



# County of Monterey

Item No. 2

## Zoning Administrator

Legistar File Number: ZA 24-042

October 10, 2024

**Introduced:** 10/1/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN200271 - AMARAL RANCHES**

Public hearing to consider after-the-fact approval to partially clear a Code Enforcement violation (20CE00295) to allow an onsite agricultural support and farm equipment storage facility for wooden pallet storage, repair, sale and rent.

**Project Location:** 31201 Johnson Canyon Road, Gonzales

**Proposed CEQA Action:** Find the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Article 19 Section 15301, and there are no exceptions pursuant to Section 15300.2.

### RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a Resolution:

1. Find the project exempt from CEQA pursuant to section 15301, existing facilities, and there are no exceptions pursuant to Section 15300.2; and
2. Approve an after the fact Use Permit to partially clear a Code Enforcement violation (20CE00295) and allow an onsite agricultural support and farm equipment storage facility for wooden pallet storage, repair, sale and rent. Onsite pallet production shall not exceed 28,000 pallets in a 12-month period.

### PROJECT INFORMATION:

**Agent:** Rick Castillo, Floor Plan Design Co.

**Property Owner:** Amaral Ranches

**APNs:** 223-071-013-000

**Parcel Size:** 56.01 Acres

**Zoning:** Farmland with a density of one unit per 40 acres or "F/40"

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

**Flagged and Staked:** No

### SUMMARY:

The project is located at 31201 Johnson Canyon Road, Gonzales, (APN: 223-071-013-000) within the Central Salinas Valley Area Plan. The project consists of permitting of an after the fact Use Permit for establishment of an onsite agricultural support and farm equipment storage facility. The project has been reviewed with applicable goals and policies in the 2010 General Plan, policies in the Central Salinas Valley Area Plan and Title 21 Zoning Ordinance and found consistent.

This property was cited with a violation for an unpermitted pallet storage yard in 2020. The Code

Compliance Officer also identified substandard structures and electrical onsite that have since been removed. The facility continued to operate while pursuing an after the fact Use Permit. The applicants have brought the pallet storage and structures into compliance with County of Monterey and fire regulations. The operation is fairly small with 8 employees. The pallets are primarily used by Amaral Ranches to transport produce from their multiple farming operations within Monterey County. On occasion, pallets will be rented or sold to other local farmers for agricultural use.

DISCUSSION:

Land Use & Development Standards

The property is zoned Farmland, one unit per forty acres or “F/40”. Pursuant to section 21.30.040 of the County’s Zoning Ordinance, Title 21, farm equipment storage facilities and agricultural support facilities are allowed following the issuance of a Use Permit. All structures are within the required setbacks, pursuant to section 21.30.060, and will be required to obtain after the fact construction permits following approval of this after the fact Use Permit.

Health and Safety

The property utilizes onsite utilities:

- Applicant submitted water quality test results for remaining constituents: perchlorate, secondaries, and total coliforms. Samples were collected on October 31, 2023 by Monterey Bay Analytical Services. Certificate of Analysis was completed on 11/15/2023 for these samples. The Environmental Health Bureau (EHB) completed review and determined these samples are acceptable under Title 22 of the California Code of Regulations.
- EHB confirmed a permanent restroom exists on the property. The restroom is connected to a septic system (approx. 1,500 gal concrete tank connected to a single seepage pit) which was found to be in an acceptable condition with no recommended repairs. The application materials indicate an existing operation with a total of 8 staff and no anticipated future expansion of operations. Therefore, the existing septic system is suitable for the existing operation.
- The Gonzales Rural Fire Protection District reviewed the site plans and application materials for compliance with the fire safety regulations and found the project consistent. The pallets are being stored in compliance with the National Fire Protection Association outdoor idle pallet storage standards.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines, “Existing Facilities”. This exemption applies to operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This project qualifies for a Class 1 exemption because it includes the after the fact permitting of an agricultural support facility established without permit and has continued to operate. All of the necessary reports have been obtained and have determined that it is unlikely there will any impacts to archaeological resources, historical resources, forest resources or soil resources. There are no there are no exceptions pursuant to Section 15300.2.

OTHER AGENCY INVOLVEMENT:

The project was reviewed by HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, the Environmental Health Bureau, and Gonzales Rural Fire Protection District. 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.

AGRICULTURAL ADVISORY COMMITTEE:

The project was referred to the Agricultural Advisory Committee (AAC) for review and was heard at a duly noticed public meeting on September 26, 2024. However, at the time of preparation of the Zoning Administrator staff report, a copy of the AAC minutes was not available. The committee recommended support of approval (vote of 10-0 with 2 members absent) of the project subject to adding a site plan showing the storage area and that onsite production does not exceed 28,000 pallets in a 12-month period. This production limitation was calculated based on the maximum storage capability. Since production was not specifically identified in the attached Operations Plan, staff included language within the draft resolution (**Exhibit B**) and Condition No. 1 - Specific Uses and a site plan is attached accordingly.

Prepared by: Zoe Zepp, Assistant Planner

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

The following attachments are on file with the HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans
- Operations Plan

Exhibit C - Vicinity Map

cc: Front Counter Copy; Zoning Administrator; Gonzales Rural Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Zoe Zepp, Planner; Anna Ginette Quenga, AICP, Principal Planner; Amaral Ranches Property Owner; Rick Castillo, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Project File PLN200271