

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

In the matter of the application of:

MARINOVICH JEAN AND BUTIER PETER (PLN210165)

RESOLUTION NO. 24-023

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project exempt from CEQA pursuant to section 15303, new structures, and there are no exceptions pursuant to Section 15300.2; and
- 2) Approving a Combined Development Permit consisting of a:
 - a) a Coastal Administrative Permit to allow the construction of a 4,425 square foot three story single family residence with an attached 300 square foot carport and a detached 1,968 square foot two story barn, garage, and office, accessory to an agricultural use (lavender cultivation);
 - b) a Coastal Administrative Permit to allow alteration of an existing irrigation well to allow use as a domestic production well; and
 - c) a Variance to allow an increase in the maximum allowable building site coverage, from 3.0% to 8.0%.

[PLN210165, Marinovich Jean and Butier Peter, 264 Giberson Road, Moss Landing, North County Land Use Plan, Coastal Zone (APNs: 413-012-011-000)]

The Marinovich Jean and Butier Peter application (PLN210165) came on for hearing before the Monterey County Zoning Administrator on June 27, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, written 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 1982 Monterey County General Plan;
 - North County Land Use Plan (NC LUP);

- Monterey County Coastal Implementation Plan, Part 1, Zoning Ordinance (Title 20); and
- Monterey County Coastal Implementation Plan, Part 2, Regulations for Development in the North County Land Use Plan Area (NC CIP).

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) Project Scope. The project consists of construction of a 4,425 square foot, three-story single family dwelling with an attached 300 square foot carport, a detached 1,968 square foot barn, a 62 square foot pump house, a 75 square foot garden shed, two 10,000 gallon water tanks, conversion of an irrigation well, on a neighboring property, into a domestic production well and a Variance to increase the allowed site coverage from 3% to 8%.
- c) Allowed Use. The project is located at 264 Giberson Road, Moss Landing, (APN: 413-012-011-000) within the North County Land Use Plan area. The parcel is zoned Coastal Agricultural Preserve, Coastal Zone (CAP(CZ)) which allows the first single family dwelling accessory to the main agricultural use, subject to a Coastal Administrative Permit. In this case, the applicant is proposing a lavender farm as their main agricultural use. CAP(CZ) zoning also allows non-habitable accessory structures, such as barns, and water systems serving 14 or fewer connections subject to a Coastal Administrative Permits. The applicant has requested a Variance to increase the maximum lot coverage from 3% to 8%. As demonstrated in Findings 5, 6, 7 and supporting evidence, necessary findings to support granting the Variance in this case. All necessary entitlements have been added to this permit; therefore, the project is an allowed use for this site.
- d) Lot Legality. The subject parcel is shown in its current configuration as "Parcel B" on Pg 105 of Vol 4 of Parcel Maps. The Parcel Map is titled "MS-72-173, A Division of a Part of the NW1/4 of the SW ¼ of Sec. 6, T.13 S., R.2 E, MDM, in Monterey County, California, made for Mrs. Nola Yost". The subject lot was created through a minor subdivision (MS-72-173) approved by the Monterey County Subdivision Committee on July 13, 1972. A Use Permit was approved on June 28, 1972 to allow a reduction of the required minimum building site from 2.5 acres to 1 acre. Therefore, the County recognizes it as a legal lot of record.
- e) Development Standards. Development standards for the Coastal Agricultural Preserve zoning district can be found in Title 20 section 20.30.060. With the approval of the requested Variance to increase the site coverage from 3% to 8%, the proposed development will conform with all regulated site development standards. The proposed site coverage is 3,643 square feet (8%), this includes the main dwelling and attached carport, barn, pump house, water tanks and garden shed. Consistent with the maximum allowed height of 35 feet for main structures, the proposed single family dwelling has a height of 34 feet from the average natural grade. The barn is also allowed a maximum height of 35 feet and is proposed to be 23 feet from the average natural

grade. The pump house, water tanks and garden shed will also be well below the 35 foot maximum height limit. The proposed development will be within all required setbacks. Consistent with required 30 foot front setback for main structures, the main dwelling will be setback 35 feet from the private road right of way and utilities easement. The dwelling also exceeds to the required 20 foot side and rear setbacks. The barn exceeds all required setbacks with a front setback of 120 feet (50 feet required), side setbacks of 10 feet and 104 feet (6 feet required) and a rear setback for 110 feet (6 feet required). The pump house is required to have 5 foot front, side and rear setbacks; the pump house will be 6 feet from the closest property line. Title 20 also requires non-habitable accessory structures to have a six foot setback from main structures on the property. The barn will be setback 46 feet from the main dwelling. Therefore, the proposed project is in conformance with all applicable development standards.

- f) Variance. The project includes a request for a Variance to increase the allowed site coverage from 3% to 8%. As demonstrated in Findings 5, 6, 7 and supporting evidence, the required findings for granting of a Variance have been made.
- g) Agricultural Advisory Committee (AAC). This project was referred to the AAC due to the request for a variance on an agriculturally zoned lot. The project went before the AAC on April 25, 2024 and was unanimously supported by the committee. There was no public comment made regarding this project at the meeting.
- h) Land Use Advisory Committee. The project was brought before the North County Land Use Advisory Committee on December 7, 2023. The committee unanimously recommended support of the application as proposed. Questions from the committee included the request for clarification between lot coverage and floor area of the proposed house and clarification regarding ownership and location of the proposed domestic well. No public comment was made at this meeting.
- i) The application, project plans, staking & flagging photos and related support materials submitted by the project applicant to Monterey County HCD- Planning for the proposed development are found in Project File PLN210165.

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: HCD-Planning, HCD-Engineering Services, North County Fire Protection District, HCD-Environmental Services and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Recommended conditions have been incorporated.
 - b) Staff identified potential impacts to soil stability and archaeological resources. The following reports have been prepared:
 - “Geotechnical Investigation” (LIB220118) prepared by John Kasunich, Watsonville, California, February 3, 2022.

- “Phase 1 Inventory of Archaeological Resources” (LIB220117) prepared by Ruben Mendoza, Salinas, California, September 21, 2021.

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

- c) Staff conducted a site visit on May 10, 2022 and reviewed aerial imagery and site photos and determined the project site to be suitable for the proposed construction and use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD- Planning for the proposed development are found in Project File PLN210165.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the use or structure applied for, will not, under the circumstances of the 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 HCD-Planning, HCD-Engineering Services, North County Fire Protection District, HCD-Environmental Services and Environmental Health Bureau (EHB). Conditions have been recommended, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) The project includes the installation of an onsite wastewater treatment system. The applicant proposes to install a new 2,000 gallon septic tank and leach fields. The EHB reviewed the onsite wastewater treatment system (OWTS) plan and confirmed the proposed system meets the required setbacks from nearby wells. The OWTS will feature supplemental treatment with nitrogen reduction to meet Monterey County’s Nitrogen Loading requirements, as well as to supplement very fast percolating soils.
 - c) Potable water will be supplied by a nearby well on the neighboring property (APN: 413-012-012-000). Currently, the existing well is used exclusively for irrigation. The applicant confirmed no other domestic connections are proposed or currently in use for the existing irrigation well, and that it is to only serve the development proposed and an easement is already in place to allow the applicant’s use of the well. Source Capacity Testing witnessed by Isaiah Tuazon of EHB, credited the well with 18.18 gallons per minute of capacity. Water quality tests dated 9/6/22 and 9/26/22 were received and showed total coliform was present, and Nitrates were over their respective maximum contaminant level. Additional water quality from Soil Control lab dated 12/3/22 received showing absent results for Bacteria and Perchlorate. A Culligan Water centralized treatment plan dated 1/3/24 was submitted and

reviewed by the EHB. The reverse osmosis plan was accepted by the EHB staff and the well conversion was deemed feasible.

- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD- Planning for the proposed development are found in Project File PLN210165.

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 known violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD-Planning and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site visit on May 10, 2022, reviewed aerial imagery and photos of the project site and researched County records to assess if any violation exists on the subject property.
 - c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210165.

5. **FINDING:** **VARIANCE (SPECIAL CIRCUMSTANCES)** – Special circumstances apply to the subject property, including the size, shape, topography, location or surroundings. Therefore, the strict application of development standards in the Monterey County Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

- EVIDENCE:**
- a) The subject 1 acre parcel is zoned for Coastal Agricultural Preserve which requires a 40 acre minimum building site and is subject to a 3% site coverage. Under normal circumstances, a 3% site coverage for CAP zoned lots is not restrictive as it is meant to control structural development on 40 acre lots or larger to ensure viable agricultural uses. In 1972, a Use Permit was approved to reduce the required minimum building site size from 2.5 acres to 1 acre, back when the lot was zoned "Unclassified". Immediately following the approval of this Use Permit, a subdivision was approved to create four lots from the original 6 acre parcel. The subdivision resulted in three 1 acre lots, and one 3 acre lot. All four lots have since been rezoned to Coastal Agricultural Preserve and are all subject to the 3% maximum lot coverage, despite being well under the required minimum lot size.
 - b) Due to the size of the subject parcel being much smaller than the required minimum size for the CAP zoning district, the 3% lot coverage is highly restrictive. A single family dwelling is an allowed use in this zoning district, but only as accessory to the main agricultural use on the property. The applicants are proposing a lavender farm as their main agricultural use, as well as fruit trees and a vegetable garden. The structures associated with this operation include a barn, garden shed, water tanks, pump house and single family dwelling. The 3% lot coverage would only allow for 1,366 square feet of development which would heavily encumber the size of each of the proposed structures. For

reference, 3% lot coverage on a 40 acre lot would allow 52,272 square feet of development. Increasing the lot coverage to 8% (3,643 square feet) would allow the applicant to live onsite while maintaining and supporting the proposed onsite agricultural activities.

