



County of Monterey

Item No.1

Zoning Administrator

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

Legistar File Number: ZA 25-041

August 14, 2025

Introduced: 8/7/2025

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN240240 - CARMELITE MONASTERY OF CARMEL

Public hearing to consider action on the construction of a ground-mount photovoltaic solar system within 750 feet of known archaeological resources and within 100 feet of Environmentally Sensitive Habitat Areas.

Project Location: 27601 Highway 1, Carmel 93923.

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Guidelines section 15300.2.

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution to:

- a. Find that the project for a new photovoltaic system qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303, and that none of the exceptions set forth in Section 15300.2 apply; and
- b. Approve a Combined Development Permit consisting of a: 1) Coastal Administrative Permit and Design Approval to allow construction of a ground-mount solar photovoltaic system consisting of 57.6 kW and 144 panels; 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 3) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Areas.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION:

Agent: Ted Umstead

Property Owner: Carmelite Monastery of Carmel

APN: 243-101-002-000

Parcel Size: 12.59 acres

Zoning: Public/Quasi Public with a Design overlay, Coastal Zone or "PQP-D(CZ)"

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: No

Project Planner: Jade Mason, Assistant Planner

masonj@countyofmonterey.gov, (831) 755-3759

SUMMARY/DISCUSSION:

The subject property is located east of Monastery Beach and north of the San Jose Creek, directly off Highway 1 in the unincorporated area of Carmel. The proposed project includes

construction of a ground mount photovoltaic solar system that includes 144 modules grouped into 3 arrays (48 modules each, approximately 1,045 square feet) and associated battery storage equipment within an existing 158 square foot well house. The project also includes development within 750 feet of a known archaeological resources and development within 100 feet of Environmentally Sensitive Habitat Areas. Although the subject property has adequate water and sewer availability, the proposed photovoltaic solar system does not require additional fixtures or connections.

Based on staff analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan (General Plan), Carmel Area Land Use Area Plan (Carmel LUP), Carmel Area Coastal Implementation plan (Carmel CIP) and applicable sections of the Monterey County Coastal zoning ordinance (Title 20).

Land Use & Development Standards

The parcel is zoned Public/Quasi Public (“PQP”), with a Design (“D”) overlay. Title 20 section 20.40.040.F allows for the construction of structures accessory to any principal permitted use subject to a Coastal Administrative Permit in each case. The subject property has an existing single-family dwelling known as the “Carmelite Monastery.” The proposed development would be sited and located approximately 130 feet east, downhill from the existing structure. Therefore, the proposed development would be accessory to the established principal use of the property.

Title 20 section 20.40.060 outlines site development standards for the PQP zoning district. For accessory structures, the required minimum setbacks are 50 feet front, 6 feet side on front one-half of the property and 1 foot side on the rear one-half of the property, and 1 foot rear, and the maximum allowed height is 15 feet as measured from average natural grade. As delineated on the attached project plans the photovoltaic system is sited more than 150 feet from the front of the property, 20 feet from the side, and has a proposed height of 6 feet from average natural grade. Therefore, the proposed project complies with applicable site development standards as outlined in Title 20 section 20.40.060.

General Plan Policy 13.3.1 establishes regulations for energy resources within the Coastal Zone and requires lots be oriented so structures may maximize the energy gains from solar sources and minimize energy losses where possible. The proposed project includes construction of a new ground mount photovoltaic solar system that has been sited in the least visible area of the lot while providing energy resource to the existing development. Therefore, the project is consistent with General Plan Policy 13. Additionally, Carmel LUP Policy 4.4.3.J.1, states that public and quasi-public services should be maintained and upgraded as needed; the photovoltaic system would enhance the Carmelite Monastery’s electricity usage by decreasing their utility bill, which allows the services to better serve the local community. Therefore, the proposed project is consistent with Carmel LUP Policy 4.4.3.J.1.

