

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION RESOLUTION NO. 2026-XXX-PC**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA FINDING THAT THE ACTION ON THE PROJECT IS CATAGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO CEQA GUIDELINES SECTION 15304(i) AND THAT NONE OF THE EXCEPTIONS TO THE EXEMPTIONS CONTAINED IN SECTION 15300.2 APPLY IN THIS CASE; AND APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW VEGETATION MANAGEMENT WITHIN 100 FEET OF STRUCTURES FOR FUEL MITIGATION. THE PROPERTIES ARE LOCATED ALONG THE NORTHERN BOUNDARY OF 2ND AVENUE BETWEEN THE INTERSECTIONS OF NORTH CAMINO REAL AND NORTH CASANOVA STREET IN THE NATURAL PARKLANDS AND PRESERVES (P-1) ZONING DISTRICT AND ARCHAEOLOGICAL SIGNIFICANCE (AS) AND APPEAL JURISDICTION/BEACH (BR) OVERLAY DISTRICTS, APNS 010-233-004-000; 010-233-008-000; 010-233-009-000; 010-233-010-000; 010-233-011-000; and 010-233-012-000.

WHEREAS, on June 22, 2026, the City Administrator, on behalf of the City of Carmel-by-the-Sea (“Applicant”), submitted an application requesting approval of Coastal Development Permit application (“PERMIT NO. CDP 26236 [City of Carmel-by-the-Sea Pescadero Vegetation/Fuel Management]”), as described herein and including all materials, documents and reports on file with the Community Planning and Building Department (“Application”); and

WHEREAS, the Applicant proposes to conduct vegetation management for fuel mitigation. The scope of the project is limited to conducting fuel management reduction activities within 100 feet of structures. Vegetation will not be clear cut, and no trees will be removed. Removal will occur through the use of hand crews and light machinery. A certified arborist and qualified biologist will work with the fuel management crew to ensure protection of sensitive species and protected trees (“Project”); and

WHEREAS, the Project includes non-exempt development and requires approval of a Coastal Development Permit by the Planning Commission (Carmel-by-the-Sea Municipal Code [CMC] Sections 17.20.150 and 17.52.090; and

WHEREAS, on June 26, 2026, a notice of public hearing was published in the Carmel Pine Cone for the July 8, 2026, Planning Commission meeting in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the Project indicating the date and time of the public hearing; and

WHEREAS, on July 8, 2026, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Planning Commission by City staff and through public testimony on the Project; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Planning Commission at the hearing date, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Planning Commission did hear and consider all said reports, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the Project.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations:

1. The facts (“Facts”) set forth in the recitals above are true and correct and are incorporated herein by reference.
2. The consideration of the Project before the Planning Commission decision has been processed in accordance with CMC Sections 17.20.150 and 17.52.090.
3. The Planning Commission has considered the City of Carmel-by-the-Sea Coastal Development Permit application for vegetation/fuel management on the City-owned properties in Pescadero Canyon, including the Project plans (**Exhibit B**) at a public hearing. Based on the facts of this particular case, and determines that the required findings (see Sections 1-3 below) can be made and therefore approves the Coastal Development Permit.
4. Conditions of approval have been incorporated (**Exhibit A**) to ensure Project implementation occurs according to applicable Carmel-by-the-Sea policy and regulations.
5. Approval of the Coastal Development Permit by the Planning Commission is appealable to the City Council pursuant to CMC Section 17.54.010.C.
6. Final action on the Coastal Development Permit by the City of Carmel-by-the-Sea is appealable to and by the California Coastal Commission pursuant to CMC Section 17.54.020.C.

Section 1: FINDINGS REQUIRED FOR COASTAL DEVELOPMENT PERMIT (CMC Section 17.64.010.B).

1. Finding – Local Coastal Program Consistency: The Project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Carmel-by-the-Sea Local Coastal Program (LCP).
 - a. Evidence: Coastal Resource Management Goal 5-3, Objective O5-8 and Policy P5-46 call for the protection, conservation and enhancement of the unique natural beauty of designated open space, sensitive habitats and hillside areas.
 - i. Fuel management reduction activities are limited to areas within 100 feet of structures. Vegetation will not be clear cut, and no trees will be removed. Implementation will result in the enhancement of the natural open space area and provide fire protection in the vicinity through the reduction of fuel loads.
 - b. Evidence: Coastal Resource Management Objective O5-39 and Policy P5-171 call for managing ESHA in Pescadero Canyon and managing the watershed for habitat value and fire safety.
 - i. A certified arborist and qualified biologist will work with the fuel management crew to ensure protection of sensitive species and protected trees.
 - c. Evidence: CMC Section 17.20.040 – Minimum Standards within the Archaeological Significance Overlay require submittal of an Archaeological Resource Management Report for new

construction involving excavation of undisturbed earth. The Project does not include excavation and therefore submittal of a report is not required. To ensure accidental uncovering of unknown archaeological resources are protected, the project has been conditioned to require work to be halted until proper measures can be implemented.