- c) Besides the other three lots created under the same subdivision, the other nearby lots vary from 5 to 160 times the size of the subject parcel. Most of these lots are occupied by row crops and do not include any structures. However, they would be allowed at least 6,500 square feet of development or more, which is about 3,000 more square feet of coverage than is being requested in this variance. Due to the special circumstance of the inconsistency between the size of the subject parcel and the required minimum lot size, the application of the 3% maximum lot coverage deprives it of the privilege of development that is enjoyed by the adjacent, similarly zoned, lots.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD- Planning for the proposed development are found in Project File PLN210165.

6. **FINDING:** **VARIANCE (SPECIAL PRIVILEGES)** – Granting of this Variance does not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

- EVIDENCE:**
- a) There are two other 1 acre lots that resulted from the 1972 subdivision; however, these lots have already been built out and are currently exceeding the 3% allowed coverage. Therefore, the granting of this Variance would not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity under the same zoning.
 - b) The 1 acre parcel at 260 Giberson Road is currently built out to over 3%, County records show the property was permitted a site coverage of approximately 5.3%. The original home was built in 1986. County records show a building permit (BP072247) was approved for an addition and remodel of the single family dwelling and garage in 2007. This building permit approved a site coverage of 5.3%. However, there is no record that the property ever received a Variance for the excess site coverage and there was no agricultural use on the property at the time of issuance of the permit.
 - c) The neighboring 1 acre parcel at 262 Giberson Road was approved for development in 2017 through an amended permit (PLN090252). The homeowners had originally applied for a Variance to increase the allowed site coverage but were discouraged by the LUAC and ultimately removed the request from their application prior to hearing. The homeowners were approved to build to 3% coverage but without a main agricultural use on the property. Had the applicants gone through with their Variance request, the findings for a Variance could have been made considering the property it under the same circumstances as the project parcel.
 - d) As the other parcels nearby are either over the allowed site coverage or could qualify for a similar Variance, the proposed Variance does not

constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity.

- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD- Planning for the proposed development are found in Project File PLN210165.

7. **FINDING:** **VARIANCE (AUTHORIZED USE)** – The Variance does not grant a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

- EVIDENCE:**
- a) The proposed Variance would not allow additional uses that are not expressly allowed for this zoning district. The requested increase in allowed lot coverage is to allow a barn and single family dwelling accessory to onsite agricultural activities, both of which are allowed uses subject to Coastal Administrative Permits.
 - b) After the structures are built, the property will be at its maximum allowed site coverage. Additional structures could not be built unless the then existing structures are demolished, partially demolished or converted. Any future development would be reviewed for consistency with allowed uses and development within the property’s zoning district.
 - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD- Planning for the proposed development are found in Project File PLN210165.

8. **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 Article 19 Section 15303 categorically exempts the construction of new structures including small habitable accessory structures.
 - b) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project:
 - The location of a project site is not located within an environmentally sensitive area;
 - Successive projects of the same type and in the same place (construction of structures and implementation of agricultural uses) would not contribute to a significant cumulative impact. The property is currently vacant and does not contain any sensitive habitat areas; any future development would be constructed on an occupied parcel that has undergone human disturbance. At that point, the property would be unlikely to contain sensitive habitat that could be impacted by additional development;
 - There are no unusual circumstances regarding this project that would cause a significant effect to the environment (see Findings 1, 2 and supporting evidence);
 - The project site is not visible from any scenic highways, and the proposed development would not result in damages to scenic resources; and

- The project site is not located on or near any hazardous waste sites listed in Section 65962.5 of the Government Code.
- c) Staff conducted a site visit on May 10, 2022, reviewed aerial imagery and photos of the project site to verify that the site and proposed project meet the criteria for an exemption.
- d) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicants to Monterey County HCD-Planning for the proposed development are found in Project File PLN210165.

9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to/by the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**
- a) Pursuant to Title 20 section 20.86.030, an aggrieved party may appeal a decision of the Zoning Administrator to the Board of Supervisors.
 - b) Pursuant to Title 20 section 20.86.080.A.3, the project is appealable to/by the California Coastal Commission because it involves a conditional use (Variance).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- 1) Find the project exempt from CEQA pursuant to section 15303, new structures, and there are no exceptions pursuant to Section 15300.2; and
- 2) Approve a Combined Development Permit consisting of a:
 - a. a Coastal Administrative Permit to allow the construction of a 4,425 square foot three story single family residence with an attached 300 square foot carport and a detached 1,968 square foot two story barn, garage, and office, accessory to an agricultural use (lavender cultivation);
 - b. a Coastal Administrative Permit to allow alteration of an existing irrigation well, on a neighboring property, to allow use as a domestic production well; and
 - c. a Variance to allow an increase in the maximum allowable building site coverage, from 3.0% to 8.0%.

Said decision is to be in substantial conformance with the attached plan and subject to the attached conditions which are incorporated herein by reference.

PASSED AND ADOPTED this 27th day of June, 2024:

DocuSigned by:

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Mike Novo AICP, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON JULY 2, 2024.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JULY 12, 2024.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD- Planning and HCD- 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.

Form Rev. 1-27-2021

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County of Monterey HCD Planning

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

PLN210165

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

**Condition/Mitigation
Monitoring Measure:**

This Combined Development Permit (PLN210165) allows construction of a 4,425 square foot two-story single family residence with an attached 300 square foot carport and a detached 1,968 square foot two story barn accessory to an agricultural use (lavender cultivation), alteration of an existing irrigation well to allow use as a domestic production well, on a neighboring property (APN: 413-012-012-000), and a Variance to allow an increase in the maximum allowable building site coverage, from 3% to 8%. The property is located at 264 Giberson Road (Assessor's Parcel Number 413-012-011-000), North County Land Use 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 HCD - 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. (HCD - Planning)

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

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "A Combined Development Permit (Resolution Number 24-023) was approved by the Zoning Administrator for Assessor's Parcel Number 413-012-011-000 on June 27, 2024. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

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

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

Responsible Department: Planning

Condition/Mitigation If, during the course of construction, cultural, archaeological, historical or
Monitoring Measure: paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - 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.
(HCD - Planning)

Compliance or The Owner/Applicant shall adhere to this condition on an on-going basis.

Monitoring
Action to be Prior to the issuance of grading or building permits and/or prior to the recordation of the
Performed: 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 HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

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

4. PD012(H) - LANDSCAPING PLAN (NO. COUNTY NATIVE)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. The use of native species consistent with and found in the project area shall be required in all landscaping plans as a condition of project approval. A list of appropriate native plant species identified in Attachment #2 and #3 in the North County Implementation Plan Development Regulations is available in brochure form (Suggested Native Species Landscaping List - North County Coastal Zone) from HCD - Planning. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the HCD - 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."

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

Responsible Department: Planning

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

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

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

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

6. PD038 - WATER TANK APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of HCD - Planning, prior to the issuance of building permits. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit proposed color of water tank and landscaping plans to HCD - Planning for review and approval.

Prior to final inspection or occupancy, the Owner/Applicant shall provide evidence to the Director of HCD - Planning that the water tank has been painted and the landscaping has been installed according to the plans approved by HCD - Planning.

On an on-going basis, the Owner/Applicant shall continuously maintain all landscaped areas and fences; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

7. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: 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.

Compliance or Monitoring Action to be Performed: 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 HCD-Engineering Services.

8. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County HCD-Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to HCD-Engineering Services.

9. EHSP01 – Deed Restriction and Installation of Water Treatment (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: A residential building shall be provided with an adequate supply of potable water pursuant to Section 601.1 of the Uniform Plumbing Code.
Due to Title 22 water quality dated 9/6/22 and 9/26/22 showing nitrates over their respective MCL, it will be necessary to install a centralized treatment system prior to final inspection of the construction permit.

The treatment system shall be installed before a building is occupied and the applicant shall record a deed restriction indicating that treatment is necessary for the domestic water source. The water treatment system shall be maintained by the owner in perpetuity.

Compliance or Monitoring Action to be Performed: Prior to issuance of a construction permit, the applicant shall provide the following to the Environmental Health Bureau (EHB):

- Grant Deed and Legal Description for the property.
- Drinking water treatment system design, prepared by a qualified individual, that includes filtration and disinfection.

Prior to final inspection of the construction permit, the applicant shall:

- Obtain the notarized signature(s) of the property owner(s) on the deed restriction form, obtained from the EHB.
- Record the notarized deed restriction with the Monterey County Recorder.
- Provide proof of recordation of the Deed Restriction to the EHB.
- Provide EHB with a copy of as-built plans, prepared by a qualified individual, for the water treatment system
- Collect a finished water sample and provide a copy of the water quality analysis lab results to the EHB for review and approval.

