Details
10	Interior Details
11	Electrical, Plumbing, Mechanical
12	General Notes

[illegible]

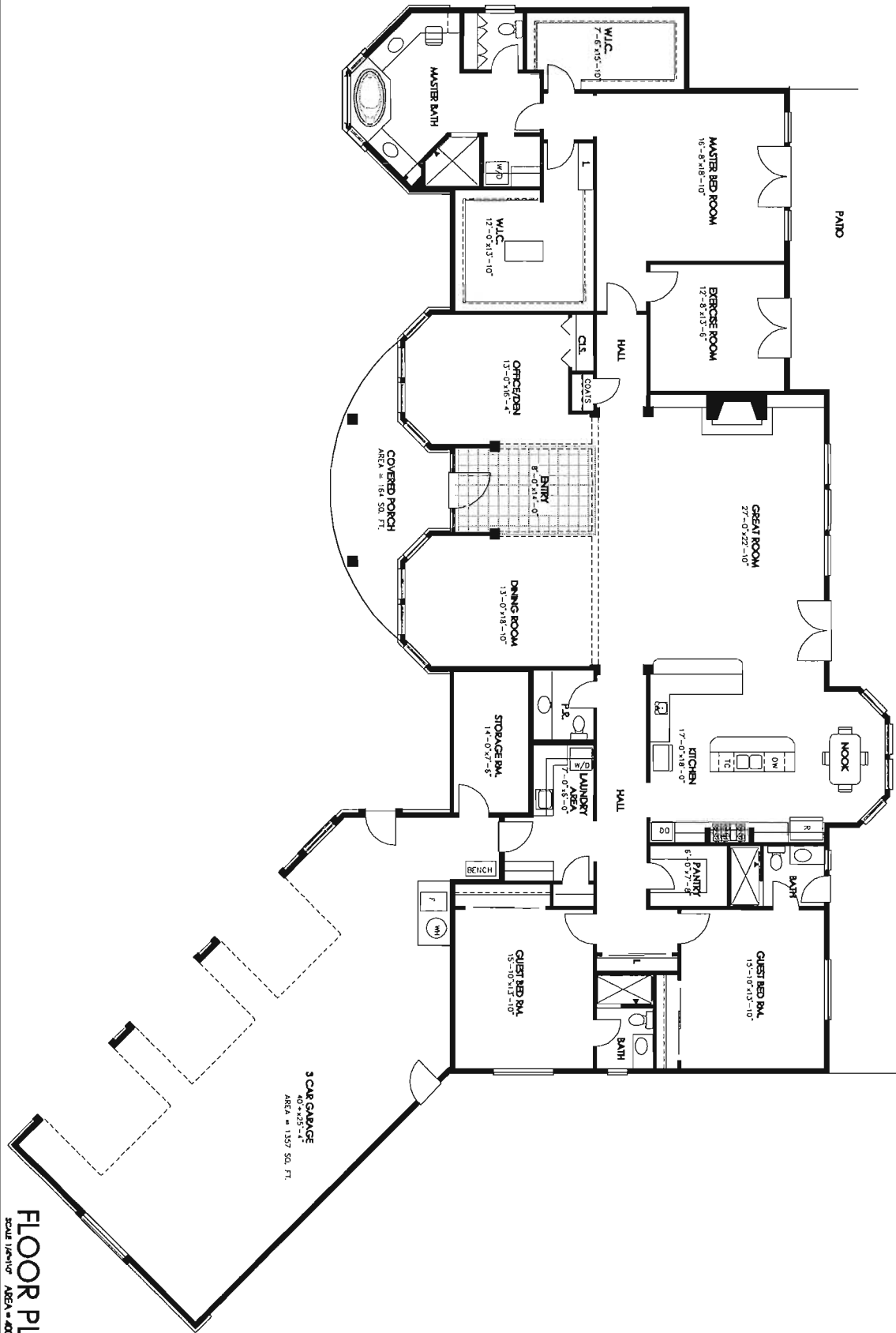
THIS PROJECT SHALL COMPLY WITH THE PROVISIONS OF THE  
2013 CALIFORNIA CODE OF REGULATIONS, TITLE 24,  
2013 CALIFORNIA PLUMBING CODE (CPC),  
2013 CALIFORNIA ELECTRICAL CODE (CEC),  
2013 CALIFORNIA MECHANICAL CODE (CMC),  
2013 CALIFORNIA FIRE CODE (CFC),  
2013 CALIFORNIA GREEN BUILDING STANDARDS CODE  
THIS PROJECT SHALL COMPLY WITH ALL RELEVANT  
LAWS, ORDINANCES, RULES AND REGULATIONS.

321 CORRAL DE TIERRA RD., SALINAS, CA.

## SCALE: 1" = 5000'

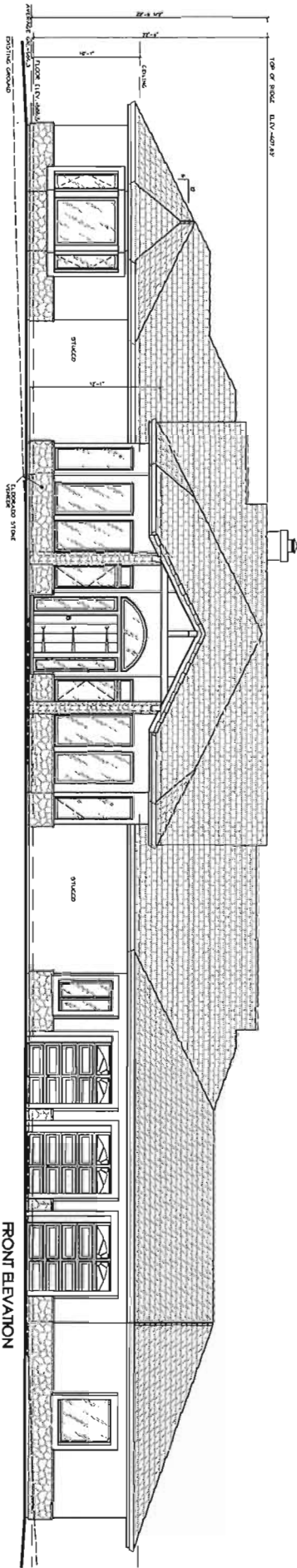
SCALE: 1"=50'



