



County of Monterey

Item No.4

Zoning Administrator

Legistar File Number: ZA 25-055

October 09, 2025

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Current Status: Agenda Ready

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Matter Type: Zoning Administrator

PLN240159 - RICKARD OLIVER C & BROOKE T KENNAMER TRS

Public hearing to consider the construction of a 1,084 square foot addition to an existing 2,585 square foot single-family dwelling, a 190 square foot attached office, a 118 square foot attached accessory storage structure, and associated site improvements, including an after-the-fact emergency permit to replace an access bridge within 750 feet of a known archaeological resource, and development within 50 feet of a coastal bluff.

Project Location: 5 Yankee Beach Way, Carmel

Proposed CEQA action: Find the project Categorically Exempt pursuant to the CEQA Guidelines section 15301, and there are no exceptions pursuant to section 15300.2.

RECOMMENDATIONS

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

- 1) Find the amendment qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301, and there are no exceptions pursuant to section 15300.2; and
- 2) Approve a Combined Development Permit consisting of:
 - a) Coastal Administrative Permit and Design Approval to allow construction of a 1,084 square foot addition to an existing 2,585 square foot single-family dwelling, a 190 square foot attached office to an existing guesthouse, a 118 square foot attached accessory storage structure, and associated site improvements;
 - b) After-the-fact Emergency Permit to replace an existing access bridge;
 - c) Coastal Development Permit for the development within 750 feet of a known archaeological resource; and
 - d) Coastal Development Permit to allow development within 50 feet of a coastal bluff.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval, subject to 10 conditions of approval.

PROJECT INFORMATION

Property Owners: Oliver and Brooke Rickard

Agent: Amy Denney

APN: 243-141-008-000

Parcel Size: 0.73 acres (31,659 square feet)

Zoning: The parcel is split-zoned Low Density Residential with a density of 1 acre per unit with a 20 foot height limit and Design Control Overlay (Coastal Zone) or "LDR/1-D(20')(CZ)" and Resource Conservation with a 20 foot height limit and Design Control Overlay (Coastal Zone) or "RC-D(20')(CZ)"

Plan Area: Carmel Area Land Use Plan, Coastal Zone

Flagged and Staked: Yes

Project Planner: Kayla Nelson, Associate Planner

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SUMMARY/DISCUSSION:

The property is located at 5 Yankee Beach Way, Carmel, Carmel Area Land Use Plan, Coastal Zone, Assessor's Parcel Number 243-141-008-000. The parcel is split-zoned with the majority of the property being Low Density Residential with a density of 1 acre per unit with a 20 foot height limit and Design Control Overlay (Coastal Zone) or "LDR/1-D(20')(CZ)" which allows the first single-family dwelling on a legal lot of record as principally allowed use subject to a Coastal Administrative Permit in each case (Title 20 Sections 20.14.040.A). Additionally, all development with a Design Control Overlay requires the granting of a Design Approval pursuant to Title 20 Chapter 20.44. The western boundary of the parcel is zoned Resource Conservation with a 20 foot height limit and Design Control Overlay (Coastal Zone) or "RC-D(20')(CZ)", which restricts development to resource enhancement and environmental protection.

The project involves the remodel of an existing 2,585 square foot single-family dwelling and construction of 1,084 square foot addition, resulting in a 3,518 square foot single-family dwelling with an attached 118 square foot storage building. The project also involves the remodel of an existing legal non-conforming 476 square foot guesthouse by reducing the overall square footage of the structure to 387 square feet. The remaining 89 square feet of the guesthouse will be converted into a portion of a newly proposed office, attached to the guesthouse. The proposed office will have a total of 190 square feet (89 square feet converted from the guesthouse) and will have no shared internal circulation with the attached guesthouse. Associated site improvements include landscaping and an after-the-fact emergency replacement of a bridge over an existing drainage easement to access the property. All proposed development will be located within the LDR zoning district of the property. There will be no development proposed within the RC zoning portion. Therefore, the project is an allowed land use for this site.

