



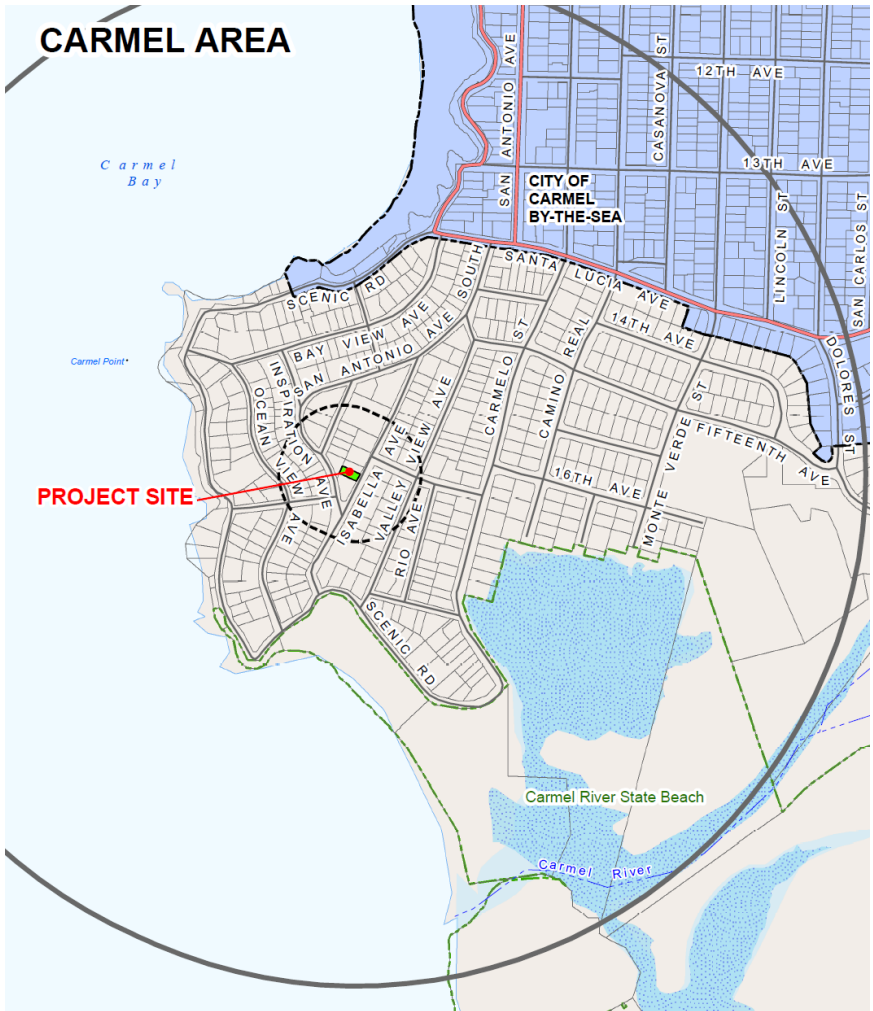
PLN180523-AMD1

Isabella 2 LLC

Board of Supervisors

April 18, 2023

Item #20



PLN180523-AMD1

Project Location:

26308 Isabella Ave, Carmel,
Carmel Area Land Use Plan

Zoning:

MDR/2-D(18)(CZ)



Process

- **May 26, 2021:** Planning Commission approved Resolution No. 21-015 (PLN180523)
- **August 24, 2021:** Board of Supervisors denied the appeal of The Open Monterey Project, adopted a Mitigated Negative Declaration, and approved Resolution No. 21-273 (PLN180523)
- **September 2021:** Board of Supervisors decision appealed to the Coastal Commission
- **October 2022:** Applicant made project revisions to address appeal (PLN180523-AMD1)
- **February 9, 2023:** Zoning Administrator approved PLN180523-AMD1
- **February 21, 2023:** The Open Monterey Project filed a notice of appeal



Project Description

Minor and Trivial Amendment to allow:

- Construction of 1,837 square foot single family dwelling;
- Development within 750 feet of a known archaeological resource;
- Modification of parking standards;
- Removal of four Coast live oaks; and
- Variance to increase the allowed FAR from 45% to 51%.





Appeal

Contentions (summarized):

1. County cannot withdraw FLAN when an appeal has been filed with the Coastal Commission.
2. Mitigated Negative Declaration is not adopted and should not be considered.
3. Variance would result in unanalyzed and unmitigated impacts and would set precedent.

Staff response:

1. Coastal Commission practice to encourage property owners to make revisions. County practice to process amendments to original project.
2. Withdrawal of FLAN only affects Coastal Commission appeal, does not affect the Board's decision to adopt the MND.
3. Required variance findings have been made and no unanalyzed impacts would occur.



CEQA

- Board of Supervisors adopted a Mitigated Negative Declaration (SCH No. 2020029094) in August 2021.
- Adoption included four mitigation measures
 1. Tree relocation
 2. Tribal Monitoring
 3. Archaeological Monitoring
 4. Soil Recompaction
- Mitigation Measure 1 is not applicable.
- Mitigation Measures 2-4 have been carried forward.
- 26346 Valley View address listed in Mitigation Measure No. 2 is not applicable.

- No conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent MND have occurred.



Recommendation

1. Deny the Appeal of the Open Monterey Project of the Zoning Administrator's February 9, 2023 decision; and
2. Consider the previously adopted Mitigated Negative Declaration; and
3. Approve a Minor and Trivial Amendment to PLN180523 (Resolution No.21-273) to allow:
 - Construction of 1,837 square foot single family dwelling;
 - Development within 750 feet of a known archaeological resource;
 - Modification of parking standards;
 - Removal of four Coast live oaks; and
 - Variance to increase the allowed FAR from 45% to 51%.