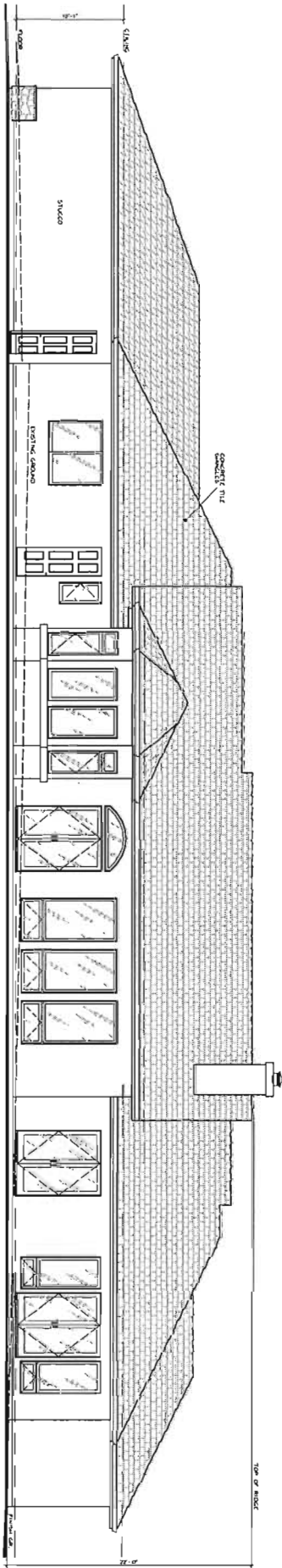


# **FLOOR PLAN** SCALE 1/4" = 1'-0" AREA = 4,000 SQ. FT.

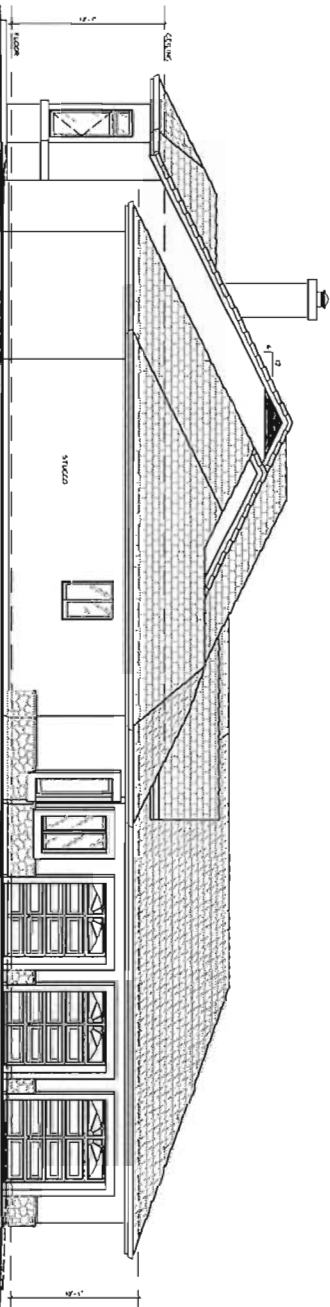




FRONT ELEVATION



BACK ELEVATION



RIGHT SIDE ELEVATION

## ELEVATIONS

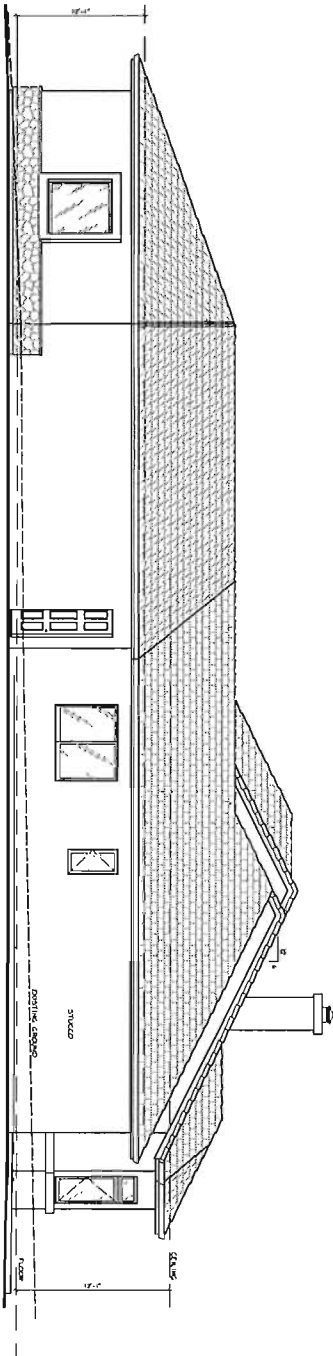
RESIDENCE PLANS FOR  
**RAY & DEBBY BORZINI**  
 © 321 CORRAL DE TIERRA RD., SALINAS, CA.

**arthur e. sauer**  
 Architect  
 C16061  
 1211 San Angelo Dr., Salinas, CA. Ph. 424-5370

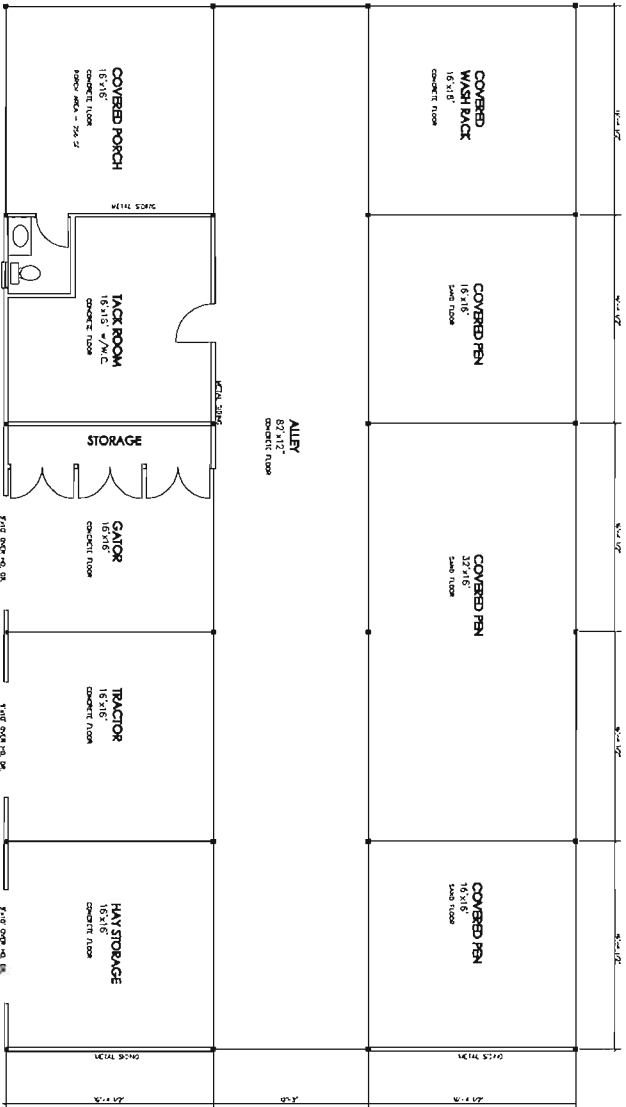
REVISIONS BY

DATE	7/24/2013
BY	AS
FOR SCALE	1/8" = 1'-0"
TITLE	REVISION

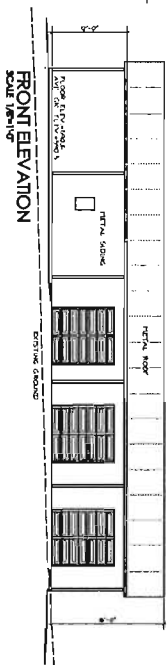




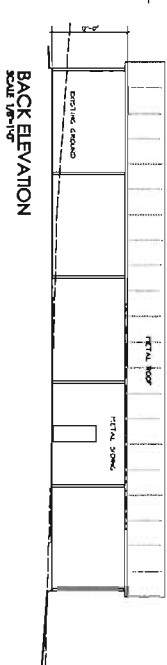
LEFT SIDE ELEVATION  
SCALE 1/8"=1'-0"



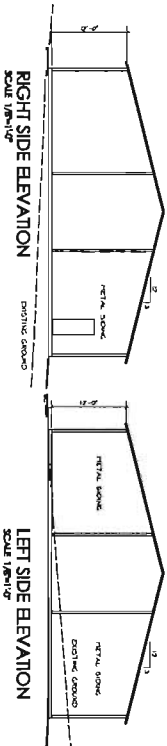
METAL POLE BARN FLOOR PLAN  
SCALE 1/8"=1'-0"



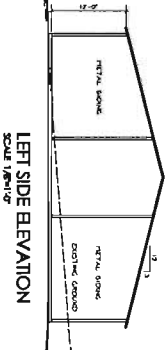
FRONT ELEVATION  
SCALE 1/8"=1'-0"



BACK ELEVATION  
SCALE 1/8"=1'-0"



RIGHT SIDE ELEVATION  
SCALE 1/8"=1'-0"



LEFT SIDE ELEVATION  
SCALE 1/8"=1'-0"

ELEVATIONS

RESIDENCE PLANS FOR  
**RAY & DEBBY BORZINI**  
321 CORRAL DE TIERRA RD., SALINAS, CA.

**arthur e. sauer**  
Architect  
C16061  
1211 San Angelo Dr., Salinas, CA. Ph. 424-5370

REVISIONS  
BY  
DATE



**GRADING AND EROSION  
CONTROL NOTES:**

- [illegible]

## CONCRETE WASTE WASHOUT NOTE

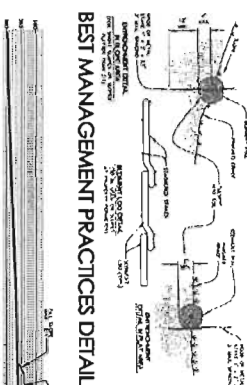
**REQUIREMENTS:** PREVENT OR REDUCE THE DISCHARGE OF POLLUTANTS TO STORM WATER FROM CONCRETE WASTE BY CONDUCTING WASTOIL OFF-SITE, PERFORMING ON-SITE WASTOIL IN A DESIGNATED AREA, AND TRAINING EMPLOYEES AND SUBCONTRACTORS.

#### REQUIREMENTS:

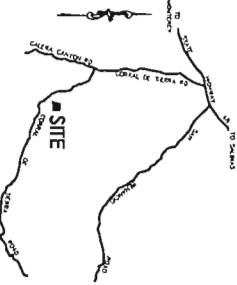
- THE FOLLOWING STEPS SHALL HELP REDUCE STORED WATER POLLUTION FROM CONCRETE BATCHES
1. STORE, SORT, AND MIX MATERIALS UNDER COVER.
  2. WASH TRUCKS, BATCHING PLANTS, AND MIXERS WITH WATER OR CEMENT ON SILE.
  3. PREPARE BATCHES OF CONCRETE THICKS OFF SITES OR ON IN DESIGNATED AREAS.
  4. DO NOT MASH OUT CONCRETE TRUCKS INTO STORED DRAINS, OPEN DITCHES, STREAMS, OR STRAITS.
  5. DO NOT ALLOW EXCESS CONCRETE TO BE DUMPED ON-SITE, EXCEPT IN DESIGNATED AREA.
- FOR ON-SITE WASHOUT.

