



# County of Monterey

Item No.3

## Zoning Administrator

Legistar File Number: ZA 24-038

September 26, 2024

Introduced: 9/19/2024

Current Status: Agenda Ready

Version: 2

Matter Type: Zoning Administrator

### PLN200247 - DAY KEITH W & MICHELLE E TRS

Continued from September 12, 2024, Zoning Administrator hearing to consider the after-the-fact establishment of an agricultural support facility consisting of a storage site for finished compost product.

**Project Location:** 30053 Short Rd, Gonzales, CA 93926, Central Salinas Valley Area Plan

**Proposed CEQA Action:** Find the project Categorically Exempt pursuant to Section 15304 of the CEQA Guidelines and that none of the exceptions to the exemption in section 15300.2 can be made.

### RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a resolution to:

- 1) Find that the project qualifies for a Class 4 Categorical Exemption pursuant to CEQA Guidelines Section 15304 and that none of the exceptions to the exemption in section 15300.2 can be made; and
- 2) Approve an after-the-fact Use Permit to partially clear a Code Enforcement violation (20CE00206) and allow an agricultural support facility consisting of a storage site for finished compost product.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 7 conditions.

### PROJECT INFORMATION

**Agent:** Joel Panzer

**Property Owner:** Day Keith W & Michelle E Trust

**APN:** 216-032-015-000 & 216-032-016-000

**Zoning:** "F/40" (Farmlands)

**Size:** 51.655 acres

**Plan Area:** Central Salinas Valley Area Plan

**Flagged and Staked:** No

### SUMMARY

This project was originally scheduled for the September 12, 2024, Zoning Administrator hearing. During the hearing, Environmental Services raised concerns over the project site being entirely within the floodplain and required clarification on whether compost is subject to FEMA's no fill order (Temporary Suspension of CLOMR-F and LOMR-F Applications).

Environmental Services has since reviewed the project and their aspect of concern for PLN200247

has been resolved. Additionally, the applicant submitted a hydraulic assessment report prepared by Lawrence & Associates (see **Exhibit E**), indicating that the finished compost material does not meet the definition of 'fill' for FEMA purposes.

## DISCUSSION

### Operation

The Keith Day Company is a trucking and compost operation business. The compost storage site is situated on a 51.665 acre property and offers finished compost material delivery to agricultural operators throughout the Salinas Valley. Approximately 50,000 cubic yards of material would be stored and transported through the site yearly with an average of approximately 173 truckloads a month and 14 - 20 trips a day. The facility would be a fully open-air storage site with no permanent structures proposed for the operation.

The storage site is not open to the public and would operate year-round. Hours of operation include 6:00 AM to 5:00 PM during peak season (June - November) and 7:00 AM to 4:00 PM during the slow season (December - May). The operation includes 2 to 3 employees who are not stationed full-time and would come and go as deliveries and shipments for compost material are scheduled. Loaders and water trucks will be used to maintain and load compost materials on-site.

### CEQA

California Environmental Quality Act (CEQA) Guidelines Section 15304 which categorically exempts minor alteration to land. The after-the-fact project is for an open-air storage facility for finished compost material and does not involve additional structures. The site was previously disturbed and no significant changes to the land are proposed for this use. Therefore, the proposed project is consistent with the parameters of this Class 4 exemption. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects was identified during staff review of the development application.

### OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- HCD-Engineering Services
- Environmental Health Bureau
- HCD-Environmental Services
- Gonzales Rural Fire Protection District

### LUAC:

The subject property is located within the Central Salinas Area Plan. Currently, there is no Land Use Advisory Committee (LUAC) for the area. Therefore, the project was not sent to a LUAC for review.

### AGRICULTURAL ADVISORY COMMITTEE:

The project was referred to the Agriculture Advisory Committee (AAC) for review on January 25, 2024 (see **Exhibit D**). The members unanimously recommended approval by a vote of 9 - 0, with 3 members absent, to support the project without further recommendations nor conditions.

Prepared by: Christina Vu, Assistant Planner, x5139

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Attachments

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Conditions of Approval
- Site Plan
- Operational Plan

Exhibit C - Vicinity Map

Exhibit D - AAC Minutes

Exhibit E - Hydraulic Assessment Report

cc: Front Counter Copy; Zoning Administrator; Gonzales Rural Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Christina Vu, Planner; Anna Ginette Quenga, AICP, Principal Planner; Keith Day & Michelle Day, Property Owners; Joel Panzer, Agent; The Open Monterey Project; LandWatch (Executive Director); Laborers International Union of North America (Lozeau Drury LLP); Planning File PLN200247