2. Finding – Public Access & Recreation: The Project conforms with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).
 - a. Evidence: The subject property is located along the northern boundary of 2nd Avenue between the intersections of North Camino Real and North Casanova, APNs: 010-233-004-000; 010-233-009-000; 010-233-010-000; 010-233-011-000; and 010-233-012-000, which is not between the first public road and the sea. Therefore, this finding does not apply in this case.
 - b. Evidence: The Project will not impact existing public access illustrated in LCP Coastal Access and Recreation Element, Figure 4.1. The subject properties are not located within or adjacent to existing access areas shown in Figure 4.1.
 - c. Evidence: The Project will not impact existing Parks, Open Space, Recreation and Community Facilities illustrated in LCP Coastal Access and Recreation Element, Figure 4.2. As demonstrated in Finding 1 and supporting evidence above, the Project will result in the protection and enhancement of City-owned parkland.

Section 2: FINDINGS REQUIRED FOR BEACH AND RIPARIAN OVERLAY COASTAL DEVELOPMENT PERMIT STANDARDS (CMC Section 17.20.160.A).

1. Finding – View Protection: The development has sited and designed to: protect public views to and along the ocean and scenic coastal areas, minimize alteration of natural landforms, and be visually compatible with the character of the surrounding areas. Where feasible, visually degraded areas will be restored.
 - a. Evidence: There are no new uses or structures associated with the Project; therefore, there will be no impacts to existing public views.
 - b. Evidence: Alternations to the natural landform will be minimized; vegetation will not be clear cut and the Project does not involve tree removal.
2. Finding – Location: The development has been located and designed to avoid conflict with recreational use of any adjacent public property or conflict with coastal resources.
 - a. Evidence: There are no new uses or structures associated with the Project.
 - b. Evidence: As demonstrated in Section 1, Finding 1 and supporting evidence, the Project will result in the protection and enhancement of City-owned parkland.
3. Finding – Design Compatibility: The development is compatible in design with existing buildings in the area for the purpose of protecting the neighborhood character and consistent with the R-1 design guidelines.

- a. Evidence: There are no new structures associated with the Project; therefore, approval of the Coastal Development Permit is not subject to design review.
4. Finding – Review of City Needs: The property has been reviewed for potential acquisition and the review indicated the City has no need to acquire the property.
 - a. Evidence: Ownership of the subject properties is currently held by the City of Carmel-by-the-Sea.
5. Finding – Utilities: All utilities to support the development shall be placed underground.
 - a. Evidence: There are no new uses or structures associated with the Project; therefore, installation of utility facilities is not required.
6. Finding – Sewer Services: The property shall be connected to the sanitary sewer system upon issuance of permit.
 - a. Evidence: There are no new uses or structures associated with the Project; therefore, sewer service is not required.
7. Finding – Drainage: A drainage system shall be provided for all new development to minimize erosion, minimize runoff, infiltrate and filter stormwater prior to conveyance off-site.
 - a. Evidence: There are no new structures associated with the Project; therefore, a drainage system is not required.

Section 3: CEQA FINDING – EXEMPT

1. Finding – Categorical Exemption: Approval of the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) and no unusual circumstances were identified.
 - a. Evidence: CEQA Guidelines Section 15304(i) – Minor Alterations to Land, categorically exempts fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions. The Project is for vegetation/fuel mitigation within 100 feet of structures, which qualifies under this exemption.
 - b. Evidence: The exceptions to the exemptions listed in CEQA Guidelines Section 15300.2 do not apply in this case.
 - i. Location. The Project is for vegetation/fuel mitigation within 100 feet of structures in the P-1 zoning district and AS and BR overlay districts. Per CMC Section 17.20.150 and CMC Section 17.52.090, the proposed work is permitted upon approval of a Coastal Development Permit by the Planning Commission.
 - ii. Cumulative Impact. The Project is limited to vegetation/fuel mitigation. A similar project within the City, Mission Trail Nature Preserve long-term vegetation

management is implemented throughout the year. Due to lack of proximity and the Project's limited scope, there is no evidence on the record that the two projects will result in a cumulative impact.

- iii. Significant Effect. The Project is limited in scope and will enhance and continue to preserve the Pescadero open space areas and therefore will not have a significant effect on the environment.
- iv. Scenic Highways. The Project is not located on a scenic highway and will not result in any impacts to scenic highways or scenic resources.
- v. Hazardous Waste. The subject properties will not have any effect on a hazardous waste site and is not a site listed pursuant to Section 65962.5 of the Government Code.
- vi. Historic Resource. The Project does not include modifications to any historic resources.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **FIND** that the action on the Project Categorically Exempt from environmental review pursuant to CEQA Guidelines Section 15304(i) and that none of the exceptions to the exemptions contained in Section 15300.2 apply in this case, and **APPROVE** the Coastal Development Permit [FILE NO. CDP 26236 (City of Carmel-by-the-Sea)] to allow vegetation management within 100 feet of structures for fuel mitigation. The properties are located along the northern boundary of 2nd Avenue between the intersections of North Camino Real and North Casanova Street in the Natural Parklands and Preserves (P-1) zoning district and Archaeological Significance and Appeal Jurisdiction/Beach overlay districts, APNs: 010-233-004-000; 010-233-009-000; 010-233-010-000; 010-233-011-000; and 010-233-012-000.