10. EHSP01 - DEED RESTRICTION: CENTRALIZED WATER TREATMENT SYSTEM (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The property owner shall record a deed restriction with the Monterey County Recorder for parcel 413-012-011-000 indicating that a centralized water treatment system has been installed on the property to produce water that meets primary drinking water standards and specifies the responsibilities of the property owner to operate and maintain the system in accordance with the designer and manufacturer's recommendations to keep it in good working order. Applicant/property owner is responsible to reimburse County for staff time to prepare the deed restriction form and to pay all Recorder's fees.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the Environmental Health Bureau ("EHB"). The EHB will prepare the deed restriction form.

Prior to final inspection of construction permits, the property owner shall sign and notarize the deed restriction form obtained from the EHB. Record the notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to the EHB.

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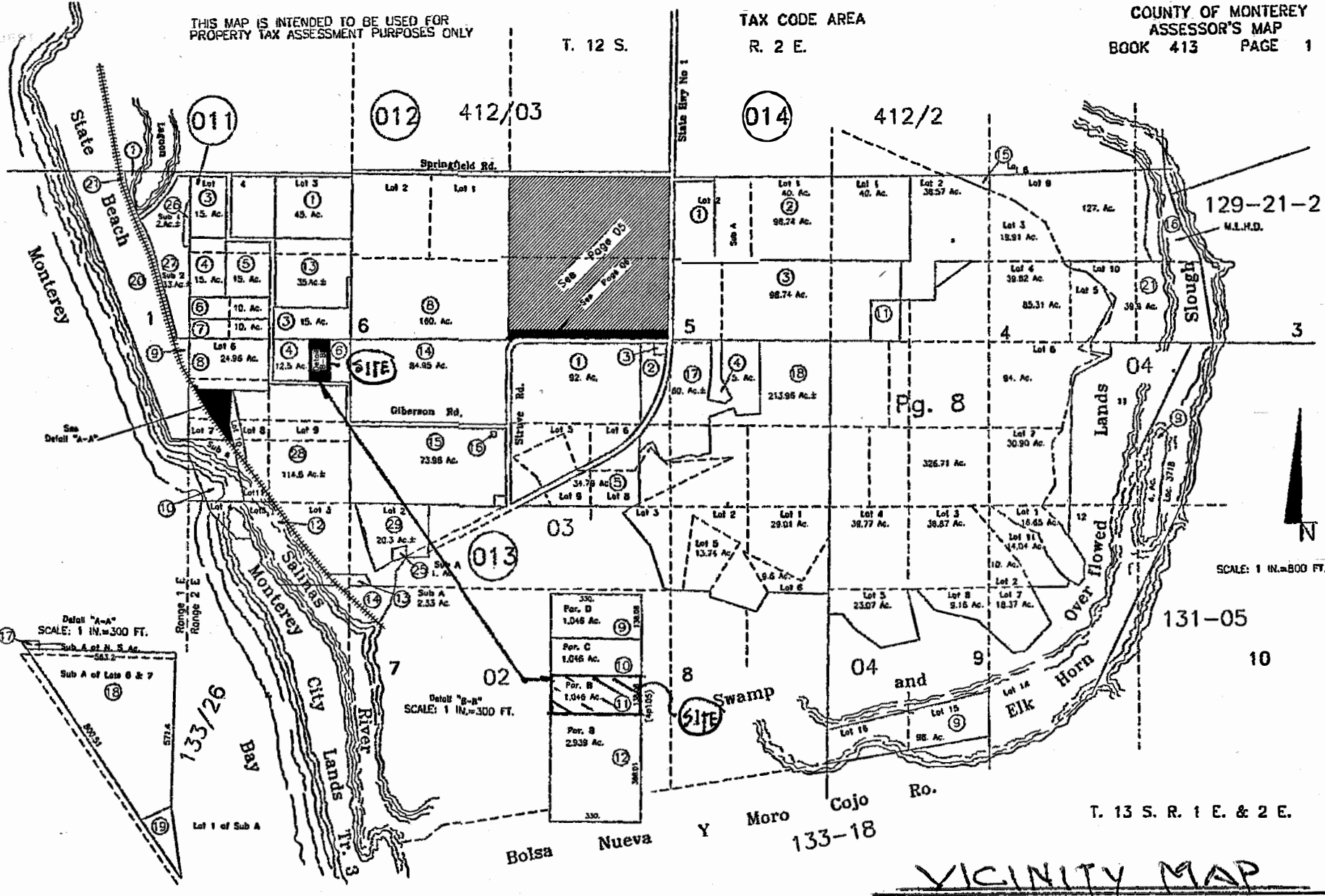
GENERAL NOTES

- The code editions to be followed:
California Plumbing Code 2019 Edition
California Electrical Code 2019 Edition
California Energy Standards 2019 Edition
California Residential Code 2019 Edition
California Building Code 2019 Edition
California Mechanical Code 2019 Edition
California Green Building Standards Code 2019 Edition
California Fire Code 2019 Edition
- Hold down devices must be secured in place prior to foundation inspection.
- Fasteners in preservative-treated wood (anchor bolts, nails, screws, etc.) shall be of an approved silicon bronze or copper, stainless steel or hot-dipped zinc coated steel.
- Foundation sills shall be a naturally durable wood or a preservative-treated wood.
- Anchor bolts shall be a minimum of 1/2 inch diameter in SDC D and 5/8 inch minimum diameter in SDC E.
- Anchor bolts shall be embedded a minimum of 7 inches into foundation.
- Anchor bolts shall not be spaced more than 6 feet apart in SDC D and no more than 4 feet apart in SDC E.
- There shall be a minimum of 2 bolts per sill piece with one bolt not located more than 12 inches or not less than 4 inches of each end of the sill piece.
- Washers for anchor bolts shall be a minimum of 3 inches by 3 inches by 0.229 inch thick. Steel plate washers may be slotted.
- Minimum compression strength of concrete shall be 2,500 psi.
- Reinforcing Steel to be a minimum of ASTM A615 Grade 60.
- Framing lumber shall be Douglas Fir #2 (unless noted otherwise).
- Wall framing shall comply with CBC Table 2308.5.1.
- Nailing shall be in compliance with CBC Table 2304.10.1.
- Foundation vents to be 6"x14" @ 8'-0" o.c. max.
- Block or double joist under all walls. Blocking at 8'-0" o.c. max (not applicable with TJI's).
- Attic and foundation venting shall be a minimum of 1/150 of the area to be vented.
- Smoke detectors and carbon monoxide alarms in new structures shall receive their primary power from the house primary wiring and shall have a battery backup.
- Egress requirements for sleeping rooms:
a. Min. net clear operable dimension of 24" in height.
b. Min. net clear operable dimension of 20" in width.
c. Min. net clear operable dimension of 5.7 square feet.
d. Maximum distance to floor is 44".
- Joints and other openings in the building envelope that are potential sources of air leakage shall be caulked, gasketed, weather-stripped or otherwise sealed to limit infiltration and exfiltration.
- The first 5' of hot and cold water pipes from the storage tank from non-recirculating systems shall be thermally insulated with a minimum of 1" (1.25") thick insulation for hot (cold) water pipes with a diameter of less than or equal to 2" or 1.5" (1") for hot (cold) water pipes with a diameter of greater than 2" and conform to Cal Energy Code 150.0(12).
- The builder/contractor shall provide the owner and County Building Department a copy of the CF-2R Installation Certificate at the time of inspection.
- Air ducts installed under a floor in a crawl space shall be installed as to maintain a vertical clearance of 18" for all portions of the duct that would obstruct access to any part of the crawl space.
- Shower compartments and walls above bathtubs with installed shower heads shall be finished with a smooth, non-absorbent surface to a height of not less than 72" above finish floor. Ceramic tile is to be installed over fiber-cement or cementitious backer board.
- The maximum hot water temperature discharging from the bathtub, shower and whirlpool bathtub filler shall be limited to 120 degrees Fahrenheit. The water heater thermostat shall not be considered a control for the meeting of this provision.
- Plumbing fixtures are required to meet the following maximum flow rates: shower heads 1.8 gpm @ 80 psi, kitchen faucet 1.8 gpm @ 60 psi, lavatory faucets 1.2 gpm @ 60 psi and water closets 1.28 gallons per flush.
- The shower valve shall be a pressure balance type, thermostatic mixing type or a combination pressure balance/thermostatic mixing type.
- Fiber-cement, fiber-mat reinforced cementitious backer units, glass mat gypsum backers of fiber-reinforced gypsum backers in compliance with ASTM C 1288, C 1325, C 1178 or C 1278 respectively and installed in accordance with manufacturer's recommendations shall be used as backers for wall tile in tub and shower areas and wall panels in shower areas (CRC R702.4.2).
- Ceramic tile surfaces shall be installed in accordance with ANSI A108.1, A108.4 through A108.6, A108.11, A118.1, A118.3, A136.1, and A137.1. (CRC R702.4.1).
- The waste outlet and tailpiece for the shower shall be a minimum 2" in diameter.