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 Plan (CAR LUP), Carmel Area Coastal Implementation Plan (CIP) and the Coastal Zoning Ordinance (Title 20).

Design and Visual Resources.

The property is subject to the Visual Resources protection policies of the CAR LUP due to the proximity of Highway 1, the applicable implementing regulations of those policies in the CIP, and the Design Control regulations outlined in Title 20 section 20.44.030, which requires a design review of structures and fences to assure protection of the public viewshed and neighborhood character. The residence was built with a Mid-Century Modern architectural style. The exterior colors and materials of the existing residence and accessory structures consist of brown board and batten exterior siding, orangish-red wood trim, aluminum doors and windows, with a large mortared granite cobblestone decorating the exterior fireplace. The proposed additions to the property will match the colors and materials of the existing structures, and the bulk and mass of the development will be similar to other

dwelling in the vicinity. Proposed exterior lighting included a brown metal wall-mounted sconce with white seeded glass. However, the project has been conditioned to include an exterior lighting plan to ensure the fixtures meet the County-approved exterior lighting guidelines (see Condition No. 6 in **Exhibit A**). As proposed, the finishes are consistent with other dwellings in the neighborhood and with the surrounding residential rural coastal neighborhood character, and the proposed materials help blend the development with the surrounding natural environment.

The proposed development is consistent with CAR LUP Scenic and Visual Resource Key Policy 2.2.2, which protects the scenic resources of the Carmel area in perpetuity. The project will not block significant public views and will not adversely impact the public viewshed or scenic character in the project vicinity. The project site is located off the west coast of the Pacific Ocean, facing a private cove and approximately 0.13 miles west of Highway 1. Staff conducted a site visit on August 20, 2025, to investigate possible impacts on the public viewshed. The project site is heavily vegetated and the existing development and proposed additions will not be visible from Highway 1 or Point Lobos Preserve. Therefore, the proposed additions will not impact the public viewshed.

Development Standards.

The development standards for the LDR zoning district are identified in Title 20 section 20.14.060. Required setbacks for main dwelling units are 30 feet (front), 20 feet (rear), and 20 feet (sides). The maximum allowed height is 20 feet. The site contains an existing legal non-conforming single-family dwelling that meets the front and side setbacks, but slightly encroaches on the rear setback. All proposed additions to the main residence will be located outside of the existing setbacks, and no changes are proposed to the portion of the home that is within the rear setback. The existing residence and proposed additions will have a maximum height of 17 feet 7 inches above average natural grade, which is less than the 20 foot height limitation. The additions will include a storage structure attached to the main residence. Pursuant to Title 20 section 20.62.040.K, any accessory structure structurally attached to the main structure shall be subject to the same setback requirements as the main structure. Therefore, the project would meet all required development standards for main structures.

Required setbacks for accessory structures are 50 feet (front), one foot (rear), and six feet on the front one-half of property; one foot on the rear one-half of the property (sides). The maximum allowed height is 15 feet. The project proposes a height of 11 feet 11 inches above average natural grade which is less than the maximum allowed. The proposed remodel and reduction in square footage to the guesthouse and newly proposed office will have setbacks that meet and exceed the minimum requirements. Therefore, the proposed project meets all required development standards for accessory structures.

The allowed site coverage maximum in the LDR zoning district is 15 percent. The property is 0.73 acres (31,695 square feet), which would allow site coverage of 4,755. The proposed development would result in structural coverage of 4,292 square feet or 13.5 percent. Therefore, the project meets the site coverage and development standards outlined in Title 20 (**Exhibit A**).

Emergency Permit.

Pursuant to Title 20 Chapter 20.79, an Emergency Permit may be issued without the normally required public hearing processes to rectify an emergency situation. The applicant applied for an emergency

permit to repair a collapsed bridge which is the only access to a single-family dwelling (HCD-Planning File No. PLN240087). However, on March 25, 2024, the project agent submitted a letter requesting to withdraw that application and include the after-the-fact emergency permit with the Combined Development Permit (PLN240159) for the single-family and non-habitable accessory structure additions within 750 feet of known archaeological resources and within 50 feet of a coastal bluff. The construction plans for the replacement bridge were submitted to HCD-Building Services through construction permit 24CP02307. Although the plans have been approved by the building department and the bridge has since been replaced, planning sign-off on the permit is still pending subject to approval of this Combined Development Permit.

