



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 19-0215, **Version:** 1

PLN160851 - MORGENRATH (BLAZE ENGINEERING)

Public Hearing, continued from February 26, 2019 to consider appeals by Matt and Carol Donaldson and by Paul Smith from the November 14, 2019 Planning Commission decision approving a Combined Development Permit [RMA-Planning File No. PLN160851 (Morgenrath)] establishing a commercial operation, construction of an office, workshop, storage area, and formal parking area with associated site improvements and tree removal within environmentally sensitive habitat areas (Up to 16 trees, consisting of Bay laurel (14), cypress (1), and Coast Redwood (1), trees ranging in size from 13 to 60 inches).

Project Location: 46821 Highway 1, Big Sur, Big Sur Coast Land Use Plan area (APN: 419-201-007-000)

Proposed CEQA action: Adopt a Mitigated Negative Declaration

RECOMMENDATION:

It is recommended that the Board of Supervisors continue this scheduled item from April 23, 2019 to May 21, 2019.

PROJECT INFORMATION:

Agent: Aengus L Jeffers, Law Offices of Aengus L Jeffers

Property Owner: Morgenrath Martha J TR ET AL (Blaze Engineering)

APN: 419-201-007-000

Parcel Size: 2.55 acres

Zoning: Visitor Serving Commercial, Design Control, Coastal Zone or "VSC(CZ)"

Plan Area: Big Sur Coast Land Use Plan

Flagged and Staked: Yes

SUMMARY/DISCUSSION:

On February 26, 2019, the Board of Supervisors received testimony and deliberated on the Morgenrath appeal. Based on the discussions that took place, it was determined, and agreed to by the applicant and appellants, that a compromise between the parties could be sought through mediation. Therefore, it was the Board's action to continue the hearing to April 23, 2019 in order to allow the applicant (Marty Morgenrath) and appellants (Matt and Carol Donaldson and Paul Smith) time to resolve their issues.

On March 28, 2019, staff received correspondence from representatives of the applicant (Aengus Jeffers for Marty Morgenrath) and appellants (Christine Kemp for Matt and Carol Donaldson and Paul Smith) requesting additional time to complete mediation. Therefore, staff requests that the hearing on the appeal scheduled for April 23, 2019 be continued to May 21, 2019 to meet the needs of the applicant and appellants.

OTHER AGENCY INVOLVEMENT:

Environmental Health Bureau

RMA-Public Works

RMA-Environmental Services
Water Resources Agency
Cal Fire - Coastal
Big Sur Land Use Advisory Committee
California Coastal Commission
California Department of Transportation (Caltrans)

FINANCING:

The Board appeal fee is typically, \$1,750.07; however, projects in the coastal zone are not charged an appeal fee. If the County were to charge a fee, then the project could be appealed directly to the Coastal Commission rather than going to the Board first. Funding for staff time associated with this appeal is included in the FY 18-19 Adopted Budget for RMA-Planning. Direct costs such as noticing impact the department's budget by not realizing revenue.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our RMA customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development
☒ Administration
☐ Health & Human Services
☐ Infrastructure
☐ Public Safety

Prepared by: Anna V. Quenga, Senior Planner, ext. 5175

Reviewed by: Brandon Swanson, Acting RMA Chief of Planning

Approved by: John M. Dugan, FAICP, Deputy Director of Land Use and Community Development

cc: Front Counter Copy; California Coastal Commission; RMA-Public Works and Facilities; Environmental Health Bureau; Monterey County Water Resources Agency; RMA-Environmental Services; Brandon Swanson, Acting RMA Chief of Planning; Craig Spencer, Acting RMA-Planning Services Manager; Anna V. Quenga, Project Planner; Marty Morgenrath, Property Owner; Aengus Jeffers, Attorney for Property Owner, Matt and Carol Donaldson, Appellant; Christine Kemp, Attorney for Appellant; Paul Smith, Interested Party; Christopher Bjornstad, Caltrans; John Olejnik, Caltrans; The Open Monterey Project (Molly Erickson); LandWatch (Director); Project File PLN160851. (List any other attachments included with this item]