FIRE DEPARTMENT NOTES - (SPRINKLED)

- These plans are in compliance with the 2019 California Fire and Building Codes and with applicable National Fire Protection Association Standard 13D and district amendments.
- This building is R-3, Type V-B, and Sprinkled.
- A public fire hydrant is within 600 feet of any portion of the building meeting the minimum required fire flow.
- The required available fire flow on this property is 1,000 gallons per minute for 120 minutes.
- Before construction begins, temporary or permanent address numbers shall be posted. Permanent numbers must be posted prior to final inspection. Address numbers shall be posted on property so as to be clearly visible from the road. Address numbers must be in "Arabic" (1,2,3, etc.), not "Roman" (I,II,etc.) or written out in words. Address numbers shall be a minimum of 6" tall, with wide stroke, and posted on a contrasting background, and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street.
- Roof construction shall be Class A (min.) as defined by Uniform Building Code Standard 15-2.
- There shall be a minimum of a 30 foot clearance maintained with non-combustible vegetation around all structures. Exception: Single specimens of trees, ornamental shrubbery, or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure.
- Electric gates shall be provided with a key switch meeting fire department specifications. Gate entrances shall be at least the width of traffic lane, but in no case less than 12 feet in width. Gates must be 2 feet wider than required road width. Unobstructed vertical clearance shall not be less than 15 feet.
- The installation of an approved spark arrestor shall be placed on top of the chimney. Wire mesh not to exceed 1/2 inch. (When adding a new fireplace or wood stove).
- All requirements of the Single Family Dwelling Guide must be met.
- Smoke detectors are required in all sleeping rooms and in hallways outside of sleeping rooms within 10 feet of sleeping room doors.
- Carbon Monoxide Alarms (CMA) are required outside all sleeping rooms within 10 feet of sleeping room doors.
- All buildings shall be equipped with an automatic sprinkler system complying with the latest edition of NFPA 13D currently adopted standards of the Santa Cruz County Fire Chief's Association.
- Fire alarm flow switch shall be wired to kitchen refrigerator circuit. Any deviations require fire dept. approval.
- A 48 hour minimum notice to the fire department is required prior to any inspection and/or test.
- The sprinkler installer shall submit three (2) sets of plans and calculations for the automatic sprinkler system to the fire agency for approval.
- The copies of the building and fire system plans and permits must be on site during construction.
- All underground piping systems shall comply with the County Standard FPO-005 and shall require plan submittal and permit approval prior to installation. The standard is available at the Monterey County Fire Marshall's Office.
- An UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT. Underground plan submittal and permit will be issued to a Class C-16, owner-builder of an owner-builder occupied SFD, or a C-36 plumbing contractor.
- The driveway/access road shall be in place prior to any framing construction, or construction will be stopped.

NOTE
FIRE SUPPRESSION SYSTEM FOR ALL STRUCTURES TO BE NFPA-13D
PER CALIFORNIA FIRE CODE OR NFPA 1142 AS APPROVED BY FIRE CODE



OWNER: Pete Butier & Jeannie Marinovich
9679 Madras Court
Salinas, CA 93907

PROJECT DATA:

A.P.N. 413 - 012 - 011 - 000
Zoning CAP(CZ)
Construction Type V-B Sprinkled
Parcel Size 45,540 (1.05 Acre)
Lot Coverage 3,643 sq. ft. 8.0%
Residential Coverage 1,900 sq. ft. 4.2%

Residence - Occupancy R-3 / U
Lower Floor 1,600 sq. ft.
Middle Floor 1,600 sq. ft.
Upper Floor 1,225 sq. ft.
Total Heated 4,425 sq. ft. Total
Porte-cochere 300 sq. ft.

Barn, Office Home Gym & Storage Occupancy U
Lower Level 1,440 sq. ft.
Upper Level 964 sq. ft.
Total 1,968 sq. ft.

Pump House 62 sq. ft.
Water Tanks 166 sq. ft.
Garden Shed 75 sq. ft.

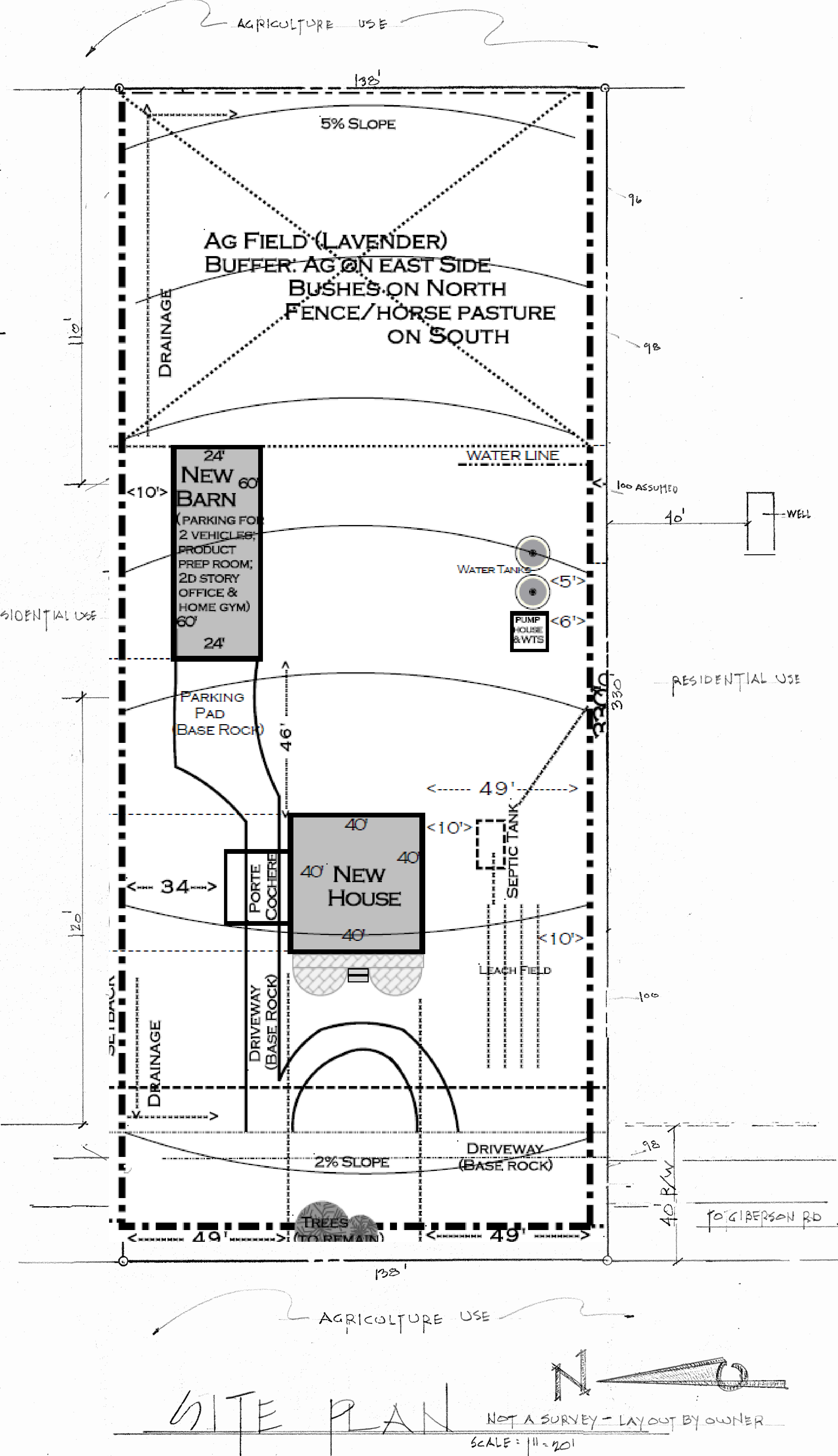
SCOPE OF WORK:

Construct a new 4,425 sq. ft. 3 story single family residence with 2 bedrooms, 3.5 baths, an office and an attached 300 sq. ft. porte-cochere.

Construct a barn with a garage, storage, and prep room at the lower level (1,400 sq. ft.) and office, home gym, bath and storage at the upper (964 sq. ft.)

SHEET INDEX:

- Site plan, Vicinity Map and Notes
- Landscape Plan
- Residence Lower Level
- Residence Middle and Upper Level Plans
- Residence Elevations
- Barn Lower & Upper Floor Plans
- Barn Elevations
- Septic Plan & Details

