



# County of Monterey

Item No.2

## Zoning Administrator

Legistar File Number: ZA 25-022

March 13, 2025

**Introduced:** 3/4/2025

**Current Status:** Agenda Ready

**Version:** 2

**Matter Type:** Zoning Administrator

### **PLN240045 - PIETRO FAMILY INVESTMENTS LP**

Public Hearing to consider construction of an approx. 2,438 square foot family dwelling with a 269 square foot attached garage, 637 square feet of patios, and associated site improvements within 750 feet of a known archaeological resource.

**Project Locations:** 26307 Isabella Avenue, Carmel.

**Proposed CEQA action:** Consider an Addendum together with a previously approved Mitigated Negative Declaration (State Clearinghouse No. 2018091011, HCD-Planning File PLN170611) pursuant to CEQA Guidelines Section 15164.

### RECOMMENDATION:

It is recommended that the Zoning Administrator:

- 1) Consider an Addendum together with a previously adopted Mitigated Negative Declaration (State Clearinghouse No. 2018091011) pursuant to CEQA Guidelines section 15164; and
- 2) Approve a Combined Development Permit consisting of:
  - a) Coastal Administrative Permit and Design Approval to allow construction of a 2,438 square foot two-story single-family dwelling with a 269 square foot attached garage, and associated site improvements including 637 square feet of patios; and
  - b) Coastal Development Permit to allow development within 750 feet of a known archaeological resource.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit B**). Staff recommends approval subject to sixteen (16) conditions.

### PROJECT INFORMATION:

**Property Owners:** PIETRO FAMILY INVESTMENTS LP

**Agent:** Carla Hashimoto

**APNs:** 009-463-012-000

**Parcel Sizes:** 0.19 acres, or 8,438 square feet

**Zoning:** Medium Density Residential with gross density maximum 2 units/per acre with Design Control overlay and 18-foot maximum height in the Coastal Zone [MDR/2-D(18)(CZ)]

**Plan Area:** Carmel Area Land Use Plan area

**Flagged and Staked:** Yes

SUMMARY:

The subject property is a vacant 0.19-acre lot located at 26307 Isabella Avenue in Carmel (Carmel Point neighborhood), near the intersection of Isabella Avenue and 16th Avenue, in the unincorporated area of Carmel Point, on the west side of Highway 1. The surrounding residential neighborhood has been developed with dwellings and accessory structures. The applicant proposes to develop the vacant parcel with a 2,707 square foot two-story single-family dwelling inclusive of a 269 square foot attached garage, and associated site improvements. Site improvements include 637 square feet of patios, 269 square feet of perimeter fences up to 6 feet and low privacy walls up to 4 feet, with 69 cubic yards of cut and 33 cubic yards of fill. The proposed residence will be served potable water by CalAm, and the Carmel Area Wastewater District will provide sewer service.

Based on staff review, the proposed project is consistent with applicable goals, policies, and regulations in the 1982 General Plan, the Carmel Area Land Use Plan, the associated Coastal Implementation Plan, and regulations and development standards contained in the County of Monterey Zoning Ordinance (Title 20).

*Background*

On July 25, 2017, an application was received by HCD-Planning for development of the subject property with a 5,200-square foot, split-level, single family dwelling including a 1,366 square foot subterranean basement with a 437 square foot two-car garage, and excavation of approximately 620 cubic yards. A Draft Mitigated Negative Declaration (“MND”) and recommended conditions of approval (including mitigation measures) for PLN170611 were prepared in accordance with CEQA Guidelines and circulated for public review from September 6, 2018 through October 8, 2018. On April 23, 2019, the County of Monterey Board of Supervisors adopted the prepared Mitigated Negative Declaration (MND) and approved PLN170611 to allow the construction of a single-family dwelling and attached garage on the subject property (Board of Supervisors Resolution No. 19-121).

An appeal of the Board of Supervisors decision was filed with the California Coastal Commission on June 6, 2019. The California Coastal Commission took jurisdiction over the project, finding substantial compliance issues with the County’s Local Coastal Program (LCP). At a de novo hearing, the California Coastal Commission approved the project, with special conditions to ensure consistency with Coastal Act and the County’s LCP, specifically those policies related primarily to archaeological resource protection, grading minimization, and landform protection and conservation objectives. As a condition of approval, the basement proposed under PLN170611 was required to be eliminated.

The applicant applied for construction permits with HCD-Building Services, but did not receive construction permits or start construction before the Coastal Commission's decision on PLN170611 expired on November 13, 2021.

The applicant submitted a new application with HCD-Planning on February 21, 2024, which is the current project under review.

## DISCUSSION

### *Development Standards*

Zoning of the parcel (MDR/2) allows a single-family dwelling (SFD) as a principally permitted use subject to a Coastal Administrative Permit and Design Approval. PLN240045 is an application to build a new single-family dwelling with an attached garage.

