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

In the matter of the application of:

BIBLE MISSIONARY CHURCH (PLN080443) RESOLUTION NO. 080443

Resolution by the Monterey County Zoning Administrator:

Approving a Coastal Development Permit to allow assemblages and camping events for low-income families, not to exceed 125 persons per event, and not to exceed a total of ten days per calendar year (5 year permit).

(PLN080443, Bible Missionary Church, 123 Harrington Road, Royal Oaks, North County Coastal Land Use Plan and North County Area Plan, APN: 412-181-004-000)

The Bible Missionary Church application (PLN080443) came on for public hearing before the Monterey County Zoning Administrator on June 25, 2009. 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:**

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 Monterey County General Plan,
 - North County Coastal Land Use Plan,
 - North County Coastal Implementation Plan,
 - North County Area Plan, Inventory and Analysis,
 - Monterey County Zoning Ordinance (Titles 20 and 21)

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 123 Harrington Road, Royal Oaks (Assessor's Parcel Number 412-181-004-000), North County Coastal Land Use Plan and North County Area Plan. The parcel is zoned RDR/5 (CZ) and RDR/5.1 [Rural Density Residential, 5.1 acres per unit and Rural Density Residential, 5 acres per unit (Coastal Zone)], which allows assemblages of persons with a Coastal Development Permit or Use Permit. Therefore, the project is an allowed land use for this site.
- c) The project planner conducted a site inspection on October 31, 2008, to verify that the project on the subject parcel conforms to the plans listed above.

- d) The project was not referred to either the North County Coastal or the North County Inland Land Use Advisory Committees (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 LUACs because it did not involve any of the following: development requiring CEQA review, lot line adjustment, variance, nor Design Approval subject to review by the Zoning Administrator or Planning Commission.
- 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 PLN080443.
- 2. **FINDING:**

SITE SUITABILITY – The site is physically suitable for the use proposed.

EVIDENCE: a)

- a) The project has been reviewed for site suitability by the following departments and agencies: RMA Planning Department, North County Fire Protection District, Parks Department, Public Works Department, Environmental Health Division, Water Resources Agency, and the Monterey County Sheriff's Office. 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 traffic. A 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 independently reviewed this report and concurs with the conclusions. The following report has been prepared:
 - "Project Trip Generation Study" (LIB090108) prepared by Pinnacle Traffic Engineering, Hollister, California, February 4, 2009.
- c) Staff conducted a site inspection on October 31, 2008, 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 PLN080443.
- 3. **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: a) The project was reviewed by RMA - Planning Department, North County Fire Protection District, Parks Department, Public Works Department, Environmental Health Division, Water Resources Agency, and the Monterey County Sheriff's Office. The respective departments/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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (Exhibit 1).
- b) Necessary public facilities will be provided. The property is currently served by the Harrington Road Water System. The on-site septic system will not be used by event participants during planned events. Temporary facilities will be provided during events, and all wastewater generated during events will be disposed of off-site (Condition No. 8).
- c) Preceding findings and supporting evidence for PLN080443. Specifically, Findings 1a, 1b, 1c, 1e, 2a, 2b, 2c, 2d, 3a, and 3b.

4. **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 Monterey County records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on October 31, 2008, and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- 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 PLN080443.

5. 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 15304 (e), categorically exempts minor temporary use of land having negligible or no permanent effects on the environment.
- b) The project involves the assemblage of persons on an intermittent basis for low-impact camping activities. The project site has a large, open area sufficient to accommodate campsites and temporary support structures. No permanent facilities will be constructed on the property as part of this project.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on October 31, 2008.
- Exceptions to exemptions listed in Section 15300.2.a-f are inapplicable. The project does not involve: a historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect, development that would result in a cumulatively significant impact, nor development in a particularly sensitive environment.
- See preceding and following findings and supporting evidence.

FINDING: 6.

PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not

interfere with any form of historic public use or trust rights.

EVIDENCE: a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.

- b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 6 in the North County Land Use Plan).
- c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- 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 PLN080443.
- e) The project planner conducted a site inspection on October 31, 2008.
- 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 (Board of Supervisors). An appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Costal Commission because it involves development that is permitted in the underlying zone as a conditional use.

DECISION

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

Approve the Coastal Development Permit to allow assemblages and camping events for low-income families, not to exceed 125 persons per event, and not to exceed a total of ten days per calendar year, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of June, 2009.

MIKE NOVO, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON 7 2009

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ON OR BEFORE

JUL 1 7 2009

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS 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.

2. This permit expires 4 years after the above date of granting thereof unless the use has commenced

RESOLUTION 080443 - EXHIBIT 1

Monterey County Resource Management Agency Planning Department

Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Bible Missionary Church

File No: PLN080443 APNs: 412-181-004-000

Approved by: Zoning Administrator Date: June 25, 2009

*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.