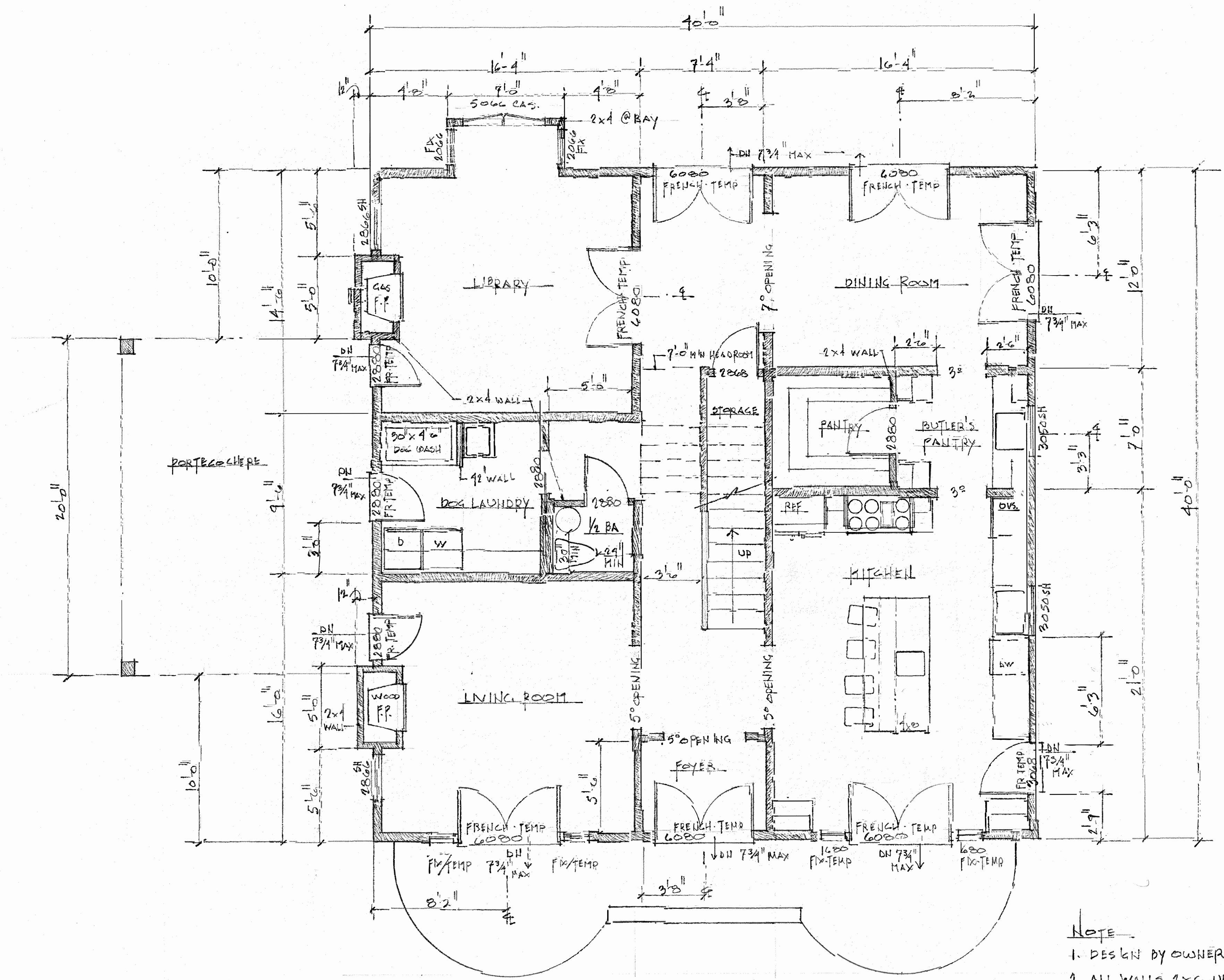


REVISIONS	BY

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250 Evening Hill Lane, Corralitos, CA 95076
Phone: (831) 724-4994 Cell: (831) 549-4919
e-mail: alagadine@gmail.com

BUTIER-MARINOVICH PROJECT
Pete Butier & Jeannie Marinovich jeannie.marinovich@gmail.com
9679 Madras Court Salinas, CA 93907
SITE: O GIBBERSON ROAD MOSS LANDING
A.P.N. 413 - 012 - 011 - 000

DRAWN ROBIN
CHECKED ROBIN
DATE 17 FEBRUARY 23
SCALE NOTED
JOB NO. 22-21
SHEET 1



LOWER LEVEL PLAN

SCALE: 1/4" = 1'-0"

- NOTE
- 1. DESIGN BY OWNER
 - 2. ALL WALLS 2x6 UNLESS NOTED OTHERWISE (LOWER LEVEL ONLY)

REVISIONS	BY

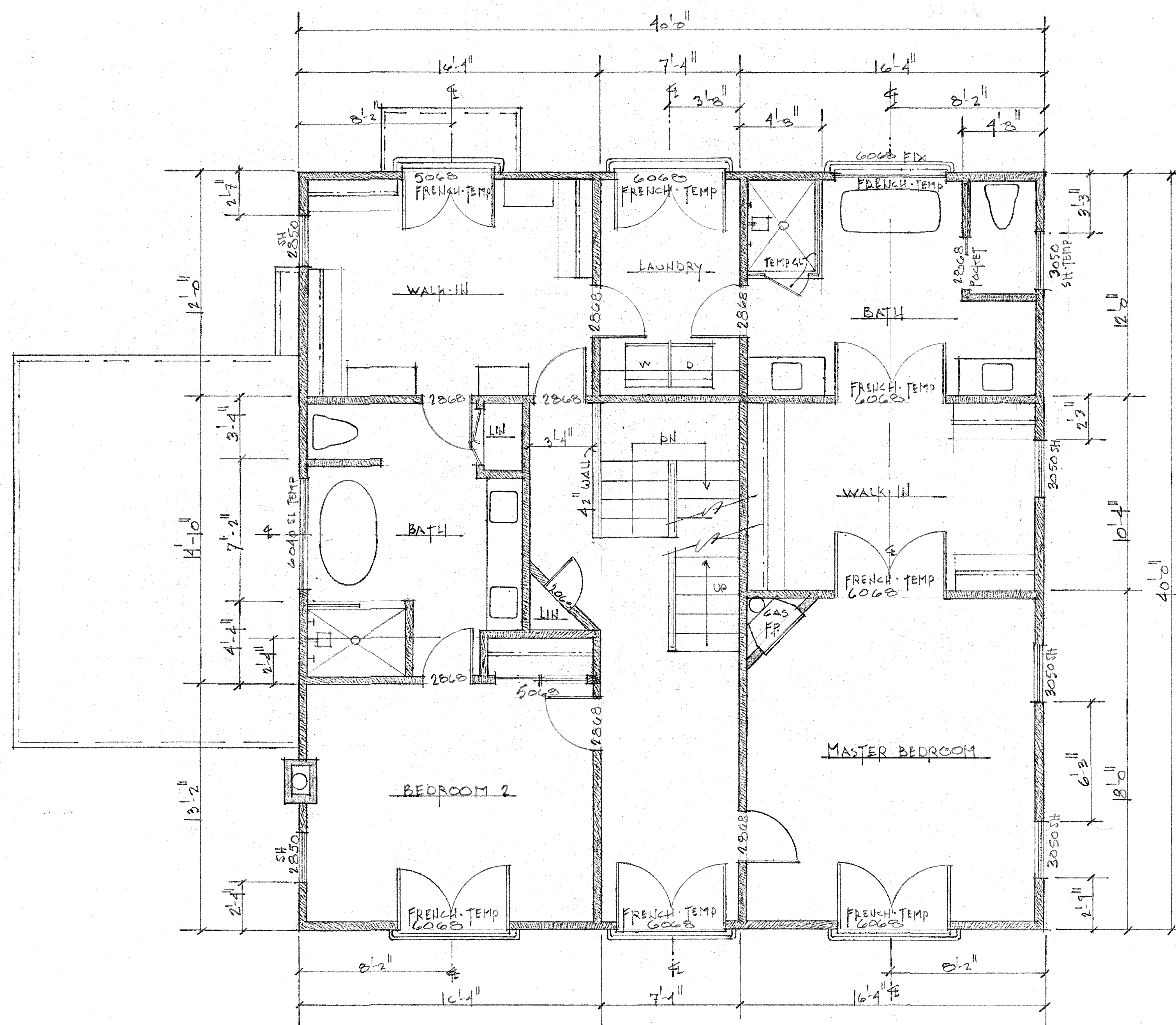
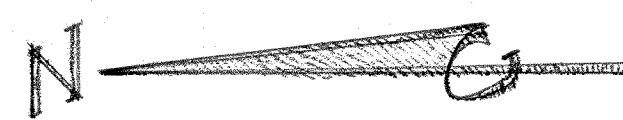
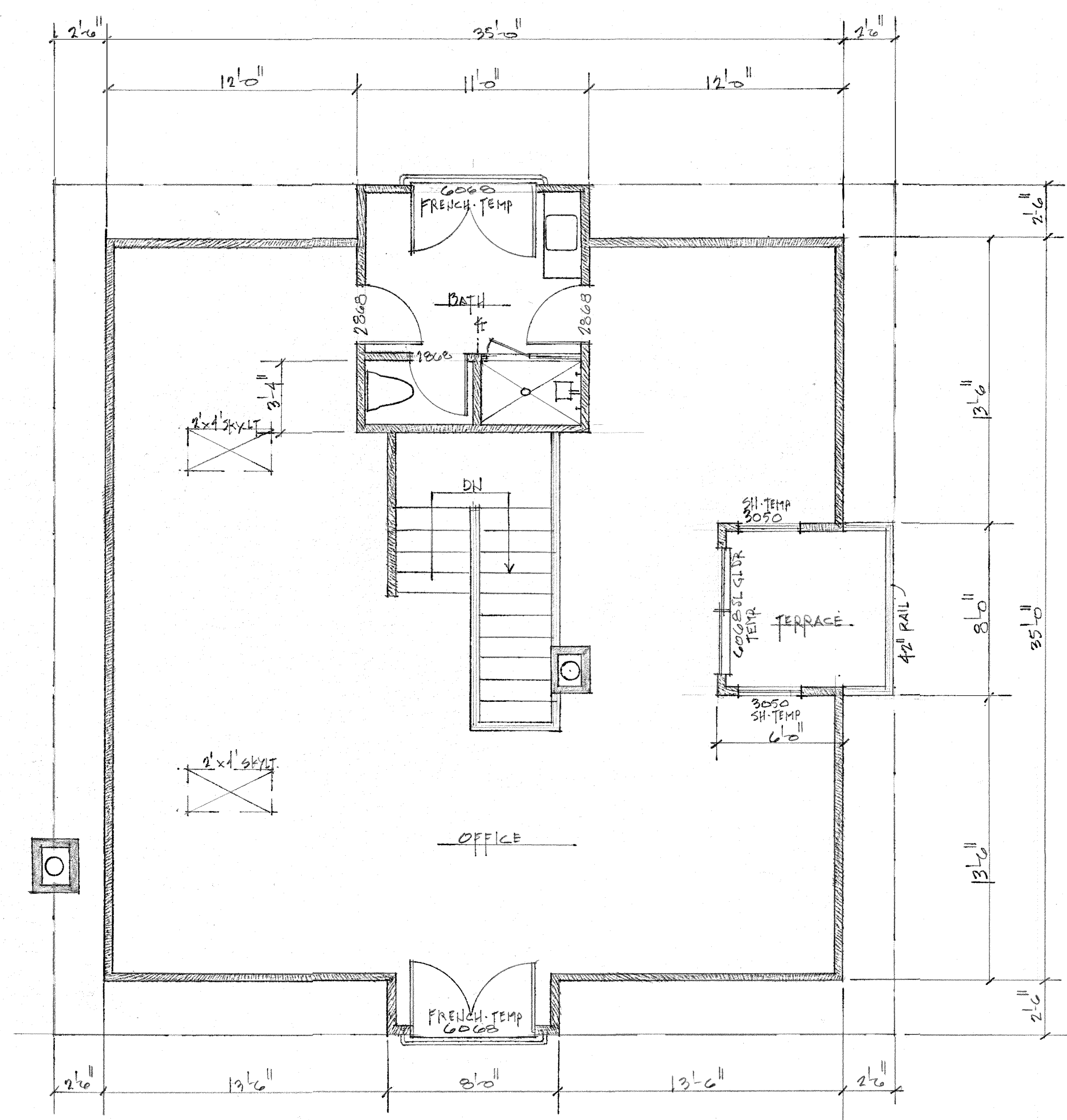
BUTLER-MARINOVICH PROJECT
Pete Butler & Jean Marinovich jeanmarinovich@gmail.com
9679 Madras Court Salinas, CA 95907
SITE: O GIBERSON ROAD MOSS LANDING
A.P.N. 413 - 012 - 011 - 000

