



Monterey County

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Board Report

Legistar File Number: 16-983

August 30, 2016

Introduced: 8/22/2016

Version: 1

Current Status: Agenda Ready

Matter Type: General Agenda Item

PLN140713/PLN140677/PLN140714 - Pick-n-Pull

Proposed action:

Continue the appeal hearing to December 6, 2016 at the request of the applicant and appellant with the intent to finalize a settlement agreement between the parties while facilities continue to operate under the terms of their current Coastal Development Permits.

Proposed CEQA Action: The continuance is Statutorily Exempt per CEQA Guidelines Section 15270.

516 A, 516 B & 516 C Dolan Road, Moss Landing, North County Land Use Plan, Coastal Zone.

RECOMMENDATION:

It is recommended that the Board of Supervisors continue the hearing on the appeal by Ecological Rights Foundation until December 6, 2016, to allow for finalization of a settlement agreement between the applicant and appellant on the Best Management Practices (BMP's) to be employed to address stormwater treatment improvements, while allowing the auto dismantling facilities to continue operating under their existing Coastal Development Permits on the parcels listed below:

- Parcel A (Assessor's Parcel Number 131-054-001-000) (S&S Land Development/ PLN140713);
- Parcel B (Assessor's Parcel Number 131-054-002-000) (Pick-n-Pull Auto/ PLN140677); and
- Parcel C (Assessor's Parcel Number 131-054-003-000) (Gerard & Deborah Cutler/PLN140714).

PROJECT INFORMATION:

Planning File Number: PLN140713/PLN140677/PLN140714/

Owners: S&S Land Development /Pick-n-Pull Auto/ Gerard & Deborah Cutler

APNs: 131-054-001-000/131-054-002-000/131-054-003-000

Agent: Trinh Retterer

Plan Area: North County Coastal

SUMMARY:

On March 11, 2015, the Planning Commission approved ten-year extensions to Coastal Development Permits for Pick-n-Pull to allow continued operation of three auto recycling/parts sales yards at Dolan Road with an 8-0 vote. On March 26, 2015, the Ecological Rights Foundation (ERF) appealed the Planning Commission decision.

The Appeal hearing was scheduled for May 19, 2015, at which time the Board of Supervisors

continued the Appeal hearing for 15 months to allow water quality studies and biological surveys to be undertaken with the understanding that the facilities would continue operating under the terms of their current Coastal Development Permits.

Pick-n-Pull (Applicant) and ERF (Appellant) entered into a Consent decree effective December 14, 2015, and both parties are requesting a continuance of the hearing date until, at least, December 1, 2016, to allow time to reach agreement on the Best Management Practices (BMP's) to be addressed toward stormwater treatment improvements. In the event that a satisfactory agreement can be reached regarding the BMP's, ERF will voluntarily withdraw their appeal. A copy of the continuance request letter is attached as **EXHIBIT A**.

OTHER AGENCY INVOLVEMENT:

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

- √ Environmental Health Bureau
- √ RMA-Public Works
- √ RMA-Environmental Services
- √ Water Resources Agency
- √ North County Fire Protection District
- √ North County Coastal Land Use Advisory Committee

FINANCING:

Funding for staff time associated with this project is included in the FY2016-17 Adopted Budget for RMA-Planning.

Prepared by: Steve Mason, Associate Planner Ext. 5228
Reviewed by: John Ford, Manager, RMA-Planning, Ext. 5158
Approved by: Carl P. Holm, AICP, Director of Resource Management Agency

The following attachments are on file with the Clerk of the Board:

- Attachment A - Continuation Request Letter
- Attachment B - Notice of Appeal
- Attachment C - Vicinity Map

cc: Front Counter Copy; Planning Commission; North County Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; California Native American Heritage Commission; John Ford, RMA Services Manager; Steve Mason, Project Planner; S&S Land Development, Owner; Pick-n-Pull Auto, Owner; Gerard & Deborah Cutler, Owners; Trinh Retterer, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Roger McCurdy, Neighbor; Planning Files PLN140713/PLN140677/PLN140714