The development standards for the MDR (CZ) zoning district are identified in Title 20 section 20.12.060. Required setbacks for main dwelling units are 20 feet (front), 5 feet (sides), and 10 feet (rear). The maximum allowed height is 18 feet. As proposed, the single-family dwelling with an attached garage meets or exceeds the required front, side, and rear setbacks from the surrounding property lines. The proposed height is 18 feet. The County has applied a standard condition of approval (Condition No. 6 - Height Verification) to ensure conformance to the allowed height standard. The applicant has complied with all setback and height requirements pursuant to Title 20.

Allowable site coverage in the MDR zoning designation is 35% or 2,954 square feet for the subject parcel. Plans show the proposed split-level structure to be 1,972 square feet, or 23.5%. The proposed FAR is shown to be 2,707 square feet, or 32.1%, which meets the allowable 3,792 square feet, or 45%, FAR in MDR/2. Therefore, the proposed project meets coverage and FAR allowances for its zoning designation.

### *Archaeological Resources*

The project site is located in an area, Carmel Point, that contains well-documented archaeological resources that have provided scientifically consequential historical information indicating Carmel Point was an Ohlone settlement dating to at least 4,000 years ago and as long ago as 9,300 years before present (YBP). The subject property is known to be within multiple archaeological resource boundaries. Due to the proximity of resources, as well as the project site being within known resource boundaries, development of the vacant property requires the granting of a Coastal Development Permit.

The applicant was required to provide archaeological reports pursuant to Carmel Area Land Use Policies 2.8.3.1 & 2.8.3.2. A total of four archaeological reports (County of Monterey Library Nos. LIB170269, LIB170435, LIB190038, and LIB240268) were prepared by four different archaeological experts for a previously approved project on the subject property (PLN170611, Board of Supervisors Resolution No. 19-121) and the currently proposed project. The first archaeological report prepared by Albion (County of Library No. LIB170269) for PLN170611 (inclusive of basement proposal) concluded there was no need for further testing, notwithstanding a finding of cultural materials during both the Phase 1 surface reconnaissance and the Extended Phase 1 sub-surface survey using shovel probes (SPs). The cultural material (lithic debitage, low-density fragmented marine shell, and one piece of bone) found in the SPs gave inconclusive information as to the presence of significant Cultural or Tribal Cultural Resources. No anthropogenic soils were observed, and no intact archaeological deposits were discovered in the SPs. Albion's subsurface investigations indicated that potentially significant cultural materials may be located within the Project Area. However, because the data was not conclusive (sparse accumulation of prehistoric flaked stone debitage and marine shell, and the lack of midden soils), Albion could not confirm whether the SP's

cultural materials were associated with one of Carmel Point's main archaeological resources (CA-MNT-17). To ensure impacts to potentially significant archaeological resources are minimized or avoided, Albion recommended the preparation of a project-specific Archaeological Monitoring Plan, archaeological and tribal cultural monitoring, and a preconstruction cultural resources awareness and response training program for construction personnel. The second report prepared by Dr. Breschini (LIB170435) for PLN170611 (inclusive of basement proposal) did not identify surface evidence of potentially significant archaeological resources and recommended onsite archaeological monitoring during construction. The third report prepared by Susan Morley (LIB190038) for PLN170611 (inclusive of basement proposal) included auger testing. The auger testing (reaching ten feet deep or bedrock) did not encounter any material to indicate cultural resources are present on the project parcel, except for one fragmented stone. Morely's report did recommend that the project's ground disturbance be monitored by both a qualified archaeologist and a tribal member. The fourth report prepared by Dana Supernowicz (County of Monterey Library No. LIB240268) for the subject project (PLN240045, no basement proposed) detailed the findings of a pedestrian survey with random 8-16 inch deep shovel tests. Per this report, none of the shovel test units produced any evidence of midden, marine shells, fire-fractured rock, flakes, groundstone, or faunal material. Soils were consistent with native fine medium-dark aeolian sands and silt. In addition, no surface indications of precontact occupation were identified within the parcel. Supernowicz determined that the probability of encountering below-grade cultural deposits is determined to be low, and thus did not recommend any specific protection measures.

Carmel Area Land Use Plan Key Policy 2.8.2 considers new land uses compatible with the objective to maintain and protect the scientific and cultural heritage values of archaeological resources (whether mapped or not) provided the project incorporates all site planning and design features necessary to minimize or avoid impacts to archaeological resources. Per the project-specific geotechnical report (County of Monterey Library No. LIB180355), the property's loose soil conditions necessitate excavation for a structural foundation or ground disturbance for helical piers. Accordingly, avoiding disturbance to the nearby archaeological resources through not excavating is not an option for the construction of the proposed first single-family dwelling. All recommendations contained in the four archaeological reports outlining measures for protecting inadvertently discovered resources (project-specific Archaeological Monitoring Plan, a pre-construction cultural resources awareness and response training program, and on-site archaeological and tribal monitoring) have been applied to this proposed project as conditions of approval. Additionally, if Native American remains are uncovered during construction, and if they will stay buried onsite, Condition No. 15, requires that the Applicant/Owner record a Conservation Easement over the subject, except those portions developed with approved structures and landscaping. These protection and avoidance measures provide compliance with Carmel Area Land Use Plan Policy 2.8.3.3, which requires that all available measures be explored to minimize development on sensitive prehistoric or archaeological sites. Additionally, application of the archaeologist's recommendation as conditions of approval is consistent with Carmel Coastal Implementation Plan section 20.146.090.D.2(a). As proposed, designed, and conditioned, the project will minimize potential impacts to Cultural and Tribal Cultural resources (Carmel Area Land Use Plan Policy 2.8.3.4)

