MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: October 31, 2013 Time: 2:40 P.M	Agenda Item No.: 5			
Project Description: Consider a Coastal Development Permit to allow the installation of a 32				
square foot illuminated sign at the entrance of the parking lot of North Monterey County High				
School.				
Project Location: 13990 Castroville Boulevard,	APN: 133-092-007-000			
Castroville				
Planning File Number: PLN130286	Owner: North Monterey County Unified			
	School District (Kari Yeater)			
	Agent: Oscar Mora			
Planning Area: North County Land Use Plan	Flagged and staked: No			
Zoning Designation: "PQP (CZ)" [Public Quasi-Public (Coastal Zone)]				
CEQA Action: Categorically Exempt per CEQA Section 15303 (e)				
Department: RMA - Planning Department				

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (Exhibit B) to:

- 1) Find the project Categorically Exempt per CEQA Section15303 (e); and
- 2) Approve PLN130286, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

3)

PROJECT OVERVIEW:

The North Monterey County Unified School District is requesting a 32 square foot (8 feet by 4 feet) illuminated sign in order to provide school activity information to the neighboring area. The sign is mounted on a base which is 3 feet 6 inches tall by 2 feet 8 inches wide with a total height of 7 feet 6 inches. The top half of the sign would contain the language "North Monterey County High School, Home of the Condors" and on the bottom half would contain illuminated moving wording in red announcing school activities. The base of the sign is black with the Rotary International logo. The sign would be located at the entrance of the school, behind the existing chain link fence on the corner of the parking lot.

The parcel is zoned Public/Quasi-Public in the Coastal Zone (PQP). There are no specific policies in the North County Land Use Plan for signs in PQP zoning or for schools. Therefore, the project is subject to Chapter 20.60 of the Zoning Ordinance (Sign Regulations). Section 20.60.100.B prohibits signs with flashing, moving or animated illumination. However, there is an exemption under 20.60.090.E for "Public Notices and announcements authorized by courts and public officials." This sign is intended for public benefit messages. Therefore, staff has determined the sign can be exempt and recommends approval of the sign.

There are no outstanding issues.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

RMA - Public Works Department Environmental Health Bureau Water Resources Agency North County Fire Protection District California Coastal Commission Agencies that submitted comments are noted with a check mark (" $\sqrt{}$ "). Conditions recommended by RMA-Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

The project was not referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because this is a structure accessory to the permitted use (school), it is exempt from CEQA, does not involve any conflict nor raises significant land use issues.

Note: The decision on this project is appealable to the Board of Supervisors and Coastal Commission, if applicable.

/S/ ELIZABETH GONZALES

Elizabeth Gonzales, Associate Planner

(831) 755-5102, gonzalesl@co.monterey.ca.us

October 14, 2013

cc: Front Counter Copy; Zoning Administrator, North County Fire Protection District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Wanda Hickman, Planning Services Manager; Luis Osorio, Senior Planner; Elizabeth Gonzales, Project Planner; North Monterey County Unified School District, Owner; Oscar Mora, Agent; The Open Monterey Project; LandWatch; Planning File PLN130286

Attachments: Exhibit A

ibit A Project Data Sheet

Exhibit B

Draft Resolution, including:

• Conditions of Approval

• Site Plan, Sign Design

Exhibit C

Vicinity Map

This report was reviewed by Luis Osorio, Senior Planner

EXHIBIT A

Project Information for PLN130286

Application Name: North Monterey County Unified School District

Location: 13990 Castroville Blvd, Castroville

Applicable Plan: North County LCP

Advisory Committee: North County-Coastal Advisory Committee

Permit Type: Coastal Development Permit

Environmental Status: Exempt

Zoning: PQP(CZ)|HDR/5(CZ)|RC(CZ)

Coastal Zone: Yes

Primary APN: 133-092-007-000

Final Action Deadline (884): 10/14/2013

Land Use Designation: Wetlands & Coastal

Strand|Residential - High Density|Public/Quasi-Public |Special Treatment Area

Project Site Data:

Lot Size: 140

Existing Structures (sf): 0 Proposed Structures (sf): 0

Total Sq. Ft.: 0

Coverage Allowed: 25%

Coverage Proposed: .001

Height Allowed: 15 feet

Height Proposed: 7.6 feet

FAR Allowed: n/a

Special Setbacks on Parcel:

FAR Proposed: n/a

Resource Zones and Reports:

Seismic Hazard Zone: VI

Erosion Hazard Zone: High|Moderate|Low

Fire Hazard Zone:

Flood Hazard Zone: X (unshaded)|A

Archaeological Sensitivity: high

Visual Sensitivity: None

Soils Report #: n/a

Biological Report #: n/a

Forest Management Rpt. #: n/a

Geologic Report #: n/a

Archaeological Report #: LIB130263

Traffic Report #: n/a

Other Information:

Water Source: Community Wells

Water Purveyor: Water West Corp

Fire District: North County FPD

Tree Removal: ()

Grading (cubic yds.): 0

Sewage Disposal (method): Septic

Sewer District Name: private

Date Printed: 10/17/2013

EXHIBIT B DRAFT RESOLUTION

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

In the matter of the application of:

NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT (PLN130286)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically Exempt per CEOA Section 15303 (e); and
- 2) Approving Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School.

