

Exhibit A

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**EXHIBIT A
DRAFT RESOLUTION**

**Before the Planning Commission
in and for the County of Monterey, State of California**

In the matter of the application of:

Loomis Gregory R & Leslie A Trs (PLN220134)

RESOLUTION NO. ---

Resolution by the Monterey County Planning
Commission:

- 1) Finding the project exempt from CEQA pursuant to Section 15301, Existing Structures, of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2; and
- 2) Approving an Administrative Permit to allow transient use of an existing single-family dwelling for remuneration.

[Loomis Gregory R & Leslie A Trs, 114 Story Rd, Carmel Valley, Carmel Valley Master Plan, (Assessor's Parcel Number 187-541-016-000)]

The Loomis Gregory R & Leslie A Trs application (PLN220134) came before the Monterey Planning Commission on February 22, 2023 and March 8, 2023. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY / SITE SUITABILITY** - The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for transient use for remuneration.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - The 2010 Monterey County General Plan;
 - Carmel Valley Master Plan; and the
 - Monterey County Zoning Ordinance (Title 21).No conflicts were found to exist. The County received communications from interested members of the public during project review indicating inconsistencies; however, the County finds that the project is consistent with the text, policies, and regulations in the applicable documents.
b) Allowed Uses. The property is located at 114 Story Rd, Carmel Valley, (Assessor's Parcel Number 187-541-016-000), Carmel Valley Master Plan area. The parcel is zoned Low Density Residential with a B-6, Design Control, Site Plan and Residential Allocation Zoning overlay districts (LDR/B-6-D-S-RAZ) which allows for transient use of an existing residential property (single-family dwelling) for

remuneration subject to an Administrative Permit. The regulations of the “B-6”, “D”, “S” and “RAZ” overlays do not apply to this project since there is no additional development being proposed. Therefore, the project is an allowed land use for this site.

- c) Lot Legality. The property is shown in its current size and configuration as Parcel 1 on the map filed in Volume 9 of Cities and Towns, page 39 for Cerro Del Osos, a Subdivision of a portion of Parcels 3 & 4 Rancho Los Laureles, Tract No. 560. Therefore, the County recognizes the property as a legal lot of record.
- d) Suitability. The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, Monterey County Regional Fire Protection District, HCD-Engineering Services, HCD-Environmental Services and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed project. Conditions recommended have been incorporated.
- e) The applicant has applied for an Administrative Permit to allow transient use of the subject residential property and the project has been conditioned to comply with the requirements found in Monterey County Code (MCC) Section 21.64.280.D.2 pertaining to the minimum rental period(s), on-site advertising, payment of transient occupancy taxes (TOT), designation of a local contact person and limitation on the total number of occupants. As proposed and detailed in the attached Operations Plan, the rental periods for the subject property shall be no less than a 7-night consecutive stay and no greater than a 30-night consecutive stay, no on-site advertising shall be allowed, and the total occupancy shall not exceed 8 guests.
- f) Pursuant to MCC Section 21.64.280.D.2.b, the number of occupants in any residential unit for transient use shall not exceed the limits set forth in the California Uniform Housing Code. Under the Uniform Housing Code, each bedroom shall have a minimum of 70 square feet for the first two (2) people and 50 square feet for each additional person beyond two (2) people in that bedroom). The house has 4 bedrooms, 3 bathrooms and 1 kitchen. The owner is proposing a maximum of 8 people to stay at the property at a time. The total square footage of all the bedrooms is 735 square feet, this would allow each person 91.9 square feet of room. This is well over the minimum, and therefore complies with the Monterey County Zoning Ordinance.
- g) Consistent with MCC Section 21.64.280.D.2.c, the applicant has included in their Operational Plan that signage advertising the single-family dwelling as a “short-term rental” shall not be permitted onsite at any time.
- h) The owner (Leslie Loomis) does not reside on the property, or within 25 miles of it. Pursuant to MCC Section 21.64.280.D.2.d, the attached Operational Plan identifies utilizing a local property manager that will be the 24-hour point of contact for all guests. If the point of contact changes while the property is still available to rent, HCD-Planning shall be provided with the new 24-hour point of contact’s information immediately (See Condition No. 6).