Biological Resources.

Pursuant to policies of the CAR LUP and section 20.146.040 of the CIP, a biological report (LIB250018) was prepared for the project site. On September 6, 2024, a biological assessment was conducted by qualified biologist Rob Thompson due to the project's proximity to environmentally sensitive habitat areas. The site was previously developed and landscaped with native and non-native trees and vegetation. The notable resources onsite contain coastal bluff scrub to the west, with planted Monterey cypress and Monterey pine trees spread throughout the site. A seasonal drainage with a presently dry culvert is located along the front of the property. To access the site, a bridge was previously constructed to pass over this drainage channel. This bridge failed and was replaced without the benefit of a discretionary permit. This drainage channel is largely comprised of non-native invasive vegetation and does not support any sensitive or protected flora or fauna. Accordingly, no impacts to sensitive biological resources likely occurred during construction of the replacement bridge. Based on the Biologist's site visit and due to the developed and previously disturbed condition of the lot, the Biologist confirmed that the subject parcel does not support federally and/or state-protected special status species, sensitive habitat and/or environmentally sensitive habitat areas (ESHA), and none of these resources will be affected by proposed property development activities. There are no known occurrences of special status species, sensitive habitat or other protected resources occurring on the property and none were observed during the site visit. Additionally, actively nesting birds were not observed on or adjacent to the subject property during the site inspection. However, a condition of approval has been added to ensure compliance with the Migratory Bird Treaty Act should construction occur during the nesting season. Additionally, the project has been conditioned to include the installation of tree root protection prior to construction. Therefore, the proposed project will not impact biological resources (see Condition Nos. 7 and 8 in **Exhibit A**).

Cultural Resources.

The Monterey County Geographic Informational System identifies the subject property to be in an area that is mapped as having a high sensitivity to the presence of archaeological resources. Pursuant to CIP section 20.146.090, a Phase I and II Archaeological Report (LIB240287) was prepared for the property, which assessed the potential of the project area to contain archaeological resources. The report concluded that there were four previously recorded sites within 750 feet of the project site. As such, a Coastal Development Permit is required pursuant to CIP section 20.146.090. The Phase I report identified positive indicators on the site but outside of the project area, and therefore, a Phase II report was submitted with auger borehole testing in five locations for the proposed additions. The testing results were negative in the areas to be developed. The results of the Phase I assessment and Phase II subsurface testing program indicate that no significant resources will be impacted by the

proposed project as planned. Therefore, potential impacts on archaeological resources are limited, and a standard condition of approval requiring work to stop if previously unidentified resources are found during construction has been incorporated into this permit (see Condition No. 3 in **Exhibit A**).

Historical Resources.

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21084.1(a), all properties fifty years of age or older must be reviewed for potential historic significance. A Phase I Historical Resource Assessment Study (LIB240290) was submitted with the project application. On January 4, 2024, Dana Supernowicz analyzed the potential historical significance of the existing one-story single-family dwelling. The property was developed in 1953 with a Mid-Century Modern style wood-framed one-story single-family dwelling by the notable architectural firm Anshen and Allen. The residence is diamond-shaped with the pointed ends oriented east to west, with the west side cantilevered atop a bluff overlooking Yankee Point and the Pacific Ocean. The Historical Report concluded that the subject property does not possess any historical significance, and therefore, is not eligible for listing on any national, state, or local Historic Resources registry (**Exhibit A**).

Health and Safety.

Necessary public facilities exist on the subject property. Potable water to serve the development is provided by the Cal-Am public water system. Wastewater is treated by two Onsite Wastewater Treatment Systems (OWTS), which independently serve the guesthouse and main residence. A performance evaluation for the guesthouse remodel was not required since the addition did not exceed 500 square feet. However, an evaluation was required for the additions to the main dwelling. On June 20, 2024, Hastings Construction submitted a performance evaluation of the existing 2,000-gallon septic system. The Environmental Health Bureau reviewed the evaluation and found the OWTS had the capacity to serve the proposed development, and that the system was observed to be in acceptable condition.