[illegible]

## BEST MANAGEMENT PRACTICES DETAIL



**VICINITY MAP**  
SCALE: 1"=5000'

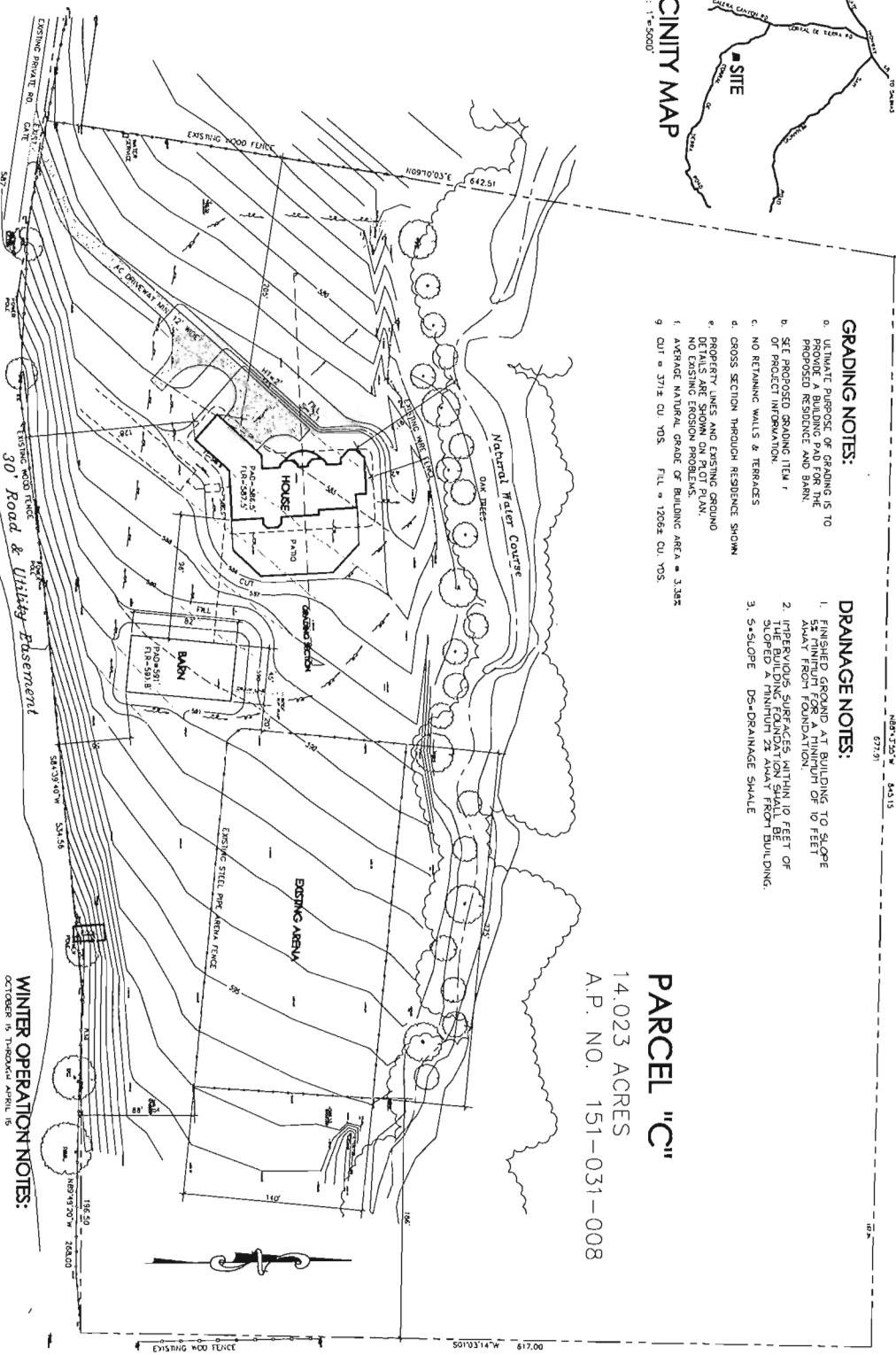


**GRADING NOTES:**

- a. ULTIMATE PURPOSE OF GRADING IS TO PROVIDE A BUILDING PAD FOR THE PROPOSED RESIDENCE AND GARN.
- b. SELF PROPOSED GRADING ITEM 1 OF PROJECT INTERPRETATION.
- c. NO REMAINING WALLS & TERRACES
- d. CROSS SECTION INDICATES RESIDENCE SHOWN
- e. PROPERTY LINES AND EXISTING GROUND (ULTIMATE) ARE SHOWN IN EXISTING PLAN.
- f. AVERAGE NATURAL GRADE OF BUILDING AREA = 1265.5

**DRAINAGE NOTES:**

1. FINISHED GROUND AT BUILDING TO SLOPE 5:1 MINIMUM FOR A MINIMUM OF 10 FEET AWAY FROM FOUNDATION.
2. IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM 2% AWAY FROM BUILDING
3. 5:1 SLOPE DS=DRAINAGE SWALE



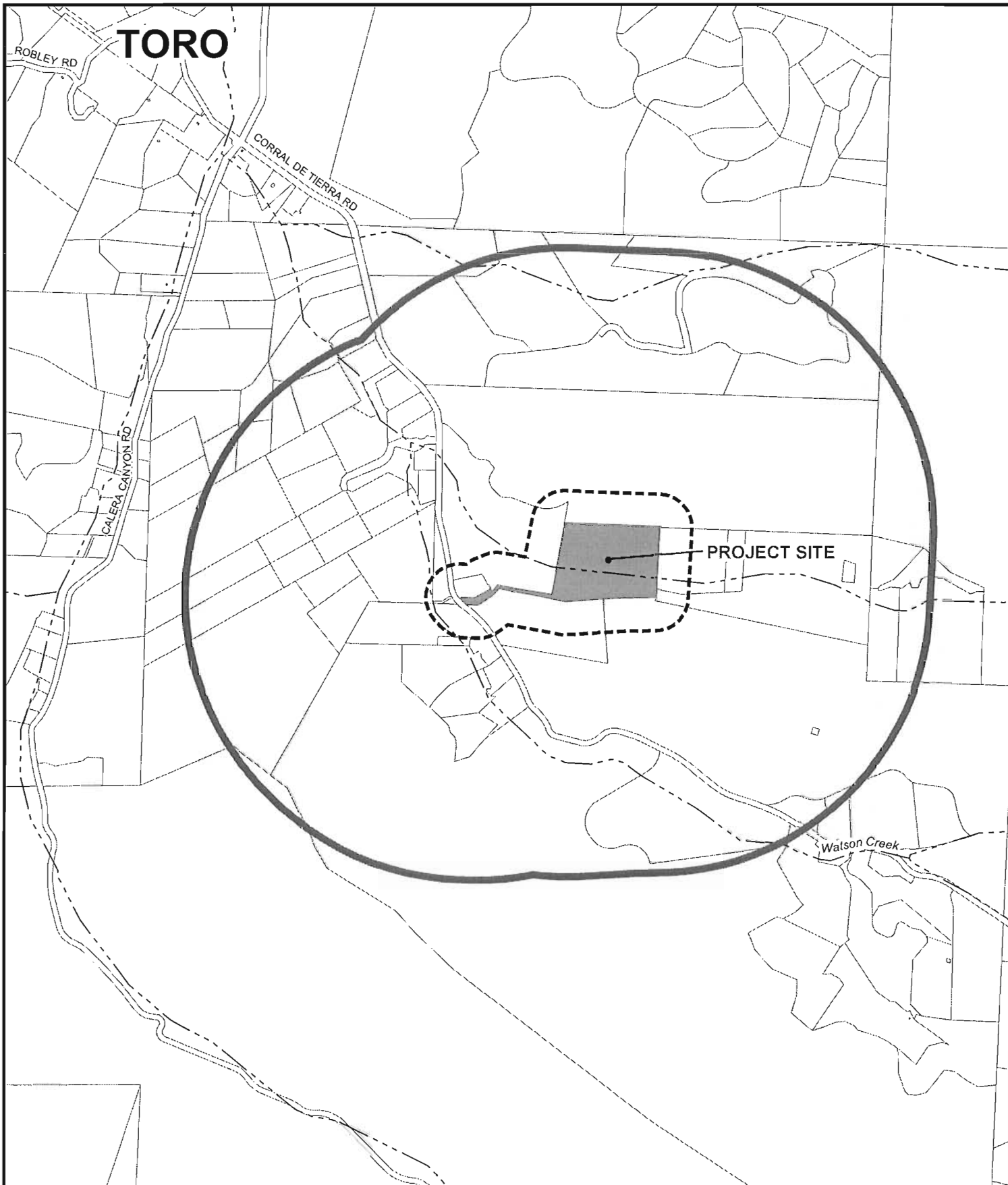
~~WINTER OPERATION NOTES:~~

- [illegible]

