



Monterey County Zoning Administrator

Board of Supervisors
Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Agenda Item No. 2

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October 10, 2019

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Matter Type: Zoning Administrator

PLN180316 - RAMIREZ & GONZALEZ

Continued from September 12, 2019 and September 26, 2019 - Public hearing to consider an after-the-fact permit for the construction of a 1,380 square foot steel barn and a 720 square foot horse stable.

Project Location: 14700 Del Monte Farms Road, North County Land Use Plan

Proposed CEQA Action: Categorical Exemption pursuant to Section 15303(e) of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Find that the project qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines, and none of the exceptions pursuant to Section 15300.2; and
- b. Approve a Coastal Administrative Permit for the installation of a 1,380 square foot equipment barn, a retaining wall, and an unpermitted 720 square foot stable with a 270 square foot deck and 1,031 cubic yards of grading associated with the stable.
- c. Approve a Coastal Administrative Permit for Animal Husbandry - the keeping of six (6) horses on the property.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit B**).

Staff recommends approval subject to five (5) conditions.

PROJECT INFORMATION:

Project Owner: Bulmaro Ramirez and Maria Gonzalez

APN: 131-043-012-000

Zoning: Low Density Residential, 5 acres per unit (Coastal Zone) [LDR-5 (CZ)]

Plan Area: North County Land Use Plan - Coastal Zone

Parcel Size: 10.6 acres (461,736 square feet).

Flagged and Staked: No

SUMMARY:

On June 19, 2018, the Code Enforcement Division of the Resource Management Agency conducted an inspection of the property and structures located at 14700 Del Monte Farms Road, Castroville. The inspection revealed that a 1,380 square foot accessory structure (detached garage/storage), a 720 square foot horse stable, and retaining walls had been erected, and approximately 1,000 cubic yards of grading had occurred without the benefit of permits. To clear the violation, the property owners, Bulmaro Ramirez and Maria Gonzalez, submitted an application for after-the-fact approval of an unpermitted development. The fee for the required permits were doubled in accordance with Section 21.84.140 of the Monterey County Code.

Staff has reviewed the plans and information as though the development had not already occurred and determined that the development is consistent with the zoning of the property and can be approved as constructed. The development complies with all rules and regulations pertaining to zoning uses and other applicable provisions of the 1982 Monterey County General Plan, North County Land Use Plan, and applicable sections of the Monterey County coastal zoning ordinance (Title 20).

DISCUSSION:

A garage/storage structure, stables, and retaining were constructed on the property without permits. The garage/storage structure and stables are accessory non-habitable structures. The property is zoned Low Density Residential, 5 acres per unit, in the Coastal Zone (LDR/5(CZ)), which allows development of non-habitable accessory structures as allowed uses subject to a Coastal Administrative Permit in each case (MCC Sections 20.14.040.F). The stables are used for animal keeping of horses and similar livestock, which is also an allowed use in LDR zone, provided that the not more than one horse, mule, cow or similar large livestock are kept for each twenty thousand square feet of land area. The property is 10.6 acres in size, which means that up to 23 large animals can be kept at the property. The applicant will keep six (6) horses on the property. The 720 square foot stable is capable of support 4 horses and therefore is in keeping with the allowable uses at the site.

The site is developed with a single-family dwelling, is surrounded by large lot residential uses with intermittent agricultural uses, is relatively flat, and does not support any significant vegetation. It is not located in an area where the Local Coastal Program requires visual public access (Chapter 6.1, Public Access, North County Land Use Plan). The property is located approximately 4,000 feet southeast of the southern reaches of the Elkhorn Slough and approximately four (4) miles east of the Pacific Ocean shoreline. Furthermore, the project site is not located adjacent to any existing or proposed trails, thus does not conflict with access or trails (Chapter 6.1.4.D).

Development Standards

Pursuant to the development standards for the LDR zoning district, identified in MCC Section 20.14.060, and as proposed, the structures conform to all required setbacks, and are also within the corresponding maximum structure heights.

Accessory Structure (non-habitable) Setback and Height Requirements:

- Front Setback: 50 feet (minimum)
- Side Setback: 20 feet
- Rear Setback: 20 foot (minimum)
- Maximum Height (barns, stables or farm outbuildings): 30 feet (maximum)

Steel outbuilding Setbacks and Height:

- Front setback: 200 feet
- Side Setback: 290 feet
- Rear Setback: 334 feet
- Maximum Height: 16 feet 1 inch (as measured from average natural grade)

Stable Setbacks and Height:

Front setback: 147 feet
Side Setback: 52 feet
Rear Setback: 450 feet
Maximum Height: 8 feet 10 inches (as measured from average natural grade)

The allowed site coverage maximum in the LDR/5 zoning district is 25 percent. The property is approximately 10.6 acres or 461,736 square feet, which would allow site coverage of 115,434 square feet. As proposed, the project would result in cumulative site coverage of 7,855 square feet or 1.7 percent.

Animal Husbandry

One horse, mule, cow, or similar animal may be kept for each 20,000 square feet of land area.
(20.14.040.D)

Lot size: 10.6 acres (461,736 sq. ft) 20,000 = 23 small livestock animals allowed.

Six (6) horses will be kept on site.

Design Review

The project site is located in an area characterized by rural residential development consisting of single-family residences on large parcels and some instances of small-scale agriculture with larger, commercial agricultural operations along the southern portions of Meridian Road, adjacent to the southern property line. The application request consists of two detached accessory structures. One structure is a steel building serving as a barn or storage building for equipment and personal motor vehicles. The other structure is a stable for keeping up to four (4) animals (small livestock or horses). Materials of the stable include plywood wood siding and a metal shed roof. The two accessory structures are compatible with the scale and styling of the site development, are compatible with other development found in the vicinity, and is commensurate in scale and use with a rural, low-density residential setting.

Water

Water is provided by a private well on the site with four (4) connections, the Ormart Road Water System #01. At least one of the connections serves a neighboring property located on Ormart Road.

LUAC

The project was not referred to the North County Land Use Advisory Committee (LUAC) for review as the project proposal does not meet any of the referral requirements (RSE 15-043 No. 7).

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15303, Class 3, categorically exempts new construction of small structures. The proposed project involves after-the-fact permitting of two, detached accessory structures, approved uses, on a residentially zoned parcel located in a rural part of the county. As built, the accessory structures were constructed on gently sloping land characterized by approximately one (1) percent slope. Therefore, the project qualifies as and is

consistent with the parameters of the Class 3 categorical exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

RMA-Public Works

RMA-Environmental Services

Environmental Health Bureau

Monterey County Fire District (Fire Protection District)

Prepared by: R. Craig Smith, Associate Planner, x6408

Reviewed by: Craig Spencer, RMA Interim Planning Services Manager

Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and
Development

The following attachments are on file with the RMA

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Conditions of Approval
- Project Plans

Exhibit C - Vicinity Map

cc: Front Counter Copy; Cal Fire Coastal (Fire Protection District); RMA-Public Works;
RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; R. Craig
Smith, Associate Planner; Brandon Swanson, RMA Interim Chief of Planning; Bulmaro Ramirez,
Property Owner; Juvencio Flores, agent/applicant; The Open Monterey Project (Molly Erickson);
LandWatch; Project File PLN180316