

John and Brenda Stephenson
Application No. 97-0648
APN: 59-021-08/062-151-03 (a single parcel)

COASTAL ZONE PERMIT FINDINGS:

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

Livestock barns, water storage tanks and water lines to serve the tanks, all for private equestrian use, are uses that are allowed in the "CA" zone district where the project is located. New facilities to support biomedical livestock raising, such as the proposed extension of the water line to irrigate pasture land for the grazing of biomedical livestock, are allowed pursuant to a site specific Master Plan for biomedical livestock raising. No Master Plan has yet been approved for this property. "CA" zoning is an implementing zoning of the General Plan/LCP land use designation of "Agriculture" with an "Agricultural Resource" overlay. The property is so designated by the General Plan/LCP.

The proposed extension of the water line would not only serve horses to be housed in the project barn but other livestock raised on this property, specifically livestock raised for biomedical purposes. Irrigated pasture is not necessary, nor is it common, to pasture horses. Irrigated pasture is, however, used by the applicants in their raising of biomedical livestock on other portion of the project property. The extension of the water line to irrigate pasture for goats raised for biomedical purposes prior to the adoption of a Master Plan for biomedical livestock raising on a parcel is not consistent with County Code 13.10.647 (Regulations for Biomedical Livestock Raising) because a Master Plan must be adopted before biomedical facilities are expanded. The proposed extension of the water line, as now proposed, is not presently permitted in the "CA" zone district without an approved Master Plan.

The provision of a separate locked line only to be used in a fire emergency (or for related periodic testing) as proposed would not be a line to serve biomedical livestock and could be installed without conflicting with County Code 13.10.647. Such a water line dedicated solely to fire protection is permitted in all zoning districts. Similarly, the installation of a domestic water line from an existing domestic well solely to serve the horses will not conflict with Section 13.10.647 because it will only be used to serve a project facility and the horses it shelters. Domestic water lines are permitted in all zoning districts.



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2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The project does not conflict with any existing easement or development restriction such as public access, utility, or open space easements. All property owners on Back Ranch Road have legal right-of-way to travel over that segment of Back Ranch Road that traverses the Stephenson parcel. This project will not affect these rights.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

Agricultural land will be conserved as discussed in finding #5 and the accompanying findings required by Section 13.10.314. The project structures have been sited so as to be least visible from surrounding properties inhabited with dwellings. These structures will also not be within view of the scenic corridors of the ocean beach or Highway 1. The project barn, however, will be in view of public land to be annexed to Wilder Ranch State Park and a hiking trail on that public land. A landscape screening plan will be implemented as part of the required project improvements to reduce the visual effect of the new barn on State Park users to levels of insignificance. Exterior materials of the barn will be natural earthen tone colors. The barn has been positioned on the project site to screen other project improvements from State Park views. The project has been conditioned to minimize the amount of illumination and glare that will be generated by project lighting so wildlife and nighttime uses (e.g. star gazing) on State Park land will not be significantly affected. All of these measures will make the project consistent with applicable regulations of Section 13.20.130.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the project will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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- 5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project has been conditioned so it will be in conformity with the County's certified Local Coastal Program in that productive pasture land within the northeast portion of the parcel will be conserved by requiring the existing stable to be demolished and the site converted to productive agricultural land within two years of approval of this project. In addition, redesign of the paved parking and circulation area has been reduced from 20,200 square feet, as originally proposed, to 7,960 square feet adjacent to the project barns. (Together with the project roadway the total vehicle circulation area will now total 13,370 square feet). These two conditions will make the project consistent with General Plan/LCP policy 5.13.6 which requires all conditional uses on commercial agricultural land to minimize the removal of land from agricultural production.

DEVELOPMENT PERMIT FINDINGS:

- 1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the horse facilities and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for agricultural uses and is designed to avoid physical constraints to development which occur on the parcel. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. A Mitigated Negative Declaration was issued for this project on May 11, 1999. All mitigation measures, to address

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environmental impacts, have been incorporated into the permit conditions for this project.

The proposed extension of the agricultural water line to irrigate pasture is a facility that will be used to pasture goats raised as biomedical livestock prior to the approval of a Master Plan for biomedical livestock raising. Irrigated pasture is not necessary, nor is it common agricultural practice, to irrigate pasture for the raising of horses. The proposed extension of the water line would conflict with one of the purposes of the Master Plan, siting of facilities to ensure that land use conflicts with surrounding properties are avoided. For this reason, the proposed extension of the agricultural water line is not included in the approval of this project.

2. • THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located in the "CA" zone district. The proposed location of the project (equestrian barns, associated paving, water storage tanks) and the conditions under which the project will be constructed and maintained will be consistent with all pertinent County ordinances and the purpose of the "CA" zone district in that the primary use of the project facilities will be horse raising for private use. This is an allowable use within the "CA" zone district.

The extension of the agricultural water line will be used to irrigate pasture for goats raised for biomedical purposes prior to the adoption of a Master Plan for biomedical livestock raising on a parcel. This is not consistent with County Code 13.10.647 (Regulations for Biomedical Livestock Raising) because a Master Plan must be adopted before biomedical facilities are expanded.

The installation of water lines dedicated solely for fire protection purposes and to convey domestic water to serve the project barn are allowed in all zoning districts. These two types of water lines do not conflict with Section 13.10.647 as explained in Development Permit finding #1 above.