# GRADING & DRAINAGE PLAN

REVISIONS	BY	DATE
<b>apthurb &amp; sauer</b> Architect c16061 1211 San Antonio Dr., Soptos, CA. Ph. 424-53370		
RESIDENCE PLANS FOR <b>RAY &amp; DEBBY BORZINI</b> @ 321 CORRAL DE TIERRA RD., SALINAS, CA.		
PL/170114-0005	SCALE	
DWG	DATE	2/21/2014
AS	DATE	
AS	DATE	





APPLICANT: PAROLA

APN: 151-031-008-000

FILE # PLN130834



2500' Limit



300' Limit

--- Water



City Limits



0 1,000  
Feet



EXHIBIT 0

PLANNER: LISTER



# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Planning Department  
168 W Alisal St 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

Advisory Committee: **Toro**

Please submit your recommendations for this application by: **January 27, 2014**

**Project Title:** PAROLA RANDALL J

**File Number:** PLN130834

**Planner:** LISTER

**Location:** 321 CORRAL DE TIERRA RD SALINAS

**Project Description:**

Administrative Permit and Design Approval to allow the construction of a 4,000 square foot one-story single family dwelling located within a Visual Sensitivity ('VS') Overlay District. The project includes a 1,357 square foot attached three-car garage, 164 square foot covered entry porch, 3,476 square foot barn with a 256 square foot covered porch, and approximately 1,602 cubic yards of associated grading (1,444 cubic yards cut and 158 cubic yards fill). The property is located at 321 Corral de Tierra Road, Salinas (Assessor's Parcel Number 151-031-008-000), Toro Area Plan.

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**Was the Owner/Applicant/Representative present at meeting?** Yes X No \_\_\_\_\_

Ray and Debby Borzini

**Was a County Staff/Representative present at meeting?** Ramon Montano filling in for the project planner, Dan Lister. Ramon is familiar with the project. (Name)

**PUBLIC COMMENT:** No public members present

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	



## LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Mike Weaver: The property is 14- acres in size and is in Critical Viewshed	T-3.1, T-3.2 Figure #16 (Critical Viewshed areas In Corral de Tierra/Toro)	1) Lower house height from 24 ft to 20 feet
		2) Keep the existing planned footprint for the house/garage and barn, but create a building envelope to prevent sprawling out, possibly from future owner.
		3) Help screen the house/garage and barn from Corral de Tierra Road by planting 1-gallon oak trees in front of the house.

## ADDITIONAL LUAC COMMENTS

Mike Weaver asks why this application referral is in the Parola name when the Borzini's are the ones with the house building plans and apparently put up the red flagging.

Ramon Montano clarifies that the property is owned by Randy Parola. The Borzini's are purchasing the 14-acre lot from Parola.

Mike Weaver asks if it is a sale contingent upon details like water being worked out?

Ray Borzini responds yes.

Mike Weaver asks about a water system/source for this property as water, has been an issue in this immediate area for many years.

Ray Borzini responded that they are planning on sharing water with immediate neighboring house, Randy Parola, the seller. There is a well across Corral de Tierra Road that produces about 15 gallons per minute. There is another well close to this, across Corral de Tierra Rd that produces 3 gallons per minute. This will be the back up well. Additionally, there is another well, up behind Randy Parola's house behind them, that could be used. However, the County Environmental Health Bureau has approved the shared use of the first two, the 15 gpm well and the 3 gpm well across Corral de Tierra Road. EHB did some testing for one month including recovery in the well. It was 15 gpm.

Borzini says his attorney, Mike Cling, is drawing up a formal water agreement that will go to the County.

Mike Weaver says horses can use a lot of water and asks how many horses he has?

Ray Borzini says he has two horses.

Mike Weaver asks Mr. Borzini if he knows if the arsenic content has been tested in the well waters proposed to be used/shared.

Again, he is asking this because of arsenic issues in the immediate area. He says a single well for a single house does not require testing in this County. However, two or more houses on a system become a Mutual Water System monitored by the County. Water quality testing is done by the County. Water samples are taken yearly. The EHB issues a water system permit every year.

Ray Borzini says he appreciates knowing this information and appreciates the concern. He says the water tested low for arsenic. He thinks about 7.

Bonnie Baker says she is surprised there is low arsenic in the well. She wonders aloud how this could be?

Mike Weaver says he shares a well in Corral and one becomes a partner with the other(s) on the system for a long time.

Chair Varney asks the Borzinis to explain their building plans.



## **ADDITIONAL LUAC COMMENTS CONTINUED:**

Plans are for a one story wood frame ranch house with attached garage. Behind this will be a barn with horse tack room. Color samples are passed around. All agree the tan colors selected are attractive. The roof is to be concrete tile. Debby Borzini says she plans to face much of the front of the house with stone.

Mike Weaver notes this is a Visually Sensitive area, but importantly, also designated Critical Viewshed. The flagging is visible from Corral de Tierra Road. He asks about screening and landscaping?

Ramon Montano responds a Landscaping Plan will be required.

Mike Weaver says he understands a landscaping plan is required, but after house plans are approved. Sometimes he's known these landscaping plans to get lost years later. The concern is screening and he suggests a number of one-gallon oak trees.

Debby Borzini says one gallon oak trees would take a lot of years to grow and suggests larger oak trees, like ten foot ones to start.

Mike Weaver responds that experience has been the smaller oak trees will adapt better and grow faster over several years, outgrowing larger oaks like 15-gallon ones, after several years.

Debby Borzini says she planted oaks when she was living further up Corral de Tierra and also where she is living now. She likes oaks, and olive trees. She'll be planting oak trees.

Ramon Montano says the word "substantial" is key in critical viewshed. Does it substantially detract is the question.

Mike Weaver responds that the word substantial from a public viewing place in Toro came about at or near the time of the hearings on the Diaz Ranch in San Benancio. Ramon Montano agrees but says he understands the word substantial to have been there with the old General Plan/ Toro Plan, as well. Mike Weaver says substantial is subjective.

Mike Weaver says he thinks he sees a project here but would like to see the following:

1) The Borzini's have selected good siting for their house/garage and barn. However if the place sells and there are new owners, they could move out from this current site selected. Designated building envelopes have been used in the past in Toro. It was used on Mike's house. It offers some assurance to the community that the siting today will remain the siting. Mike Weaver suggests a building envelope.

Ramon Montano says he knows of building envelopes but there has to be a nexus. He agrees creeping encroachment into visually scenic areas can be a problem.

2) Mike Weaver would like to see the house building height reduced from 24 ft to 20 ft. It still allows for large ceilings in a one-story house but would assist with the critical viewshed issue.

Debby Borzini says that would make the proposed barn behind the house visible from Corral de Tierra Road, because the barn sits up a bit higher on the site. Besides the house as designed will hide the Parola house behind it.

Bob Rieger agrees that reducing the house height by four feet would open up the barn behind it to be seen from Corral de Tierra.

3) Mike Weaver would like to see a landscaping/screening plan, including oak screening, as an initial part of the plans, instead of a landscaping plan, after the fact.

Debby Borzini says she plans on planting oaks.

Mike Weaver says he is basically not asking for anything that was not required of him.



**RECOMMENDATION:**

Motion by: Mark Kennedy (LUAC Member's Name)

Second by: Bonnie Baker (LUAC Member's Name)

☒ Support Project as proposed

☐ Recommend Changes (as noted above)

☐ Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: Kennedy, Baker, Varney, Vandergrift, Keenan, Rieger (6)