[PLN130286, North Monterey County Unified School District, 13990 Castroville Boulevard, Castroville, North County Land Use Plan (APN: 133-092-007-000)]

The Coastal Development application (PLN130286) came on for public hearing before the Monterey County Zoning Administrator on October 31, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING: PROJECT DESCRIPTION** – The proposed project is a Coastal

Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School. The property is located at 13990 Castroville Boulevard, Castroville (Assessor's Parcel Number 133-092-007-000),

North County Land Use Plan, Coastal Zone.

EVIDENCE: The application, project plans, and related support materials submitted

by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File

PLN130286.

2. **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;
- Monterey County Coastal Implementation Plan Part 2;
- Monterey County Zoning Ordinance (Title 20);

- 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) The property is located at 13990 Castroville Boulevard, Castroville (Assessor's Parcel Number 133-092-007-000), North County Land Use Plan. The parcel is zoned "PQP (CZ)" [Public Quasi-Public (Coastal Zone)], which allows structures accessory to any principal permitted use. The principal permitted use is the high school. Therefore, the project is an allowed land use for this site.
- c) The project planner conducted a site inspection on July 17, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- d) The project is a 32 square foot (8 feet by 4 feet) illuminated sign in order to provide school activity information to the neighboring area. The sign is mounted on a base which is 3 feet 6 inches tall by 2 feet 8 inches wide with a total height of 7 feet 6 inches. The top half of the sign would contain the language "North Monterey County High School, Home of the Condors" and on the bottom half would contain illuminated moving wording in red announcing school activities. The base of the sign is black with the Rotary International logo. The sign would be located at the entrance of the school, behind the existing chain link fence on the corner of the parking lot. There are no trees to be removed, no development on slopes over 25 percent or no environmentally sensitive habitat to be disturbed; nor are there any viewshed or archaeological issues.
- e) Pursuant to Section 20.60.040.B.2 of Monterey County Code (Title 20, Zoning Ordinance) signs are allowed between 20 and 75 square feet in the aggregate appurtenant to any permitted use with a Coastal Development Permit subject to review by the Zoning Administrator.
- f) The parcel is zoned Public/Quasi-Public in the Coastal Zone (PQP (CZ)). There are no specific policies in the North County Land Use Plan for signs in PQP zoning or for schools. Therefore, the project is subject to Chapter 20.60 of the Zoning Ordinance (Sign Regulations). Section 20.60.100.B prohibits signs with flashing, moving or animated illumination. However, there is an exemption under 20.60.090.E for "Public Notices and announcements authorized by courts and public officials." This sign is intended for public benefit messages.
- The project was not referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because this is a structure accessory to the permitted use (school), it is exempt from CEQA, does not involve any conflict nor raises significant land use issues.
- h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN130286.
- 3. **FINDING: SITE SUITABILITY** The site is physically suitable for the use proposed.

EVIDENCE:

- The project has been reviewed for site suitability by the following departments and agencies: RMA Planning Department, North County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- b) Staff identified potential impacts to Archaeological Resources. The archaeological report has been determined to be negative. Therefore, no mitigation measures are required. However, a standard condition of approval shall be added to ensure that if, during the course of construction, cultural, archaeological, historical or 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 (Condition #3). The following reports have been prepared:
 - "Preliminary Archaeological Reconnaissance" (LIB130263) prepared by Archaeological Consulting, Salinas, CA, dated June 28, 2006.

The above-mentioned technical report by an outside consultant 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 this report and concurs with its conclusion.

- c) Staff conducted a site inspection on July 17, 2013 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN130286.

4. FINDING:

HEALTH AND SAFETY - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this 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:

- The project was reviewed by the RMA Planning Department, North County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. 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.
- b) Necessary public facilities are existing for the school, but are not required for this project.
- c) See Preceding Findings #1, #2 and #3 and supporting evidences.
- d) Staff conducted a site inspection on July 17, 2013 to verify that the site is suitable for this use.
- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning

Department for the proposed development found in Project File PLN130286.

5. **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 violations exist on the property.

EVIDENCE:

- a) Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on July 17, 2013 and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN130286.

6. **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 Section 15303 (e), categorically exempts construction and located of limited numbers of new, small facilities or structures.
- b) The proposed project consists of an accessory structure appurtenant to a main use (the school).
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on July 17, 2013.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. [As appropriate, address why exceptions to exemptions listed in sec. 15300.2 are inapplicable (e.g. Location, Cumulative Impact, Significant Effect, Scenic Highways, Hazardous Waste Sites, Historical Resources).]
- e) See Preceding Findings #1, #2, #3, #4 and supporting evidences.
- f) Staff conducted a site inspection on July 17, 2013 to verify that the site is suitable for this use.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN130286.