Design and Visual Resources

The subject property is located within the public viewshed as illustrated in the Carmel LUP Map A and is identified as a highly sensitive visual resource by virtue of its prominence according to Carmel LUP Policy 2.2.1. Therefore, Policies 2.2.2 and 2.2.3.4 are applicable to

ensure development is clearly subordinate to the natural scenic area and is in the least visible portion of the parcel. The proposed photovoltaic system would be located approximately 130 feet east and downhill from the Monastery. The system includes three arrays of 48 modules (solar panels) and all associated storage equipment within an existing well house. The area of development is in the least visible area of the property to prevent visibility from the public viewshed and Highway 1. Additionally, Title 20 section 20.44 establishes regulations for Design Control zoning, or “D” districts, which is intended to regulate the location, size, configuration, materials, and colors of development to assure protection of public viewshed and neighborhood character, without imposing undue restrictions on private property. Although the colors and materials would be the standard solar panels consisting of the black anodized aluminum, the solar panels will be sited behind the existing Monastery and screened by mature vegetation. Since the back half of the property (East of Highway 1) is downhill of the existing development, the panels would not be visible from neighboring properties and any common public viewing areas. Carmel LUP Policy 4.3.1 states that development should be sited out of view from major public viewpoints north of San Jose Creek, the proposed solar photovoltaic system is sited in the least visible part of the property thereby preserving the open scenic qualities of the area. Therefore, the project as designed and sited assures protection of the public viewshed, is consistent with the neighborhood character, and assures visual integrity of the Carmel Area.

Archaeological Resources

Carmel CIP section 20.146.090 requires that development of any kind in areas considered to be archaeologically sensitive shall include field surveys and impact analysis by qualified individuals to precisely determine resources that may be impacted by the proposed project. The Monterey County Geographic Information System (GIS) identifies the subject property to be within a high archaeological sensitivity area and within 750 feet of known archaeological resources. As such, a Coastal Development Permit has been applied to this project as required by Carmel CIP section 20.146.090.A.

A previous report (LIB120268) for the subject property identified scattered prehistoric shell fragments around the Monastery which appeared to be associated with a known recorded site on the property. As such, the applicant submitted a Phase I and Phase II Archaeological Report (LIB250080) that reviewed the proposed development area. A field survey and auger testing were conducted directly where the proposed photovoltaic system is to be installed, and results were negative for any significant resources. Although the subject property has a known recorded site and previous findings, this is well outside of the project area. Carmel CIP section 20.146.090.D.3 requires development where archaeological sites are located to be designed to avoid impacts to such resources. The project is to be sited towards the back half of the property, in area confirmed to have negative findings for archaeological resources and the project includes minimal ground disturbance to install the solar panels. As recommended from the project archaeologist, Condition No. 3 has been applied and requires the contractor to stop work if previously unidentified resources are discovered during construction. Additionally, Condition No. 5 requires that a pre-construction cultural resource sensitivity training take place with all construction personnel prior to any ground disturbing activities. As designed and conditioned, the project ensures protection of the site’s cultural resources consistent with the Carmel LUP and Carmel CIP.

Historic Resource

The Carmelite Monastery is identified as an historic resource on the list of Monterey County Registry of Historic Resources; however, the proposed development as outlined in **Exhibit B** does not include any modifications to the Carmelite Monastery. The proposed solar photovoltaic system is to be sited in area once used for prescribed burns, with associated battery storage equipment in an existing well house. No exterior modifications are proposed to the well house. Therefore, the proposed development does not alter the significant architectural features nor does the development adversely affect the character of the historic nature of the Monastery.