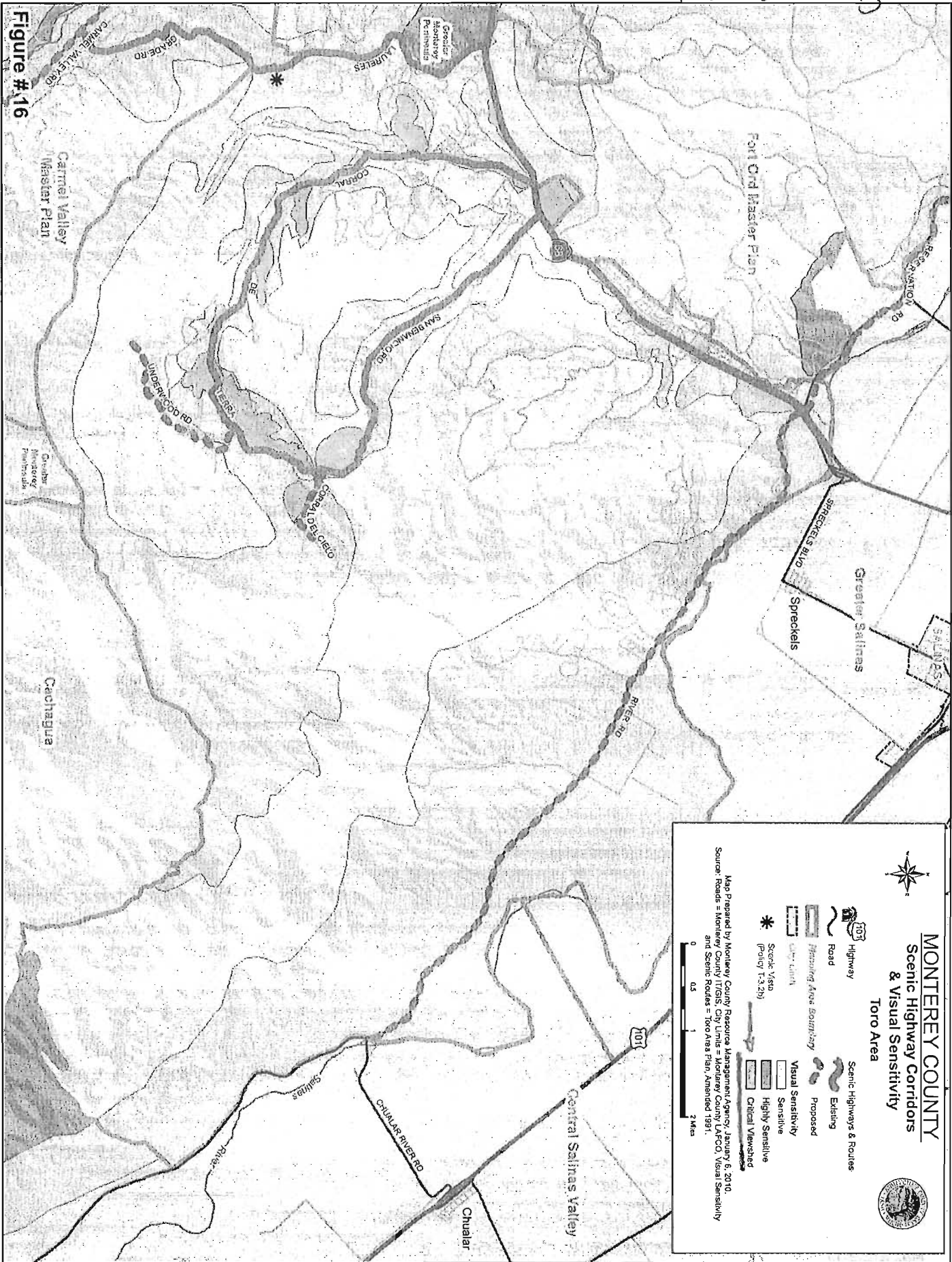
NOES: Weaver (1)

ABSENT: Mueller, Bean (2)

ABSTAIN: None



Submitted at Toro LUAC mtg 11/27/14





Plan WENNER  
Submitted at Toro  
LUAC mtg 11/27/14

## TORO AREA PLAN SUPPLEMENTAL POLICIES

### 1.0 - Land Use

- ✓ T-1.1 Development proposals on Corral de Tierra Road from "Four Corners" (Corral de Tierra, Calera Canyon, and Robley Road intersection) to Corral del Cielo shall complete safety improvements concurrently with development.
- T-1.2 Industrial land uses other than utilities shall not be permitted in the Toro area.
- T-1.3 The designated agricultural lands as shown on the Toro Area Plan Land Use Map (*Figure LU-10*) shall be conserved and, where feasible, expanded.
- T-1.4 Special Treatment Area: Greco - The Greco property on River Road across from the Indian Springs Ranch Subdivision shall be designated as a "special treatment" area to be zoned Heavy Commercial. Although the use of the property for the removal of sand and gravel ceased in the year 2000, use of the property for a contractor's yard, shop, and residence may continue pursuant to PLN980448 as approved August 29, 2001 or as that permit may be amended or extended. (APN: 139-021-005-000)
- T-1.5 Subdivisions shall be designed so that new lots have building sites located outside of the critical viewshed.
- T-1.6 Existing legal lots of record located in the critical viewshed may transfer density from the acreage within the critical viewshed to other contiguous portions of land under the same ownership, provided the resulting development meets all other Toro Area and General Plan policies.
- T-1.7 Development on properties with residential land use designations located within the Toro Groundwater Basin of the Toro Area Plan along the Highway 68 corridor as illustrated in *Figure LU-10* shall be limited to the first single family home on a legal lot of record. The County shall conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply. Said restriction shall not apply to development within adopted Community Areas, Rural Centers, or Affordable Housing Overlays. Restriction on subdivision established in this policy does not preclude the County from recognizing a new legal lot pursuant to state law if the new lot is created solely as a result of either: 1) conveyance of land to or from a governmental agency, or 2) through the governmental exercise of eminent domain. This restriction on subdivision also does not prohibit the County from requiring and acting upon a parcel map for the conveyance of land to or from a governmental agency if the County determines on the facts of the particular case that public policy necessitates a parcel map.
- T-1.8 Special Treatment Area: Mohsin/Samoske - Approximately 266 acres located east of River Road and north of Chualar River Road shall be designated as a "Special Treatment Area" to permit a planned development including:



- a. Development shall be limited to the creation of a clustered, rural density, residential subdivision consistent with the surrounding residential development.
- b. No more than 13 new residential lots may be created and shall be clustered on the lower 72 acres of land closest to River Road. The lots shall be a minimum of 5 acres.
- c. Agricultural buffers shall be established where applicable taking into account conditions such as the type of adjacent agriculture use, topography, and climate (e.g., prevailing winds) with the intent to protect agricultural operations from impacts of non-agricultural uses. An Agricultural Buffer Plan, to be approved by the Agricultural Commissioner, shall be required for any proposed subdivision within the STA.
- d. Development of the residential properties shall be required to comply with visual sensitivity policies of the Toro Area Plan.
- e. The upper 194 acres shall remain as permanent grazing with a habitat and scenic conservation easement over at least 150 acres, including areas where slopes exceed 30%.
- f. Any subdivision within the STA must comply with the inclusionary housing ordinance in effect as of 1998.

Neither an infrastructure study nor a rural center plan is required for the development of the Mohsin-Samoske STA.

## 2.0 - Circulation

- T-2.1 Employers in surrounding areas should be encouraged to stagger employees' work hours in order to ease peak hour traffic congestion on Highway 68 and in other areas.
- T-2.2 Davis and Reservation Roads shall be encouraged as alternate routes between the Monterey Peninsula and Salinas to alleviate traffic on Highway 68.
- T-2.3 Continue to work with the state, local agencies, and citizens groups to alleviate traffic congestion while maintaining the scenic beauty of Highway 68. With the goal of eventually constructing a scenic four-lane divided highway, the County shall support the following measures:
  - a. coordination with Caltrans and TAMC for the construction of a four-lane facility between the Toro interchange and State Route 218; and
  - b. construction of bus stops, pull-outs, and shelters where needed.
- T-2.4 Improvement of Highway 68 intersections, construction of alternate passing lanes, public transit roadway improvements, and improved bicycle safety measures should be undertaken at the earliest time that funding becomes available.



- T-2.5 Fair-share financial contributions from each new development in the Toro Planning Area shall be required to expedite funding and construction of Highway 68 improvements.
- ✓T-2.6 Improvements to Corral de Tierra, River, and San Benancio Roads shall be designed to accommodate bicycles, horses, and people where possible.
- T-2.7 To minimize traffic safety hazards, creation of new direct access points should be prohibited from single-family residences onto Highway 68 and discouraged onto Laureles Grade, River Road, Corral de Tierra Road, and San Benancio Road.
- T-2.8 To enhance and promote sensitive visual resources, the County shall pursue measures to obtain official County Scenic Route designation from the state for Corral de Tierra, San Benancio, Corral de Cielo, River, and Underwood Roads (see *Policy T-3.1*).
- T-2.9 If new sites for office, employment, services, and local conveniences are found to be appropriate, such sites should incorporate designs to allow use of alternate modes of transportation.
- T-2.10 Increasing the accessibility of Toro residents to mass transit, either through maintenance of existing park and ride lots or new bus service, particularly in the Corral de Tierra, San Benancio, and River Road areas, should be studied and implemented.

### 3.0 - Conservation/Open Space

- T-3.1 Within areas designated as "visually sensitive" on the Toro Scenic Highway Corridors and Visual Sensitivity Map (*Figure 16*), landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the Plan area shall be encouraged.
- T-3.2 Land use, architectural, and landscaping controls shall be applied, and sensitive site design encouraged, to preserve Toro's visually sensitive areas and scenic entrances:
- a. River Road/Highway 68 intersection; and
  - ✓b. Laureles Grade scenic vista overlooking the Planning Area (*Figure 16*).
- T-3.3 Portions of County and State designated scenic routes shall be designated as critical viewshed as shown on the Toro Scenic Highway Corridors and Visual Sensitivity Map. Except for driveways, pedestrian walkways, and paths, a 100-foot building setback shall be required on all lots adjacent to these routes to provide open space and landscape buffers. This setback may be reduced for



existing lots of record that have no developable area outside the setback and to accommodate additions to existing structures that become non-conforming due to this policy. New development shall dedicate open space easements over setback areas established by this policy.