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e-mail: alagarc@gmail.com

DRAWN
ROBIN
CHECKED

DATE
7.2.14 B.E.H. 2017
SCALE
1/4" = 1'-0"

JOB NO.
22.21
SHEET

[illegible]

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9679 Madras Court Salinas, CA 95007
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A.P.N. 413 - 012 - 011 - 000

DRAWN
ROBIN

CHECKED

DATE
28. MARCH. 2022

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

JOB NO.
22-21

SHEET
4

OF 4 **SHEETS**



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

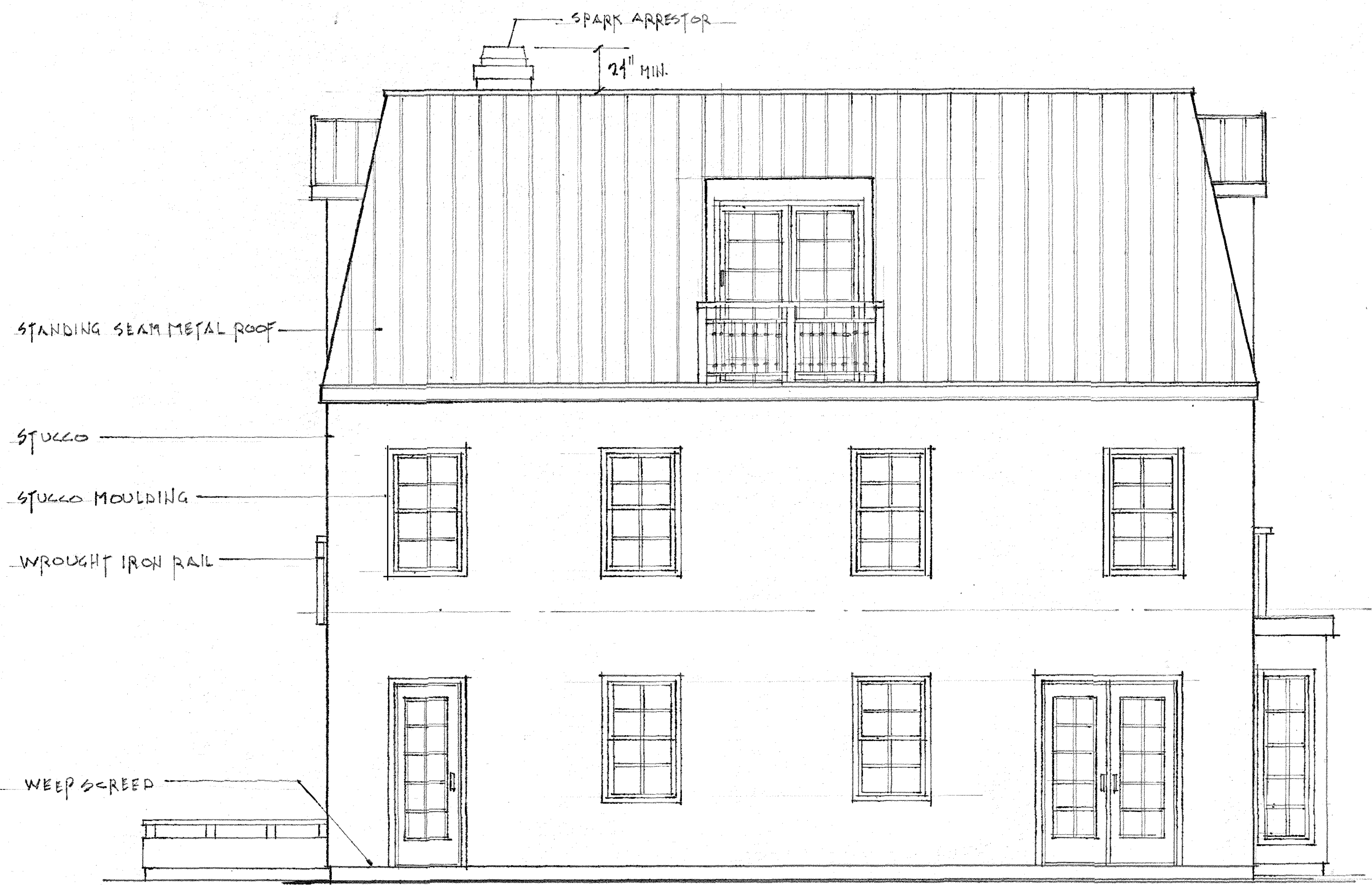


WEST ELEVATION
SCALE: 1/4" = 1'-0"

NOTE
LOT IS FLAT @ AREA OF RESIDENCE
NO GRADING REQUIRED
NO AVERAGE GRADE



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



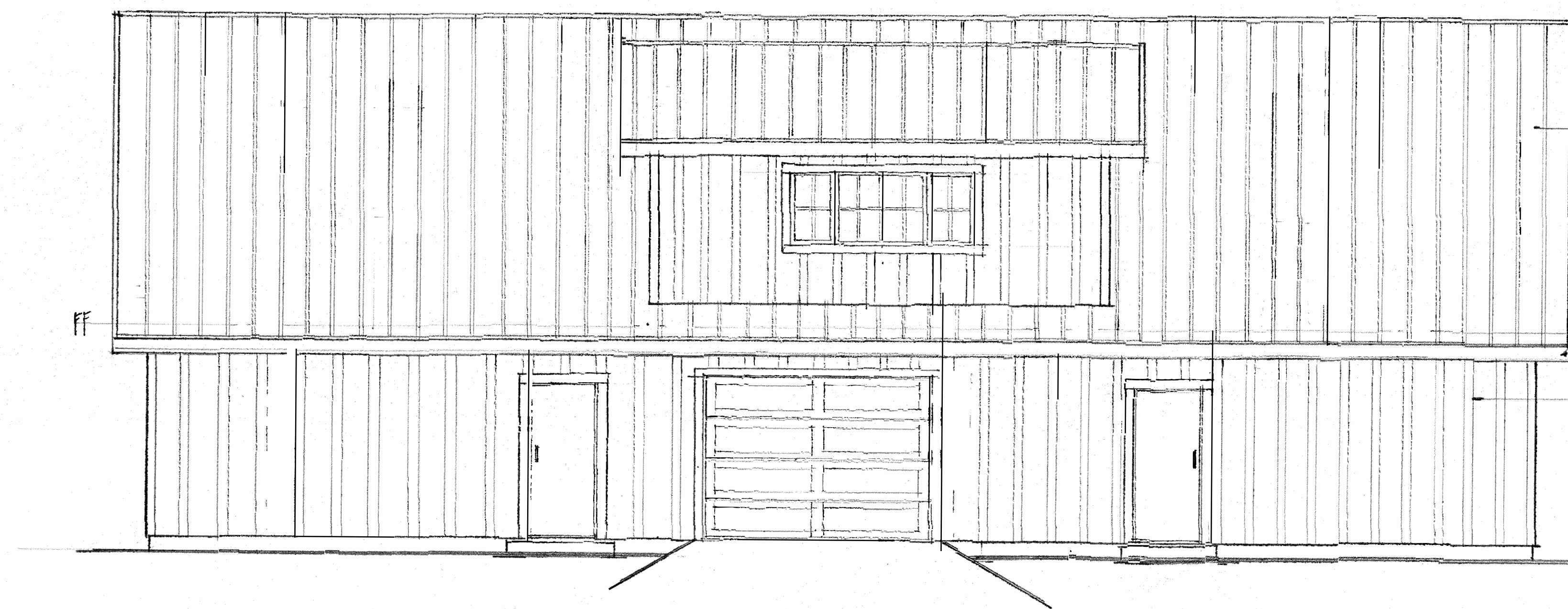
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