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3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the "Agriculture" land use designation. The use proposed by this project is consistent with all elements of the General Plan in that the raising of horses is an allowable use in that it consists of raising of livestock. The project is consistent with the General Plan in that the water lines and tanks dedicated to fire protection and domestic uses will provide the water needed to provide fire protection and basic sanitation (i.e., rest room, sewage disposal, horse washing, etc.). A specific plan has not been adopted for this portion of the County. The property owners have made an application for a proposed Master Plan to manage biomedical livestock raising on the parcel. Since the equestrian facilities do not include biomedical livestock, they are not subject to a future Master Plan.

However, as discussed in previous findings, the proposed extension of the agricultural water line to irrigate pasture is a component of the biomedical livestock raising use and thus is subject to review under the Master Plan. Approval of this water line extension at this time, prior to approval of the Master Plan, would not be consistent with the intent of the Master Plan process.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity in that the project is a private equestrian facility for the owners of the property who will reside in the single-family dwelling presently under construction on the same parcel. Vehicular traffic will consist of either the owners or their farm employees traveling to the project site from other portions of the property in a single vehicle. Electricity will be used to operate a pump at the existing domestic well to provide domestic water to the barn and for lighting inside and outside of the barn. The project has been conditioned to disallow any extensive outdoor lighting of the site.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

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The equestrian portion of the project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood in that the project consists of buildings and other structures to support the raising of livestock on an agricultural parcel. No dwelling units will be constructed by this project.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that project structures will be subordinate to the surrounding natural topography and site grading will not significantly alter the natural topography of the project site (Subsection 13.11.072b1). Development has been sited to minimize impacts on private views. (13.11.072b2) The project's impact on public views will be restricted to the western edge of Wilder Ranch State Park. Use of natural earthen tone exterior colors and materials for the project barn and implementation of a native landscape screening plan consisting of evergreen trees will minimize the visual effects of the project to levels of insignificance to users of the State Park. The barn structure is located to screen most other project facilities from views from the State Park.

**Required Special Findings for Level 5 (or Higher)
Development on "CA" and "AP" Zoned Properties
County Code Section 13.10.314 (a)**

1. THAT THE ESTABLISHMENT OR MAINTENANCE OF THIS USE WILL ENHANCE OR SUPPORT THE CONTINUED OPERATION OF COMMERCIAL - AGRICULTURE ON THE PARCEL AND WILL NOT REDUCE, RESTRICT OR ADVERSELY AFFECT AGRICULTURAL OPERATIONS ON THIS AREA.

The barn will support the raising of horses on an area of the property which is geographically separate from other portions of the property where other agricultural

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uses occur. The five main water storage tanks will be used to provide a reliable quick source of water for fire protection purposes. A sixth water storage tank of 86 gallons will be used, in part, to provide water to the horses. The approved water lines are necessary to convey water to these 6 water tanks. It is not known at this time what effect the proposed extension of the agricultural water line will have on agricultural operations on-site or within the area since a Master Plan to guide biomedical livestock raising has not yet been approved for this parcel. (See Development Permit findings #1 and #5).

2. THAT THE USE OR STRUCTURE IS ANCILLARY, INCIDENTAL OR ACCESSORY TO THE PRINCIPAL AGRICULTURAL USE OF THE PARCEL, OR

NO OTHER AGRICULTURAL USE IS FEASIBLE FOR THE PARCEL.

The equestrian barn and the water tanks are accessory uses to the raising and pasturing of horses on the property. Besides open grassland to graze, horses need shelter from inclement weather and a sheltered area to store straw, hay and equestrian supplies. The barn will be for these purposes. The water tanks will provide a reliable source of water for fire emergencies in the vicinity of the project site.

3. THAT SINGLE-FAMILY RESIDENTIAL USES WILL BE SITED TO MINIMIZE CONFLICTS, AND THAT ALL OTHER USES WILL NOT CONFLICT WITH COMMERCIAL AGRICULTURAL ACTIVITIES ON SITE, WHERE APPLICABLE, OR IN THE AREA.

No single-family dwelling will be constructed as part of this project. The equestrian component of the project has been sited on a portion of the site that is geographically isolated from the remainder of the parcel which supports another form of livestock raising. The site is also distant from other agricultural uses in the area.

Refer to finding #1 regarding the proposed extension of the agricultural water line potential conflict with conservation of agricultural land on both the project parcel and surrounding properties.

4. THAT THE USE WILL BE SITED TO REMOVE NO LAND FROM PRODUCTION (OR POTENTIAL PRODUCTION) IF ANY NON-FARMABLE POTENTIAL BUILDING SITE IS AVAILABLE.

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OR

IF THIS IS NOT POSSIBLE, TO REMOVE AS LITTLE LAND AS POSSIBLE
FROM PRODUCTION.

The project has been conditioned to remove as little land as feasible from the production of crops and livestock by the following measures:

- a. The surfaced parking, circulation and roadway area has been reduced from 34,400 square feet (0.79 acre) to 21,720 square feet (0.50 acre); thereby reducing the total impervious developed area of this project to 29,720 square feet (0.68 acre); and
- b. The existing horse stables within the northeast portion of the parcel will be removed and converted to productive crop and/or pasture land within two years of the approval of this project since the project will replace the use of the existing stables.