T-3.4

Placement of existing utility lines underground shall be encouraged, particularly along Laureles Grade Road, Corral de Tierra, San Benancio, River Road, and Highway 68.

T-3.5

Exterior/outdoor lighting shall be located, designed, and enforced to minimize light sources and preserve the quality of darkness. Street lighting shall be as unobtrusive as practicable and shall be consistent in intensity throughout the Toro area.

T-3.6

Large acreages in higher elevations and on steeper slopes shall be preserved and enhanced for grazing, where grazing is found to be a viable use.

T-3.7

Removal of healthy, native oak trees in the Toro Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include:

- a. Permit requirements.
- b. Replacement criteria
- c. Exceptions for emergencies and governmental agencies

#### 4.0 - Safety

T-4.1

Land uses and practices that may contribute to significant increases of siltation, erosion, and flooding in the Toro area shall be prohibited.

#### 5.0 - Public Services

T-5.1

To ensure cost-effective and adequate levels of wastewater treatment, the County shall promote relatively higher densities in areas where wastewater treatment facilities can be made available.

#### 6.0 - Agriculture

*No supplemental Agricultural policies at this time.*



Dan Lister, Project Planner  
Jacqueline Onciano, Zoning Administrator  
Mike Novo, Director of Planning

Re: Borzini, PLN130834  
APN: 151-031-008-000  
321 Corral de Tierra Rd, Salinas  
Toro Area Plan

February 18, 2014

Dear Mr. Lister, Ms. Onciano, and Mr. Novo,

Following are reasons why an Administrative Permit should not be approved for this referenced project. I was not able to contact you personally because of the weekend and then Monday being a holiday. The reasons are not necessarily listed in order of importance, but are substantive reasons why this project needs denial and Zoning Administrator hearing review. I am sending this letter of reasons as an individual requesting this.

1) The Project Description is incomplete and has been changed. Besides changing from Parola to Borzini, the amount of grading and fill has been changed.

Previously: 1,444 cubic yards cut, 158 cubic yards fill

Now: 370 cubic yards cut, 2,500 cubic yards fill

Moving dirt around involves two environmental issues, one is where it's taken from, two is where it is moved to. The site is fairly level. No reason is found for the amount of dirt to be moved, and dirt imported.

And, the project description should clearly state that it is in the Toro Area Critical Viewshed category. The categories of Visual Sensitivity are Sensitive, Highly Sensitive, and Critical Viewshed. This proposed project is in the latter. Instead it is described as being in a Visually Sensitive Overlay District.

(Exhibits 1 and 2)

2) The proposed project conditions are conditions in search of infrastructure to support the project. I tried locating the subdivision, minor subdivision, or lot split that initially created the 14-acre parcel of APN 151-031-008 with situs address of 321 Corral de Tierra, and what CEQA review was done. I figured at some point County Planning might have figured this parcel would need infrastructure like water, utilities, fire protection storage tank, and access, prior to someone coming forward with a design review application. Instead, the process appears to be backwards. Just when was this lot created?

It raises a lot of questions, some of which are:

a) Will electrical and phone line utilities be place underground? From where?



Page 2

b) The size of the proposed house and accessory structure will require a water storage tank for fire protection that will most likely exceed 9,800 gallons. Where will this tank, or tanks be located in Critical Viewshed? Where will the fire hydrant be located?

c) Access to the project is referred to as being off Corral de Tierra Road. Plans and language should clearly indicate access shall be off of "Dean Road", a roadway that is off of Corral de Tierra Road. It otherwise opens the possibility of graded access through more Critical Viewshed. Vehicle access should be as close to the proposed project as is possible to minimize impacts to Critical Viewshed. Reference Condition 7, Encroachment.

d) Will Dean Road be paved? I personally recall this road from as early as the 1950's. It used to be called Bill Kane's Road. With more vehicles using it, will it require paving, as others in the area have been required to do? Reference Condition 13

3) The Toro Area Plan update with the 2010 Monterey County General Plan involved much discussion regarding improvements to Corral de Tierra Road above Four Corners. The language discussed was improvements concurrent with development. What specific improvements to Corral de Tierra Road above Four Corners is being proposed with this proposed development? This would be in addition to Developer Impact Fees to TAMC for purposes of Regional Transportation issues. Large trucks with horse trailers hauling horses to and from this property will be an impact on the current Corral de Tierra Road above Four Corners.

4) Regarding water, a long-term sustainable water supply, and a shared well; I sent a number of questions to EHB's Richard LeWarne on February 4, 2014, regarding the proposed water source being one well or two, which was the primary well, and included whether both of these wells had the required 72-hour pump tests. We know there was what's referred to as a typo about a source well APN. However, these questions were in addition to that. To date I have not heard back from EHB.

(Exhibit #3, 8 pages)

Doesn't proof of a long-term sustainable water supply proceed approval of house building plans?

5) Please know that Corral de Tierra is not, and has not been part of the Monterey Peninsula Water Management District. Thus proposed Landscape Plan and Maintenance Condition 6, under Compliance or Monitoring Action to be performed is just wrong. Perhaps a memo can be sent to all staff advising them of the boundaries of the MPWMD. The proposed ongoing mitigation monitoring and condition compliance is not applicable. It needs changing.

6) May I suggest reviewing Conditions imposed on APN 416-371-012, Resolution No. 040695, dated October 27, 2005, Gary Parola, Corral de Tierra Mears Ranch.



Page 3

Previous design approvals in the Toro Area have contained a Condition that a deed restriction be recorded that all exterior changes, including color changes associated with repainting or reproofing and including exterior lighting changes shall be approved by the Director of Planning. Also, Conditions regarding water conservation measures. There also needs to be some assurance about the number of horses being boarded because horses use a lot of water. This would also be important in the event the property is sold.

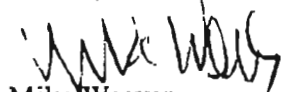
7) Does the proposed structure height include chimney(s)? The house plans included in with the staff report are hard to read.

8) Is the very large amount of imported grading material for purposes of an earthen berm? A berm to help shield the house from Corral de Tierra?

9) Will there be extensive fencing in critical viewshed? Will there be any fencing? I don't find any shown on the plans provided.

Please respond to my written comments in opposition to the proposed project as defined, as soon as possible.