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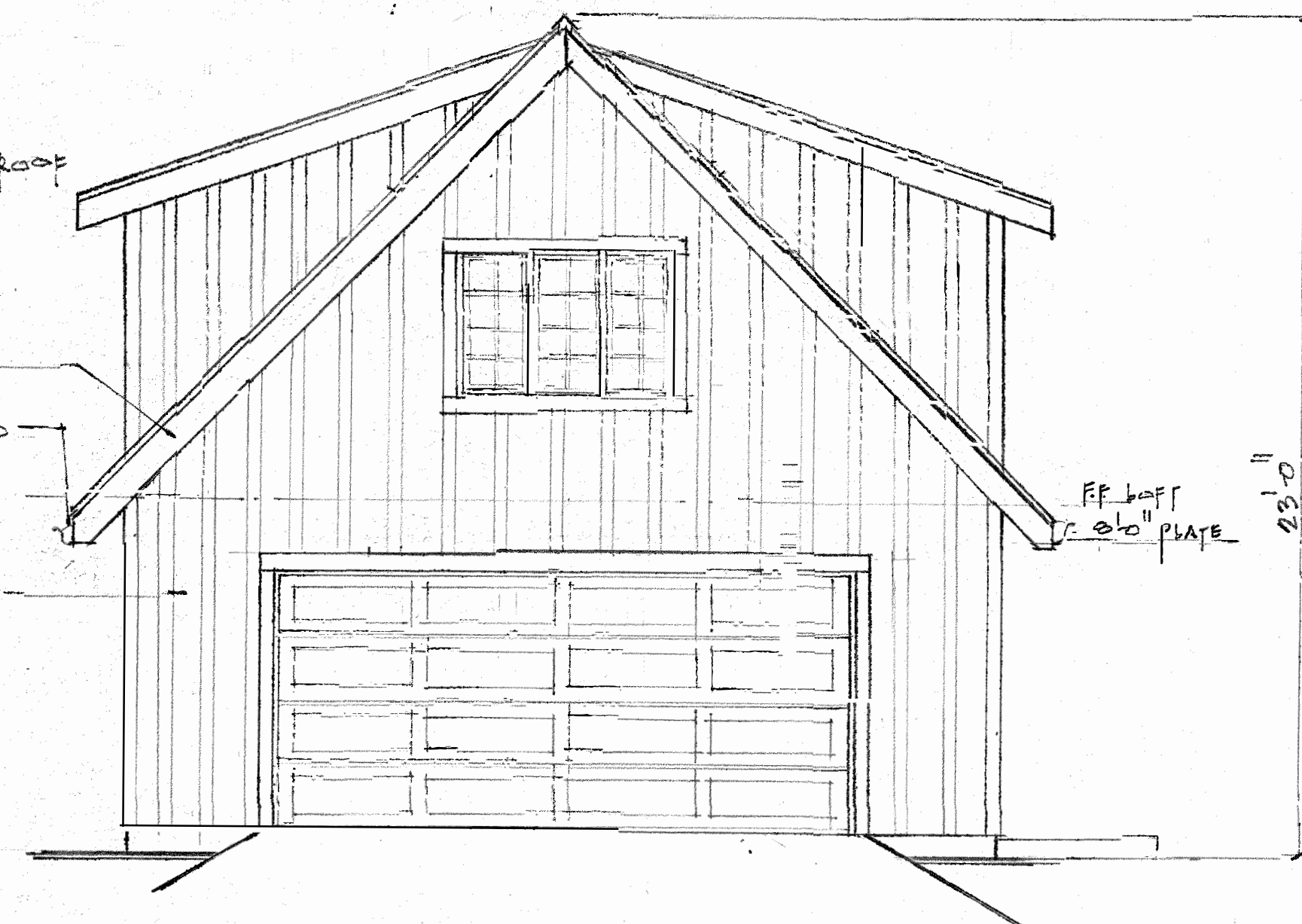
BUTLER-MARINOVICH PROJECT
Pete Butler & Jean Marinovich jeanmarinovich@gmail.com
9679 Madras Court Salinas, CA 95007
SITE: O GIBERSON ROAD MOSS LANDING
A.P.N. 413 - 012 - 011 - 000