7. **FINDING:**

APPEALABILITY - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

EVIDENCE:

- a) Section 20.86.030 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
- b) Section 20.86.080 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because any approved project involving development that is permitted in the underlying zone as a conditional use is appealable. A Coastal Development permit is a conditional use permit.

DECISION

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

- 1. Find the project Categorically Exempt per CEQA Section15303 (e); and
- 2. Approve a Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 31st day of October, 2013 upon motion of

_	Jacqueline Onciano, Zoning Administrator
COPY OF THIS DECISION MAILED TO APPLICAN	NT ON
THIS APPLICATION IS APPEALABLE TO THE BC	OARD OF SUPERVISORS.
IF ANYONE WISHES TO APPEAL THIS DECISION AND SUBMITTED TO THE CLERK TO THE BOAF FEE ON OR BEFORE	
(Coastal Projects)	

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS NOT 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 the Monterey County Planning Department and Building Services Department office in Salinas.

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NMCUSD (PLN130286)	Page 8

This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

2.

Monterey County Planning Department

DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN130286

1. PD001 - SPECIFIC USES ONLY

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: This Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School. The property is located at 13990 Castroville Boulevard, Castroville (Assessor's Parcel Number 133-092-007-000), North County Land Use Plan, Coastal Zone. 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 the RMA -Planning Department. 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. (RMA - Planning Department)

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 Department

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

"A Coastal Development Permit] (Resolution Number ____) was approved by the Zoning Administrator for Assessor's Parcel Number 133-092-007-000 on October 31, 2013. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."

Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

Print Date: 10/18/2013 2:45:28PM

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

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

If, during the course of construction, cultural, archaeological, historical or 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. The Monterey County RMA - Planning Department 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.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

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

Prior to the issuance of grading or building permits and/or prior to the recordation of the 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 the Monterey County RMA - Planning Department 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. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.

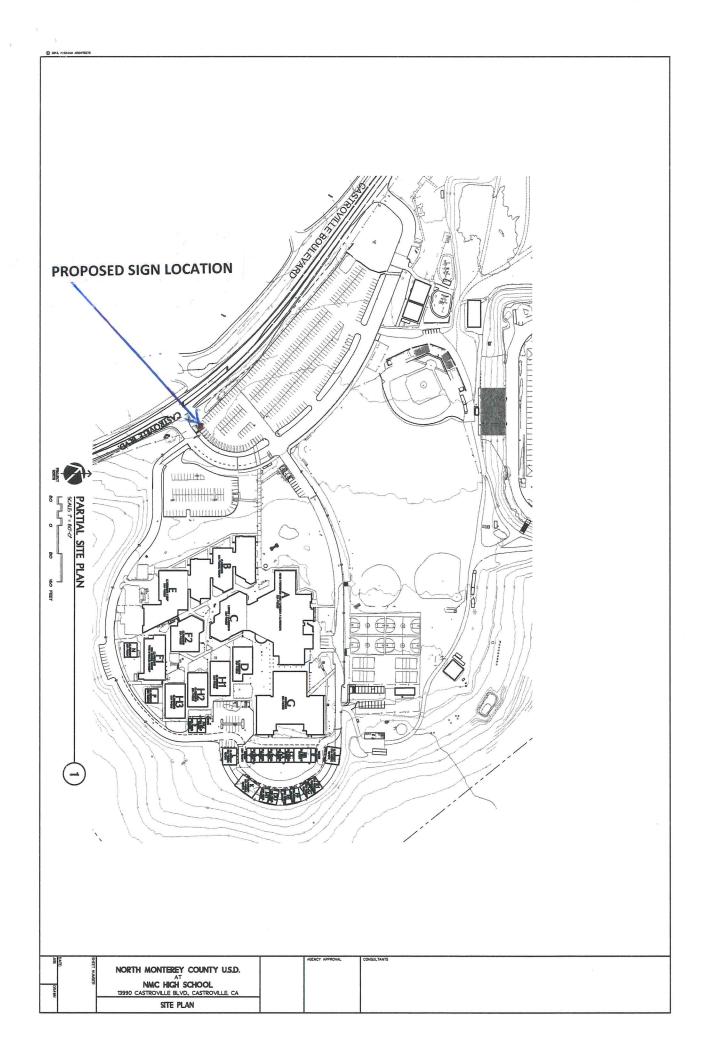
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

Print Date: 10/18/2013 2:45:28PM



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Alternate display: 3 lines of 5.5" text



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OVERALL HEIGHT 7' 6"



BIG GAME TONIGHT



3' 6"

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