Thank you,



Mike Weaver

831-484-6659

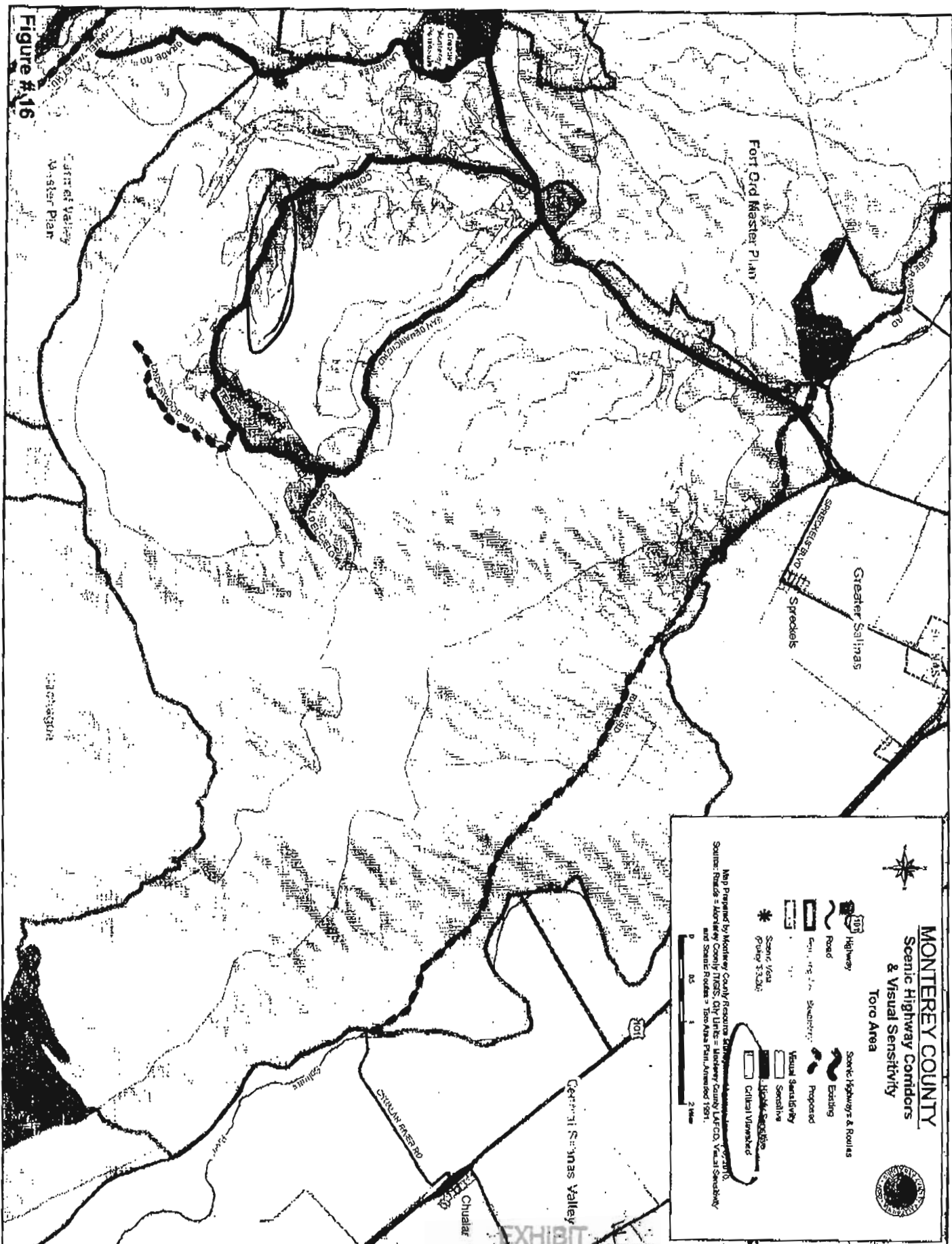


EXHIBIT 1

2. **Project Name:** PAROLA RANDALL J  
4:00 PM **File Number:** PLN130834  
**Project Location:** 321 CORRAL DE TIERRA SALINAS  
**Project Planner:** DAN LISTER  
**Area Plan:** TORO AREA PLAN  
**Project Description:** Administrative Permit and Design Approval to allow the construction of a 4,000 square foot one-story single family dwelling located within a Visual Sensitivity ('VS') Overlay District. The project includes a 1,357 square foot attached three-car garage, 164 square foot covered entry porch, 3,476 square foot barn with a 256 square foot covered porch, and approximately 1,602 cubic yards of associated grading (~~1,444 cubic yards cut and 158 cubic yards fill~~). The property is located at 321 Corral de Tierra Road, Salinas (Assessor's Parcel Number 151-031-008-000), Toro Area Plan.  
**Recommendation to:** DIRECTOR OF RMA PLANNING



EXHIBIT 2





3 PAGE 1

From: Michael Weaver <michaelrweaver@mac.com>  
Subject: **Re: PLN130834 Parola**  
Date: February 4, 2014 12:24:23 PM PST  
To: "LeWarne, Richard x4544" <lewarner@co.monterey.ca.us>

Richard LeWarne:

You are welcome for my bringing this to your attention. I do understand typos. However, in reviewing some documents on the Accela System, the accurate APN for the parcel the two wells are on raises even more questions. My concern comes from years of watching Watson Creek continuing to run even when Corral de Tierra Creek, downstream, had stopped. Watson Creek no longer runs, above ground anyway. If there is adequate water in this area, from wells dug several years ago by Parola, I'm wondering why private interests tried running a water main from Toro Water up CdeT Rd during the time Adcock's Toro Water Company was in Federal Court Receivership? You may recall the Court Receiver and the County put a stop to this.

May I ask if you can review and respond to my questions of concern here regarding the documents on Accela?

Document #1

Project Referral Sheet dated December 12, 2013 signed by Janna Faulk  
EHB considered application incomplete. Following reports and/or information needed:  
Minimum of a 72 Hour continuous source capacity test. This test is to start on December 16 (2013)  
EHB representative shall witness the pump tests.

Mike Weaver questions:

- 1) Who was the EHB representative that witnessed the 72 hour pump test?
- 2) Did this test start on December 16? When did it end?
- 3) Was test water capacity and sustainability pumped into Watson Creek immediately adjacent to it?

Document #2

Memorandum from Dan Lister, Planner, to Janna Faulk, EHB on January 3, 2014

EHB considered application incomplete

An 8-hour source capacity test was conducted on the well to serve this property on December 17, 2013. The test did not fully recover. The well did not pass the source capacity test. However a second well was tested and was credited for 6 gpm.

Memo asks the question, water system to be created using the two wells?

Mike Weaver questions:

- 4) This Memo indicates a source capacity test was begun on December 17, but the well failed the test. Is the second well the one next to the first one on APN 151-031-001-000 too?
- 5) Did this second well have a 72 hour pump test? When did it start? When did it end?
- 6) Who was the EHB representative that witnessed this second test?
- 7) If the first well failed, can a second back up well producing 6 gpm supply enough water for two large rural horse properties, residences, and accessory structures?
- 8) If the first well failed the test, isn't the 6 gpm well considered the primary well?

Document #3

January 8, 2014 Memorandum to Dan Lister from Janna Faulk.

EHB can consider application complete... based on a new water system.

Mike Weaver questions:

- 9) Wrong APN entered as the location for the water source. This is a singular water source.



EXHIBIT 3 Page 1

It does not mention two wells. I can understand a typo but not singular well from two wells.  
Can you explain?

10) Are there additional documents?

11) The notes to EHB state the well (again singular) had a source capacity test done in 2006 and was credited for 14.6 gpm

12) This seems to indicate the required 72 hour pump test that failed was bypassed with a source capacity test done in 2006. Is this so?

13) Which EHB representative witnessed the 72 hour pump test in year 2006?

14) Do records show the 2006 pump test was a full 72-hour test?

Also in this January 8 2014 Memo it states the Source H2O Certification form is included in the file, signed by Cheryl Sandoval on 1/15/14.

Mike Weaver questions:

15) My understanding is Ms. Sandoval is on temporary leave from EHB. Emails that have been sent to her receive an automatic reply that she is out of the office, and will be out of the office, until Monday, May 6, 2014. I have received these reply emails on December 31, 2013 and again on February 3, 2014

How is Cheryl Sandoval signing forms on 1/15/14?

16) Were two wells both cleared for arsenic? What were the test results? Your previous answer indicated it was 4 ppb but that seemed to be for one well.

Thank you Mr. LeWarne for addressing this. A couple may be spending hundreds of thousands of dollars on a residential horse ranch based on, it has all been cleared by EHB.

Mike Weaver

On Feb 3, 2014, at 2:27 PM, LeWarne, Richard x4544 wrote:

Michael:

Thank you for bringing this to our attention. There was a typo and the correct APN for the lot on which the well is location is 151-031-001. We apologize for the confusion this may caused.

**Richard LeWarne**

**Assistant Director**

**Environmental Health Bureau**

Environmental Health Review, Drinking Water Protection, Hazardous Materials Management  
1270 Natividad Road, Salinas CA 93906

Office: (831) 755-4544

Front Desk: (831) 755-4505

FAX: (831) 755-4880

**From:** Michael Weaver [<mailto:michaelrweaver@mac.com>]



**Sent:** Monday, February 03, 2014 11:49 AM  
**To:** LeWarne, Richard x4544  
**Cc:** Faulk, Janna L. x4549; Lister, Daniel M. x6617; Sandoval, Cheryl L. x4552  
**Subject:** Re: PLN130834 Parola

Hello Richard LeWarne,

Thank you for your response. I have a question however and hope you can clear up some confusion

I reviewed the January 8, 2014 Memorandum from Dan Lister to Janna Faulk. Subject PLN130834.

In the Notes to Environmental Health (page 1), it says:

"DWPS: This property will be served by a new water system. The existing well (W4538) is on APN:

151-021-001 The well had a source capacity test completed in 2006 and was credited for 14.6 gallons

per min. Conditions are added for the creation of a water system. Source H2O Certification form is included in file, signed by Cheryl Sandoval on 1/15/14."

Ray Borzini, when asked last week why the application was in Parola's name, his answer was that issues were being worked

out regarding water for the 14-acre lot he planned to purchase from Parola.

This was followed by a question as to where is the water source?

Borzini answered that there was a well across Corral de Tierra Road from the property that produced about 15 gpm.

There was another well close to this that produced 3 gpm that was to be the back up well.

He added that there was also an additional well back up behind Parola's house. He didn't know much about this well.

The confusion comes in because the APN on which the wells across Corral de Tierra Rd has a different number.

Same owner apparently, as the mailing address of 820 Park Row matches, but a different APN.

The APN for the wells across Corral de Tierra Rd is APN: 151-031-001-000

According to the Memo from Dan Lister, the APN being processed as a well source is APN: 151-021-001-000

Utilizing the Monterey County Assessors website, 151-021-001-000 map Book 151, page 02

reveals a confusing broad map with 01 near Calera Canyon Road.



