



# Monterey County Planning Commission

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## Agenda Item No. 1

Legistar File Number: PC 17-053

August 09, 2017

Introduced: 7/31/2017

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

### **PLN140863 - FIRST BAPTIST CHURCH**

**(CONTINUED FROM JANUARY 11, FEBRUARY 22, MAY 31, AND JULY 26, 2017)**

Public hearing to consider action on a Use Permit to convert a single-family dwelling into a church.

**Project Location:** 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan

**Proposed CEQA Action:** Adopt Negative Declaration per Section 15074 of the CEQA Guidelines.

#### RECOMMENDATION:

Staff recommends that the Planning Commission:

- a. Adopt a Negative Declaration; and
- b. Approve a Use Permit to convert a single-family dwelling into a church.

A draft resolution with findings and evidence supporting this recommendation is attached for consideration (**Exhibit B**). Staff recommends approval subject to thirty (30) conditions.

#### PROJECT INFORMATION:

**Planning File Number:** PLN140863

**Owner:** First Baptist Church

**APN:** 418-441-006-000

**Zoning:** RC/20 (Resource Conservation, 20 acres per unit)

**Parcel Size:** 10 acres

**Flagged and Staked:** Yes

#### SUMMARY:

On January 11, 2017, the Planning Commission conducted a public hearing on the project, and continued the hearing to February 22, 2017, with direction for staff to address questions raised regarding project scope, water quality, and parking area drainage. The questions regarding scope and parking area drainage were addressed; however, the question regarding water quality was not addressed by February 22, 2017, so staff requested a continuance to a date certain on May 31, 2017, which the Planning Commission approved. On May 16, 2017, the Applicant requested additional time to complete and submit evidence demonstrating the technical, managerial and financial (TMF) capability to treat the water to meet the maximum contaminant level for fluoride. County staff supported this request, and on May 31, 2017, the Planning Commission continued the item to July 26, 2017. The Applicant submitted the requested TMF information on June 30, 2017 (**Exhibit H**). Although County staff reviewed the submitted information and began preparing the staff report, sufficient time did not remain to complete and distribute the staff report for the public hearing on July 26, 2017. Therefore, County staff requested, and the Planning Commission approved, a further continuance of the public hearing on this project to August 9, 2017.

There are two existing residential dwelling units on the property, and implementation of the project would convert one residential unit to a public/quasi-public use for a church. Proposed site improvements include modifications to the main residence, consisting of a 744 square foot addition to the first floor, a new 830 square foot basement, and associated grading. These site improvements are ministerial and separate from the Use Permit to establish a church use. There are no improvements proposed to the second existing dwelling unit, which would be used as a residential unit for church staff. Proposed parking for the church would be located at the southern edge of the site, along Cachagua Road. The Applicant proposes 31 standard parking spaces and 2 ADA-accessible spaces (33 total parking spaces), which exceeds the minimum of 17 parking spaces required.

Water Quality:

Pursuant to the Planning Commission questions raised during the public hearing on January 11, 2017, the Environmental Health Bureau (EHB) requested the Applicant submit additional information demonstrating the ability to provide potable water to all occupants and guests at the facility. The Applicant submitted a water treatment feasibility analysis and preliminary information of the TMF capacity for a point of entry water treatment system. This information has been reviewed by EHB and determined to be sufficient foundational information for approval of the Use Permit. EHB has recommended a condition (Condition No. 15) to install the point of entry water treatment systems and verify the treatment systems are working and producing potable water prior to commencement of use. Ongoing monitoring of the treatment system will be completed by the water system and regulated by EHB through the annual water system permit. County staff considers the transient nature of a church use to be less intensive than a residential dwelling. However, a local small water system permit will be required because of public accessibility (Condition No. 14).

Parking Area Drainage:

To address drainage from the parking area, the Applicant has revised the parking plan to ensure all proposed parking spaces and driving lanes are at least 100 feet away from Cachagua Creek. Although the project would not result in increased site runoff, the Applicant incorporated bio-swales and gravel/mulch into the parking area design. In addition, two conditions are recommended to address parking area drainage. Condition No. 27 would require the Applicant to submit a Stormwater Management Plan that would incorporate measures to ensure minimize runoff and maximize stormwater infiltration. Condition No. 28 would require an inspection of installed measures prior to final inspection of the construction permit. Incorporation of bio-swales and gravel/mulch to the parking area surface is consistent with General Plan Policy OS-5.3 to avoid or minimize potential impacts to riparian habitat.