All of which are in conformance with the attached plans (**Exhibit B**) and subject to the attached conditions (**Exhibit A**), all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 8th day of July 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Michael LePage
Chair

Shelby Gorman
Planning Commission Secretary

EXHIBIT A
CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL	
No.	Standard Conditions
1.	<p>Authorization. This approval of Coastal Development Permit [FILE NO. CDP 26236 (City of Carmel-by-the-Sea)] to allow vegetation management within 100 feet of structures for fuel mitigation, as depicted in the attached plans as approved by City of Carmel-by-the-Sea Planning Commission on July 8, 2026 unless modified by the conditions of approval contained herein. The property is located along the northern boundary of 2nd Avenue between the intersections of North Camino Real and North Casanova Street in the Natural Parklands and Preserves (P-1) zoning district and Archaeological Significance and Appeal Jurisdiction/Beach overlay districts, APNs: 010-233-004-000; 010-233-009-000; 010-233-010-000; 010-233-011-000; and 010-233-012-000. This permit was approved in accordance with City ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the Community Planning and Building. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of City regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities.</p>
2.	<p>Permit Validity. In accordance with CMC Section 17.52.170 (Time Limits on Approvals and Denials), this Coastal Development Permit approval remains valid for a period of 12 months from the date of action. During this time, the project must be implemented, or the approval becomes void. Implementation is effected by erecting, installing, or beginning the installation of the improvement authorized by the permit, as determined by the Director. Extensions to this approval may be granted consistent with CMC Section 17.52.170.C.</p>
3.	<p>Modifications. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within two weeks of the City being notified. A cease work order may be issued at any time at the discretion of the Director of Community Planning and Building until a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance with the approved plans prior to the final inspection.</p>
4.	<p>Exterior Revisions to Planning Approval Form. All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings not listed on this form shall not be deemed approved upon issuance of a building permit.</p>
5.	<p>Conflicts Between Planning Approvals and Construction Plans. It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by the Planning Staff, the Planning Commission, or the City Council on appeal and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern unless otherwise approved in writing by the Community Planning & Building Director or their designee.</p>

	<p>When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City’s attention. Changes to the project incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.</p>
6.	<p>Cultural Resources – Negative Report. Throughout construction, all activities involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to the resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and distribution pursuant to California Public Resources Code Section 5097.98.</p>
7.	<p>Truck Haul Route. Prior to the issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building Director, in consultation with the Public Works and Public Safety Departments, a truck-haul route and any necessary traffic control measures for the grading activities. The Applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.</p>
8.	<p>USA North 811. Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)</p>
9.	<p>Conditions of Approval. Prior to the issuance of a building permit, the Applicant shall print a copy of the Resolution adopted by the Planning Commission and signed by the property owner(s) on a full-size sheet within the construction plan set submitted to the Building Safety Division.</p>
<p>Landscape Conditions</p>	
10.	<p>Tree Removal Prohibited. Throughout construction, the Applicant shall protect all trees identified for preservation by methods approved by the City Forester. Trees on or adjacent to the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission.</p>
11.	<p>Tree Protection Measures. Requirements for tree preservation shall adhere to the following tree protection measures on the construction site.</p> <ul style="list-style-type: none"> • Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved. • Excavation within 6 feet of a tree trunk is not permitted. • No attachments or wires of any kind, other than those of a protective nature, shall be attached to any tree. • Per Municipal Code Section 17.48.110, no material may be stored within the dripline of a protected tree, including the drip lines of trees on neighboring parcels. • Tree Protection Zone. The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any

	<p>manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing.</p> <ul style="list-style-type: none"> • Structural Root Zone. The Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots. • If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone, the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged. • If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended, and all work stopped until an investigation by the City Forester has been completed, and mitigation measures have been put in place.
Environmental Compliance Conditions	
12.	<p>Erosion and Sediment Control Plan. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments an erosion and sediment control plan that includes locations and installation details for erosion and sediment control BMPs, material staging areas, and stabilized access.</p>
Special Conditions	
13.	<p>Conditions of Approval Acknowledgement. Prior to the issuance of a building permit revision, a completed Conditions of Approval Acknowledgment form shall be included in the construction drawings. The form shall be signed by the Property Owner, Applicant, and Contractor prior to the issuance of a building permit.</p>
14.	<p>Migratory Bird Treaty Act of 1918. Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the City of Carmel-by-the-Sea shall require that the project owner/applicant retain a qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist.</p>

EXHIBIT B PROJECT PLANS