EXHIBIT F PAGE 4

Also using the Assessors website 151-031-001-000 reveals a parcel immediately across the Corral de Tierra Rd (cross street Dean Rd). This parcel is next to Washington Union School.

I recall the well drilling that was going on here several years ago. I remember it because because of my walks in the area. There were Sala Brothers water trucks filling up from Ambler Water fire hydrants at the time and hauling water up to these well drilling sites.

So, the question is: What is the APN for the source well for the shared Parola and Borzini water system?

Thanks for your help.

Mike Weaver  
831-484-6659

On Jan 28, 2014, at 2:50 PM, LeWarne, Richard x4544 wrote:

Michael:

Thank your for your concern. EHB staff did inform the Borzinis regarding high arsenic in the area and required updated water quality tests (i.e. primary inorganics, secondaries, coliform). Primary inorganics include arsenic sample results, which was taken in December and was 4 ppb (parts per billion), or also expressed as .04 mg/l (milligrams per liter), or 4 µg/l (micrograms per liter).

## Richard LeWarne

Assistant Director

**Environmental Health Bureau**

Environmental Health Review, Drinking Water Protection, Hazardous Materials Management  
1270 Natividad Road, Salinas CA 93906

Office: (831) 755-4544

Front Desk: (831) 755-4505

FAX: (831) 755-4880

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**From:** Michael Weaver [mailto:michaelrweaver@mac.com]

**Sent:** Tuesday, January 28, 2014 1:12 PM

**To:** failkjl@co.monterey.ca.us; Lister, Daniel M. x6617



Ex-141517 3/1/14

**Cc:** LeWarne, Richard x4544  
**Subject:** PLN130834 Parola

Dear Ms. Faulk and Mr. Lister:

I am submitting the following attachment that came from EHB on December 31, 2013.  
This was a response to a question from Richard Rosenthal:

In addition, Mr. LeWarne indicated he would get us a list of water systems that have arsenic levels exceeding the current MCL. We look forward to receiving this information.

The list provided by EHB's Ted Pinson includes wells/water systems immediately on either side of the Parola well(s)/system.

These are Church of the Good Shepherd WS and Washington School.

Arsenic exceeds Federal and State standards of 10 ppb in these systems.

I know the CDPH to be involved in the Washington Union School-Corral de Tierra arsenic issues.

Washington School is studying constructing an arsenic treatment plant on site.

In my question to Ray Borzini regarding arsenic content of the water being proposed for sharing with Parola.

I was told it had been cleared by EHB and that he thought it was low, about 7.

My concern here is the immediate area has wells with arsenic content exceeding the standard.

The attachment is provided for your file to ensure Planning and EHB are on the same page with

water system/water quality determinations for a proposed new water system.

I am not sure the applicants know this information, however I think the County bears a responsibility to inform them.

As you probably know, EHB does not regularly test for arsenic on small water systems unless

the tester is specifically asked to do so. Mostly testing is done for coliform, prior to issuing a

yearly water system permit from EHB.

Sincerely,  
Mike Weaver



EXHIBIT B 11 - 6

Begin forwarded message:

**From:** "Pinson, Wm Ted x1297" <[pinsonwt@co.monterey.ca.us](mailto:pinsonwt@co.monterey.ca.us)>  
**Date:** December 31, 2013 9:36:03 AM PST  
**To:** "Richard H Rosenthal" <[rosenthal62@sbcglobal.net](mailto:rosenthal62@sbcglobal.net)>  
**Cc:** "Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com))" <[michaelrweaver@mac.com](mailto:michaelrweaver@mac.com)>, "LeWarne, Richard x4544" <[lewarner@co.monterey.ca.us](mailto:lewarner@co.monterey.ca.us)>, "Welden, Bruce x4680" <[weldenb@co.monterey.ca.us](mailto:weldenb@co.monterey.ca.us)>, "Sandoval, Cheryl L. x4552" <[sandovalcl@co.monterey.ca.us](mailto:sandovalcl@co.monterey.ca.us)>  
**Subject:** RE: Meeting of December 9th - LPAs

Dear Mr. Rosenthal,

Mr. LeWarne asked me to respond to your question, highlighted below, with the following information that he provided to me.

Of the water systems included in the listing that he provided to you in his letter of December 27, 2013, eleven are Local Primacy Agency (LPA) systems:

- Church of the Good Shepherd WS
- Corral de Tierra Estates WC
- Cypress Community Church
- Laguna Seca Rec WS
- Laguna Seca WC
- Mesa del Toro
- Moro #9
- Tierra Vista MWC
- Vista del Toro WS
- Washington School
- Woodland Heights MWC

Sincerely,

Ted

Ted Pinson, Management Analyst I  
Monterey County Health Department  
Environmental Health Bureau  
831-796-1297



EXHIBIT 3 PAGE 7

**From:** Richard H Rosenthal [<mailto:rrosenthal62@sbcglobal.net>]  
**Sent:** Friday, December 27, 2013 10:40 AM  
**To:** Pinson, Wm Ted x1297  
**Cc:** Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com)); LeWarne, Richard x4544; Welden, Bruce x4680; Sandoval, Cheryl L. x4552  
**Subject:** Re: Meeting of December 9th

Richard: Thank you. Of the systems listed in response to 2, which ones are Local Primacy Systems.

Thanks and happy holidays to all

Richard H. Rosenthal  
Law Offices Richard H. Rosenthal  
A Professional Corporation

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**From:** "Pinson, Wm Ted x1297" <[pinsonwt@co.monterey.ca.us](mailto:pinsonwt@co.monterey.ca.us)>  
**To:** "rrosenthal62@sbcglobal.net" <[rrosenthal62@sbcglobal.net](mailto:rrosenthal62@sbcglobal.net)>  
**Cc:** "Michael Weaver. ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com))" <[michaelrweaver@mac.com](mailto:michaelrweaver@mac.com)>; "LeWarne, Richard x4544" <[lewarner@co.monterey.ca.us](mailto:lewarner@co.monterey.ca.us)>; "Welden, Bruce x4680" <[weldenb@co.monterey.ca.us](mailto:weldenb@co.monterey.ca.us)>; "Sandoval, Cheryl L. x4552" <[sandovalcl@co.monterey.ca.us](mailto:sandovalcl@co.monterey.ca.us)>  
**Sent:** Friday, December 27, 2013 9:37 AM  
**Subject:** RE: Meeting of December 9th

Dear Mr. Rosenthal,

Please see Mr. LeWarne's response, attached, to the questions you presented at the meeting of December 9, 2013, that you refer to below.

Sincerely,

Ted

Ted Pinson, Management Analyst I  
Monterey County Health Department  
Environmental Health Bureau

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**From:** Richard Rosenthal [<mailto:RRosenthal62@sbcglobal.net>]  
**Sent:** Tuesday, December 10, 2013 1:22 PM  
**To:** Welden, Bruce x4680



Mr. LeWarne, Richard x4544; 'Michael Weaver'; 'Legal Assistant'

Subject: Meeting of December 9th

Hi, I hope you and Richard for taking the time to meet with Mike Weaver and me to answer questions that we posed regarding the generation and disposal of arsenic sludge. Once we get the results from the District Attorney's investigation regarding CalAm's generation and disposal of arsenic sludge we will probably want to meet again to review the findings with you.

In the meantime you have represented that the seven water systems identified by Mr. LeWarne in an earlier email have not been classified as generators of arsenic sludge and therefore have no responsibility at this time to report to EHB. You indicated that the systems are self monitoring and are required to report to EHB once they accumulate a threshold amount of hazardous material, 100 kilograms or 220 lbs. Evidently none of the systems have currently attained that level of accumulated arsenic sludge.

In addition, Mr. LeWarne indicated he would get us a list of water systems that have arsenic levels exceeding the current MCL. We look forward to receiving this information.

If you have any questions or would further like to discuss the matter, please feel free to call.

Sincerely,

LAW OFFICES RICHARD H. ROSENTHAL  
A PROFESSIONAL CORPORATION

BY: \_\_\_\_\_  
RICHARD H. ROSENTHAL

RRR

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**Lister, Daniel M. x6617**

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**From:** Ray [rayborzini@msn.com]  
**Sent:** Monday, February 24, 2014 8:02 AM  
**To:** Lister, Daniel M. x6617  
**Subject:** Borzini

Hi Ray,

Yes, I like your project.( 321 Corral de Tierra Rd.) We have the adjacent parcel to the south (325 Corral de Tierra Rd.), and front on your property for a quarter mile or so, and have no problems with either your project or granting you an easement to use the existing access road.

Gary S. Breschini, Ph.D.

Coyote@CoyotePress.com -- Home  
Coyote@Coyotehome.com -- Office