The project is located within 50 feet of a coastal bluff according to Monterey County GIS information. As identified in Title 20 section 20.70.120.A.1, a Coastal Development Permit is required for any development within 50 feet of a coastal bluff. Additionally, pursuant to CAR LUP Policy 2.7.4.3, a geological hazards report is required for such development. The applicant submitted a geotechnical and geological hazards report (LIB250098) that assessed the geologic hazards on the site, and whether they would impact the proposed development. The report included physical inspection of the site for fault induced features or other hazards and research of published data on seismicity and other mapped geologic hazards. The report concluded that the site was suitable for the proposed use, given that the recommendations in it are followed. The notice of report condition has been applied to ensure that the geotechnical engineer's recommendations are adhered to (see Condition No. 9 in **Exhibit A**). The property is located in an area mapped as having a very high fire hazard according to the Monterey County Geographic Information System. Pursuant to CAR LUP Policy 2.7.3.1, new development shall be sited and designed to minimize risk from fire hazards. The proposed additions to the existing single-family dwelling are sited in previously developed areas and the materials used are fire-resistant. The project site has existing landscape and overgrown vegetation. The project has been conditioned to require a Landscape and Fuel Management Plan to address fire hazards by including vegetation fuel management requirements from 0-30 feet from the home, and from 30-100 feet from the home. Therefore, the project, as conditioned, will be consistent with Policy 2.7.3.1 (see Condition No. 10 in

Exhibit A).

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA) Guidelines section 15301, categorically exempts single-family dwelling additions. The project involves a remodel and addition to an existing single-family dwelling and detached non-habitable accessory structure. The expansion will not add any new residential units, will not intensify the water use (or wastewater generation), and does not substantially alter the footprint of the existing development, making it a negligible expansion of existing use. Therefore, the project was found to meet the qualifications for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301.

None of the exceptions under CEQA Guidelines section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, and does not cause any unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact. On August 19, 2024, a Phase I pedestrian survey report was submitted with the application since the project is located in a high archaeological sensitivity area. The results of that survey were positive for sparse marine shell fragments on the western coastal bluff of the property. On January 2, 2025, a Phase II subsurface test was conducted and resulted in negative findings for precolonial and historical site indicators. Therefore, the project, as designed and conditioned, was found to have no impacts on archaeological resources. However, a standard condition of approval has been incorporated to ensure construction work is halted if archaeological resources are accidentally uncovered (**Exhibit A**).

OTHER AGENCY INVOLVEMENT

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

Environmental Health Beauru
HCD-Engineering Services
HCD-Environmental Services
Carmel Highlands Fire Protection District

LAND USE ADVISORY COMMITTEE (LUAC)

Based on the LUAC procedure guidelines adopted by the Monterey County Board of Supervisors Resolution No. 15-103, the project was referred to the Carmel Highlands LUAC for review on June 2, 2025. One concern from the neighbor was raised regarding the potential for the proposed additions to block her views of the ocean. The architect was present and addressed her concerns and no design changes were recommended. The LUAC reviewed the project and recommended approval as proposed by a vote of 4-0 with one member absent (**Exhibit A**).

Prepared by: Kayla Nelson, Associate Planner, x6408

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, and Elevations

- Colors and Materials

Exhibit B - Vicinity Map

Exhibit C - Carmel Highlands Land Use Advisory Committee, dated June 2, 2025

Exhibit D - Biological Assessment Report (LIB250018), dated September 21, 2023

cc: Front Counter Copy; Carmel Highlands Fire Protection District; Environmental Health Beauru;
HCD-Environmental Services; HCD-Engineering Services; Kayla Nelson, Planner; Jacquelyn M.
Nickerson, Principal Planner; Oliver and Brooke Rickard, Property Owners; Amy Denney, Agent;
Monterey Land Group; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury
LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN240159.