DRAWN ROBIN	DATE 18-MARCH-2022
CHECKED	SCALE 1/4" = 1'-0"
JOB NO. 22-21	SHEET 5
OF 5 SHEETS	

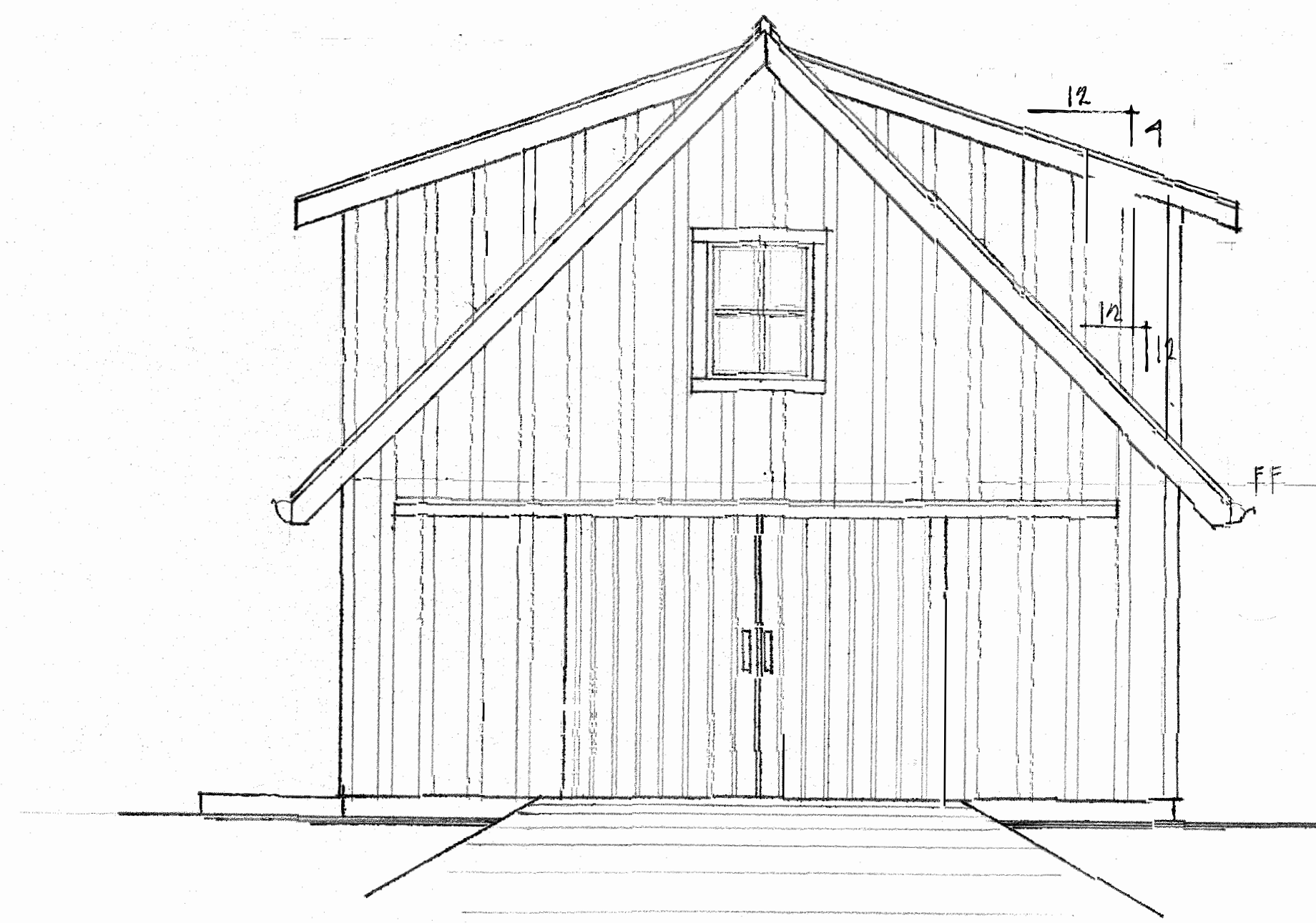


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

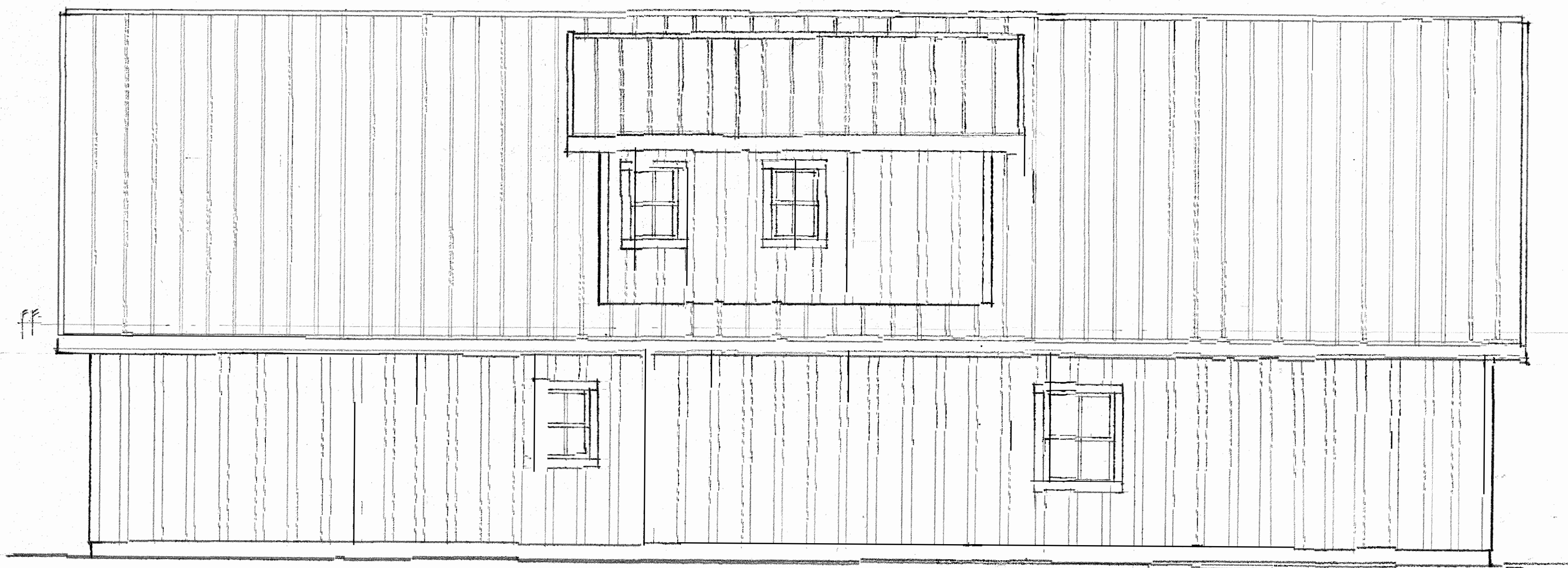
STANDING SEAM METAL ROOF
2X10 FASCIA
GUTTER W/ DEBRIS GUARD
'HARDIE BOARD' SIDING



WEST ELEVATION
SCALE: 1/4" = 1'-0"



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



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

REVISIONS	BY

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DRAWN
ROBIN

CHECKED

DATE

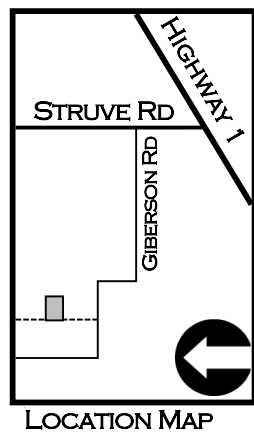
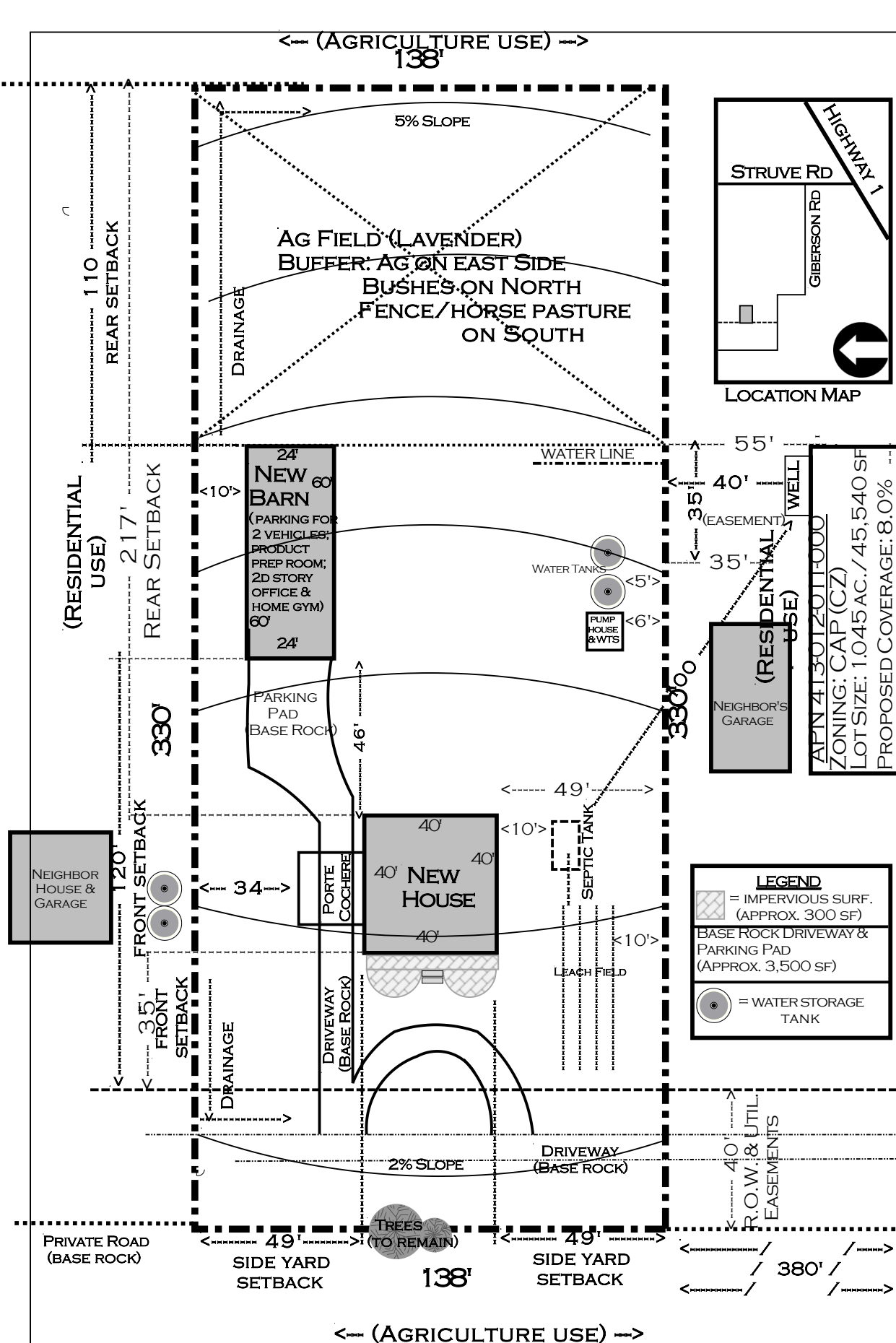
SCALE
1/4" = 1'-0"

JOB NO.
22-21

SHEET

1

OF 1



APN 41301201100
ZONING: CAP (CZ)
LOT SIZE: 1.045 AC. / 45,540 SF
PROPOSED COVERAGE: 8.0%
(3% LIMIT; SEE VARIANCE REQUEST) PROJECT PROPOSED:
NEW SINGLE FAM. RES.
NEW GARAGE/GUEST/OFFICE
NEW BARN

LEGEND	
	= IMPERVIOUS SURF. (APPROX. 300 SF)
	= BASE ROCK DRIVEWAY & PARKING PAD (APPROX. 3,500 SF)
	= WATER STORAGE TANK

DRAWN BY OWNERS:
JEAN MARINOVICH (831) 214-7466
PETE BUTIER (847) 204-6555
9679 MADRAS CT, SALINAS, 93907

GIBERSON ROAD














SCALE 1" = 40'
CONTOUR INTERVAL = 2'

LANDSCAPE PLAN
264 GIBERSON RD.
MOSS LANDING
95039

APN: 413-012-011-000
SIZE: 1.045 ACRES

PREPARED BY OWNERS:
JEAN MARINOVICH & PETE BUTIER
9679 MADRAS CT, SALINAS, CA 93907
(831) 214-7466 & (847) 204-6555

LEGEND:

-  = WATER STORAGE TOWER
-  = OAK TREE
-  = FRUIT TREE
-  = LEMON/LIME TREE
-  = AVOCADO TREE
-  = NATIVE PLANTS
-  = PARTERRE
-  = CLOVER LAWN
-  = 2.5' CMU WALL W/ IRON TOP
-  = EXISTING SPLIT RAIL FENCE
-  = 6' WOOD FENCE
-  = 3' PICKET FENCE
-  = VEGETABLE GARDEN