Environmentally Sensitive Habitat Area

Carmel CIP Plan section 20.146.040 requires that development of any kind within any known environmentally sensitive habitat areas shall include field surveys and impact analysis by qualified individuals to precisely determine habitat area, including environmentally sensitive habitat area (ESHA). The Monterey County GIS, specifically the California Natural Diversity Database (CNDDDB), identifies the subject property to be within 100 feet of potential ESHA on the property. The applicant submitted a Biological report (LIB250079; **Exhibit D**), which indicated that there are no significant natural vegetation within the project area. However, the subject parcel is located north of the San Jose Creek, which is known to contain dense riparian habitat. Additionally, rare shrubs and wildlife species typically found in Coast Live Oak Woodland, Coastal Scrub, and Monterey Pine Forest were identified to be outside of the proposed project area. Carmel LUP Policy 2.3.1 identifies the riparian habitat, Coast Live Oak Woodland, Coastal Scrub, and Monterey Pine Forest to be environmentally sensitive habitat areas. The biologist conducted a site survey which identified that there were no sensitive or special status habitat observed within the proposed project site and that the environmentally sensitive habitat areas were approximately 200 feet away from the proposed development area of the photovoltaic system. The project biologist also confirmed that the CNDDDB illustrated sitings of special status species occurring along San Jose Creek such as California Red-legged Frog. Since these species are known to travel beyond their habitat, staff conservatively included a Coastal Development Permit for development within 100 feet of ESHA.

Carmel CIP sections 20.146.040.B.3 and 20.146.040.C.2 identifies land uses adjacent to locations of ESHA to be compatible with the long-term maintenance of the resource, and appropriately setback from the riparian corridor. The proposed development is to be installed in an area outside of sensitive habitat, approximately 200 feet from the closest identified resource. Condition No. 5 for a pre-construction meeting for biological resource training take place should the likelihood California Red-Legged Frog is encountered. As proposed and conditioned, the project is consistent with the policies and regulations outlined in CAR LUP and CAR CIP and avoids impacts on nearby sensitive habitat areas and does not introduce any uses or development that are incompatible with the continuance of those habitat areas.

Public Comment

In accordance with Title 20 section 20.76.030, the proposed project has been scheduled to be presented to the Zoning Administrator on August 14, 2025. At this time, staff has not received any public comment letters.

CEQA:

California Environmental Quality Act (CEQA) Guidelines section 15303(d) categorically exempts the new construction inclusive of electrical extensions. As proposed, the project involves the construction of a ground mounted photovoltaic system that includes 144 modules (solar panels) and battery storage equipment located inside an existing well house. The project, as proposed, will not create impacts on an environmental or historical resource. The project will not create any cumulative or significant impact, and this site is not a hazardous waste site.

California Environmental Quality Act (CEQA) Guidelines section 15303 (d) and 15303(e) categorically exempts the conversion of small structures inclusive of accessory structures (i.e. new existing well house). As proposed, the project involves minor interior modifications to an existing well house and a ground mounted photovoltaic system. The project as proposed does not create impacts to an environmental resource, any scenic highways, or historical resources; this will not create any cumulative or significant impact, and this site is not a hazardous waste site. No evidence of significant adverse environmental effects was identified during staff's review of the development application.

Although the proposed development is located near Highway 1 (first scenic highway in California's new State Scenic Highway System), the proposed development will not have an adverse visual impact on the scenic highway due to siting, distance, and design (see discussion above). Therefore, the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15303. No evidence of significant adverse environmental effects was identified during the staff's review of the development application.

LAND USE ADVISORY COMMITTEE:

The proposed project was reviewed by the Carmel Land Use Advisory Committee May 19, 2025. The committee recommended approval of the project by a vote of 3-0 in support of the project (**Exhibit C**).

OTHER AGENCY INVOLVEMENT:

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

- Environmental Health Bureau
- HCD-Engineering Services
- HCD-Environmental Services
- Monterey County Regional Fire Protection District
- Carmel Land Use Advisory Committee

Prepared by: Jade Mason, Assistant Planner, x5298

Reviewed and Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with the HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

- Conditions of approval
- Site Plans

Exhibit C - LUAC Minutes

Exhibit D - Biological Report

Exhibit E - Vicinity Map

cc: Front Counter Copy; Monterey County Regional Fire Protection District;
HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Jade
Mason, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Carmelite Monastery of
Carmel, Property Owners; Ted Umstead, Agent; The Open Monterey Project; Land Watch
(Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning
File PLN240240.