*Design Review*

The home is infill development within an existing Carmel housing tract zoned medium density. The aesthetic of the neighborhood is an urbanized rural village with eclectic architectural designs. Colors and materials proposed for the residence include beige stucco and stone, and horizontal wood walls, metal frame windows and doors, and a flat green roof with wood soffit and aluminum fascia. Due to distance and intervening structures and vegetation, the proposed development will not be visible from Highway 1, Scenic Road, or Point Lobos. Condition No. 4 has been added to ensure that all exterior lighting is down-lit, unobtrusive, and harmonious with the surrounding area. In accordance with Carmel LUP Policy 2.2.3.6, the colors and materials proposed for the subject project will not disrupt the overall character of the neighborhood and will be subordinate to and blended into the environment, using appropriate materials to that effect.

CEQA:

On April 23, 2019, the County of Monterey Board of Supervisors adopted a Mitigated Negative Declaration (MND) for the construction of a single-family dwelling and attached garage on the subject property (HCD-Planning File No. PLN170611; SCH. No. 2018091011; **Exhibit D**). This MND recommended mitigation measures to: 1) mitigate impact(s) on archaeological and tribal cultural resources to a less than significant level; 2) properly identify and manage recovered human remains and artifacts; and 3) establish process by which a conservation easement may protect resource(s) in perpetuity, if necessary.

An Addendum to the previously adopted MND was prepared pursuant to CEQA Guidelines (California Code of Regulations, Title 14, Section 15164) to reflect changes in the project that do not cause substantial changes or new information that would require major revisions to the adopted MND (**Exhibit C**). In comparison to the project scope analyzed by the previously adopted MND for PLN170611, the proposed project reduces site coverage by 982 square feet and excavation by 551 cubic yards, and omits a 1,366 square foot basement. The remaining scope of work proposed under the previously adopted MND remains stable: construction of a single family dwelling. The changes in project scope do not increase the severity of previously identified environmental impacts, will not create new environmental impacts, and will result in reduced impacts on cultural and tribal cultural resources. The archaeological, geological, and geotechnical reports prepared for PLN170611 remain valid and accurate as changes in circumstances under which the project is being taken have not occurred. Additionally, supplemental, project-specific reports (archaeological, geological, and geotechnical) did not identify any new resources or hazards not already analyzed under the previously adopted MND. Finally, the prepared technical reports, submitted application materials, and information in the record do not present new information demonstrating that the proposed project will have one or more significant effects not discussed in the adopted MND. All previously approved mitigation measures remain adequate and appropriate to apply to PLN240045. Condition Nos. 12-16 are the previously approved Mitigation Measures that have been incorporated as Conditions of Approval. Therefore, none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

OTHER AGENCY INVOLVEMENT:

Environmental Health Bureau  
HCD-Engineering Services

HCD-Environmental Services  
Cypress Fire Protection District

LAND USE ADVISORY COMMITTEE:

The project was referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review (**Exhibit F**). The LUAC reviewed the project at a duly noticed public meeting on January 21, 2025. Public comments were made by the neighbors who live on the property east of the project parcel and requested that the Applicant move the storm drainage to preserve an existing Oak tree, and to modify the upper southern deck with additional plant screening for privacy. The project has been modified to incorporate these requests. The LUAC recommended approval of the project with the aforementioned minor changes by a vote of 7-0.

Prepared by: Benjamin Moulton, Assistant Planner, x5240

Reviewed and Approved by: Fionna Jensen, Principal Planner (Working Out-of-Class)

Attachments:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Conditions of Approval
- Project Plans, Elevations, and Colors & Materials

Exhibit C - Addendum

Exhibit D - Adopted Initial Study / Mitigated Negative Declaration

Exhibit E - Board of Supervisors Resolution Nos. 19-121 & 19-122

Exhibit F - Carmel Highlands LUAC Minutes for January 21, 2025

Exhibit G - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; Fionna Jensen, Principal Planner (Working Out-of-Class); Melanie Beretti, AICP, Chief of Planning; Benjamin Moulton, Assistant Planner; HCD-Engineering Services; Environmental Health Bureau; HCD Environmental Services; Cypress Fire Protection District; Pietro Family Investments LP, Owner; Carla Hashimoto, Agent; Chris Adamski, Applicant; The Open Monterey Project; LandWatch (Director); Christina McGinnis, Keep Big Sur Wild; Laborers International Union of North America (Lozeau Drury LLP); Project File No. PLN240045