Permit Cond. Number	Mitig. Conditions of Approval and/or Mitigation Measures and Number Responsible Land Use Department	Compliance or Monitoring Actions	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
	RMA – P	lanning Department			
1.	1. PD001 - SPECIFIC USES ONLY This Coastal Development Permit (PLN080443) allows assemblages and camping events for low-income families, not to exceed 125 persons per event, and not to exceed a total of ten days per calendar year (5 year permit). This permit does not allow development. The property is located at 123 Harrington Road, Royal Oaks (Assessor's Parcel Number 412-181-004-000), North County Coastal Land Use Plan and North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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.	Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated	
		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	WRA RMA - Planning		
2.	PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution PLN080443) was approved by the Zoning Administrator for Assessor's Parcel Number 412 181-004-000 on June 25, 2009. The permit was granted subject to fourteen (14) conditions of approval which ru with the land. A copy of the permit is on file with the	and furnish proof of recordation of this	Owner/ Applicant RMA- Planning	Prior to the commence -ment of use.	

	Monterey County RMA - Planning Department."	Department.			
3.	PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the 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. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his 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 the property, filing of the final map, 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)	Submit 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.	Owner/ Applicant	Prior to commence ment of use.	
4.	PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN (NON-STANDARD) All exterior lighting on temporary structures used for events shall be unobtrusive, down-lit, harmonious with the local area, and located so that only the intended area is	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to commence ment of use.	

	illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the commencement of use. (RMA - Planning Department)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner / Applicant	Prior to commence ment of use. Ongoing
5.	PD029 - HOURS OF OPERATION (NON-STANDARD) Outdoor activities that may generate noise above that normally associated with residential uses, as identified in the General Plan, shall be limited to the following hours of operation: 9:00 am to 10:00 pm. (RMA – Planning Department)	None.	Owner / Applicant	Ongoing
6.	PD032 - PERMIT TIME/YEAR & DATE (NON-STANDARD) The permit shall be granted for a time period of 5 years, to expire on June 25, 2014, unless extended by the Director of Planning pursuant to Section 20.70.110 of the Monterey County Zoning Ordinance — Coastal Zone. (Title 20).	None Submit any request for extension to the RMA-Planning Department at least 30 days prior to the expiration date.	Owner / Applicant	June 25, 2014
7.	PDSP001 – EVENT NOTIFICATION (NON-STANDARD) At least 30 days prior to each event, the applicant shall submit written notification of the event, to include the duration of and number of persons attending each event, to the RMA-Planning Department, Monterey County Sheriff's Office, and the Division of Environmental Health. The written notification shall reference PLN080443.	At least 30 days prior to an event, submit written notification of the event, to include the duration of and the number of persons attending the event, to the RMA-Planning Department, Monterey County Sheriff's Office, and the Division of Environmental Health.	Owner / Applicant	Ongoing
		Department al Health Division		
8.	EHSP01 - WASTEWATER GENERATION AND DISPOSAL PLAN (NON-STANDARD) As submitted to the Environmental Health Division, the WASTEWATER GENERATION AND DISPOSAL PLAN shall be followed. The service provider shall be properly permitted to conduct the disposal services as indicated in the plan. (Environmental Health)	Adhere to the WASTEWATER GENERATION AND DISPOSAL PLAN as submitted to the Environmental Health Division.	CA Licensed Engineer / Owner / Applicant	Concurrent with all events generating wastewater

9.	EHSP02 – CALIFORNIA RETAIL FOOD CODE (NON-STANDARD) All events shall comply with the California Retail Food Code, including Article 114381.2. Submit an application to operate a Temporary Food Facility to the Environmental Health Division. As necessary, submit plans and necessary review fees for review and approval prior to scheduling events serving prepared food. (Environmental Health)	Submit application, plans and necessary review fees to the Environmental Health Division for review and approval. Comply with applicable requirements of the California Retail Food Code.	Owner / Applicant	Prior to events serving prepared food.
	. 하는 그는 하는 사람들이 하는 물로 모든 하는 하는 이 문제 전기적인 하는 사람들이 되는 것은 그는 것은 그는 그를 모르고 그를 모르고 하는 것은 다른 사람들이 되었다. 그는 사람들이 함께 생각하다.	Agency re Protection District		
10.	Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to commence ment of use.
		Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to commence ment of use.
11.	FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to commence ment of use.
	percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to commencement of use.