Scope of Use:

County staff analyzed the proposed scope of use in the environmental review document prepared for the project (see the Negative Declaration and Initial Study at **Exhibit E**). The types of activities proposed by the Applicant were listed on page 3 of the Initial Study, and included activities typically associated with a church use. In the environmental analysis, County staff identified site constraints, such as on-site wastewater treatment capacity and available parking area, that could limit the scope or level of use. County staff has recommended Condition No. 30 to address the Planning Commission's question regarding scope of use, including types of activities and a maximum capacity of 65 persons based on site

constraints. County staff also added a reference to the scope of use in the draft resolution (see Evidence a of Finding No. 1, Consistency), and recommends Condition No. 29 to prohibit amplified music or other forms of amplified sound on the exterior of buildings or grounds.

Other concerns raised by the public during review of the project are generally categorized by traffic and site access, biological resources, water and wastewater, noise, exterior lighting, and rural/residential character. County staff reviewed the comments received, as well as the submitted application materials, and determined the project is consistent with the 2010 Monterey County General Plan, the Cachagua Area plan, the requirements of the applicable zoning ordinance (Title 21), and other County health, safety, and welfare ordinances related to land use.

Staff finds that the project is consistent with the General Plan for the reasons described above and that there is no substantial evidence supporting a fair argument of a significant environmental impact. As such, staff recommends that the Planning Commission consider and adopt the Negative Declaration, and approve the Use Permit to allow the conversion of a single-family dwelling into a church, based on the findings and evidence and subject to thirty conditions of approval.

#### DISCUSSION:

See **Exhibit A** for a detailed project discussion.

#### ENVIRONMENTAL REVIEW:

Monterey County, as Lead Agency, prepared an Initial Study and Negative Declaration for this project (**Exhibit E**). The Negative Declaration was filed with the County Clerk on September 16, 2016, and circulated for public review and comment from September 19 through October 19, 2016 (SCH No. 2016091045). The County received no comments from state or local agencies during the 31-day circulation period, but did receive seven comment letters from interested parties. The comment letters and the County responses to the submitted comments are at **Exhibit F**. Based on staff review, the comments did not alter the conclusions in the Initial Study and Negative Declaration, and accordingly, staff recommends adoption of the Negative Declaration. Potential environmental impacts have been considered and analyzed, and determined to be less than significant.

#### OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- RMA-Public Works
- RMA-Environmental Services
- Environmental Health Bureau
- Water Resources Agency
- Cachagua Fire Protection District

The project was referred to the Cachagua Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on October 28, 2015, voted unanimously (5 - 0) to support the project as proposed (**Exhibit D**). The LUAC also recommended the County condition the project to ensure it maintains the rural character of the community, and to address potential traffic and noise generated by the proposed use.

Prepared by: Joe Sidor, Associate Planner, x5262  
Reviewed by: Brandon Swanson, RMA Services Manager  
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Discussion

Exhibit B - Draft Resolution, including:

- Conditions of Approval
- Site Plan, Floor Plans, Elevations, and Parking Plan

Exhibit C - Vicinity Map

Exhibit D - Cachagua LUAC Minutes

Exhibit E - Negative Declaration and Initial Study

Exhibit F - Comments on the Negative Declaration and Responses to Comments

Exhibit G - Public Correspondence (received since January 11, 2017)

Exhibit H - Applicant TMF Correspondence (June 30, 2017)

cc: Front Counter Copy; Cachagua Fire Protection District; RMA-Public Works;  
RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency;  
Joseph Sidor, Associate Planner; Brandon Swanson, RMA Services Manager; First Baptist  
Church (Orville Myers), Property Owner; Joshua Stewman, Agent; Josh Beddingfield, Don and  
Pam Bonsper, Diane and Jeff Colon, Rod McMahan, Jeanne Mileti, Derek Bonsper, Greg and  
Mary Martin, John Hammond, Dane Bonsper, Cara and Tom Nason, Leslie Glasenapp, Jennifer  
Wolf, Dru Hammond, Carolyn Todd, Jody Kueny, Jerald King, Daniel Duerr, Rex Miller, Gip  
Tegtmeier, Guy Glasenapp, and Mignon Higgins, Interested Parties; The Open Monterey  
Project (Molly Erickson); LandWatch, Project File PLN140863.