	radius curvature shall be 28 feet. For all driveway turns,				
	an additional surface of 4 feet shall be added. All				
	driveways exceeding 150 feet in length, but less than				
	800 feet in length, shall provide a turnout near the		1		
	midpoint of the driveway. Where the driveway exceeds			!	
	800 feet, turnouts shall be provided at no greater than	·			
	400-foot intervals. Turnouts shall be a minimum of 12				·
	feet wide and 30 feet long with a minimum of 25-foot			•	
	taper at both ends. Turnarounds shall be required on				
	driveways in excess of 150 feet of surface length and	·			'
	shall long with a minimum 25-foot taper at both ends.				
	Turnarounds shall be required on driveways in excess of	,			
	150 feet of surface length and shall be located within 50				
	feet of the primary building. The minimum turning				
	radius for a turnaround shall be 40 feet from the center				
	line of the driveway. If a hammerhead/T is used, the top				
	of the "T" shall be a minimum of 60 feet in length.			·	
	(North County Fire Protection District)				
12.	FIRE014 - EMERGENCY WATER STANDARDS -	Applicant shall incorporate	Applicant	Prior to	
	FIRE PROTECTION WATER SUPPLY - (SINGLE	specification into design and enumerate	or owner	commence	
	PARCEL)	as "Fire Dept. Notes" on plans.		ment of	
	For development of structures totaling less than 3,000	_		use.	
	square feet on a single parcel, the minimum fire	Applicant shall schedule fire dept.	Applicant	Prior to	
	protection water supply shall be 4,900 gallons. For	clearance inspection for each phase of	or owner	commence	
	development of structures totaling 3,000 square feet or	development.		ment of	
	more on a single parcel, the minimum fire protection	,		use.	
	water supply shall be 9,800 gallons. For development of	·			
	structures totaling more than 10,000 square feet on a				
	single parcel, the reviewing authority may require				
	additional fire protection water supply. Other water	•			
	supply alternatives, including ISO Rural Class 8 mobile				
	water systems, may be permitted by the fire authority to				
	provide for the same practical effect. The quantity of				
	water required by this condition shall be in addition to				
	the domestic demand and shall be permanently and				
	immediately available. (North County Fire Protection				
	· · · · · · · · · · · · · · · · · · ·				
	District)				

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13.	FIRE015 - FIRE HYDRANTS/FIRE VALVES	Applicant shall incorporate specification into design and enumerate	Applicant	1	
	A fire hydrant or fire valve is required. The hydrant or		or owner	commence	
	fire valve shall be 18 inches above grade, 8 feet from	as "Fire Dept. Notes" on plans.		ment of	
	flammable vegetation, no closer than 4 feet nor further			use.	*
	than 12 feet from a roadway, and in a location where fire				
	apparatus using it will not block the roadway. The	Applicant shall schedule fire dept.	Applicant	Prior to	
	hydrant serving any building shall be not less than 50	clearance inspection for each phase of	or owner	commence	
	feet and not more than 1000 feet by road from the	development.		ment of	-
	building it is to serve. Minimum hydrant standards shall	1		use.	
	include a brass head and valve with at least one 2 1/2				
	inch National Hose outlet supplied by a minimum 4 inch				
	main and riser. More restrictive hydrant requirements	1			
	may be applied by the Reviewing Authority. Each				
	hydrant/valve shall be identified with a reflectorized				
	blue marker, with minimum dimensions of 3 inches,			-	
	located on the driveway address sign, non-combustible	·			
	post or fire hydrant riser. If used, the post shall be	·			
	within 3 feet of the hydrant/valve, with the blue marker				
	not less than 3 feet or greater than 5 feet above the				
	ground, visible from the driveway. On paved roads or				
	driveways, reflectorized blue markers shall be permitted				
	to be installed in accordance with the State Fire				
	Marshal's Guidelines for Fire Hydrant Markings Along	·			
	State Highways and Freeways, May 1988. (North				
	County Fire Protection District)				
14.	FIRE019 - DEFENSIBLE SPACE	Applicant shall incorporate	Applicant	Prior to	
	REQUIREMENTS - (STANDARD)	specification into design and enumerate	or owner	commence	
	Manage combustible vegetation from within a minimum	as "Fire Dept. Notes" on plans.		ment of	
	of 30 feet of structures. Limb trees 6 feet up from		,	use.	
	ground. Remove limbs within 10 feet of chimneys.	A 1' (1 11 . 1 . 1 1 0' 1 . 1	A1'	Dutant	<u> </u>
	Additional and/or alternate fire protection or firebreaks	Applicant shall schedule fire dept.	Applicant	Prior to	
	approved by the fire authority may be required to	clearance inspection for each phase of	or owner	commence	
	provide reasonable fire safety. Environmentally	development.		ment of	
	sensitive areas may require alternative fire protection, to			use.	
	be determined by Reviewing Authority and the Director				
	of Planning and Building Inspection. (North County				
	Fire Protection District)				
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END OF CONDITIONS