- i) Parking. Adequate parking spaces will be provided: 7 total spaces are available; 4 cars may park at the top of the driveway and 3 cars may park on the flat area of the property near the entrance gate. No street parking is proposed.
- j) Conditions of Approval. Pursuant to MCC Section 21.64.280, the County may apply conditions of approval to ensure use of a single-family dwelling for transient use does not result in adverse impacts to the neighborhood and to maintain integrity of the zoning district. To protect the public, health, welfare, as well as the residential character of the neighborhood, additional conditions have been applied to expressly prohibit events on the property. A Deed Restriction has been applied to ensure all the applicable conditions run with the land (Condition No. 5). Additionally, a condition has been added that this permit will expire 7 years from the day it was granted. The applicant could apply to extend the permit before its expiration. That permit would be subject to the rules in place at the time the extension is considered. The purpose of the expiration date is to provide for review of the approved use to ensure that it remains compliant with the terms of this permit and that such use is not detrimental to the neighborhood.
- k) Land Use Advisory. This project was referred to the Carmel Valley LUAC for review. On January 3, 2022, the Carmel Valley LUAC reviewed this project and unanimously recommended approval of the project as proposed by a vote of 4-0.
- l) Process. Notice of a decision to approve an Administrative Permit was provided on January 4, 2023. An objection to approval of the Administrative Permit was submitted prior to the stated decision date in the notice by Richard Rosenthal. Pursuant to the Administrative Permit process provided in Chapter 21.70 of the Monterey County Code, the matter is to be referred to the Zoning Administrator when there is a request for a hearing based on substantive issue. The Director (Chief) of Planning or the Zoning Administrator may refer matters involving public policy or where a decision may establish a precedence, to the Planning Commission for consideration (Section 21.04 of the County Code). This particular objection involves arguments related to public policy and the decision on this permit may be referred to in consideration of other, similarly situated permits.
- m) Public Comment. A letter from the public was received on January 17th, prior to the project's original Administrative Hearing date on January 18th. This letter was submitted by an attorney representing the Save Our Peninsula "SOP" Committee, SOP opposed the project for reasons including but not limited to the potential increase of noise and traffic impacts, potential environmental impacts, potential impacts to the character of residential neighborhoods, HCD's ability to enforce the 7-30 day rental period, the lack of a cumulative impact assessment within the CEQA finding of the original draft resolution and the owner renting the property prior to issuance of an Administrative permit.

Through adoption of the Transient Use of a Residential Property for Remuneration Ordinance (No. 5135), the Board of Supervisors found that the “use permitted pursuant to this ordinance, as regulated, will not constitute a substantial adverse physical change to the environment or any substantive change in the intensity of use of existing single-family dwellings.” The County is currently working on updating regulations for short-term rentals; however, regulations and standards in effect at the time of consideration of this permit apply to this permit. At this time, those standards include regulations for Transient Use of Residential Property for Remuneration found in Section 21.64.280 of the Monterey County Code. As described in the preceding evidence, this project is consistent with the rules and regulations in place.

Regarding HCD’s ability to enforce the restrictions, HCD Code Compliance can enforce the terms and conditions of this permit as well as noise complaints. Based on review the County’s records, no complaint has been received by the Code Compliance Division and thus no violation has been issued on this property. The granting of this Administrative Permit will bring the property into conformance with applicable Monterey County Codes. The property is subject to Monterey County’s Noise Ordinance (Chapter 10.60), which prohibits loud or unreasonable noise between the hours of 9:00PM and 7:00AM. Short-term rentals are not exempt from this ordinance. If a complaint is filed with the County Code Compliance department following the issuance of this Administrative Permit relating to a violation of the Operations Plan or Conditions of Approval, the County would investigate the claim.

For responses to the CEQA contentions, See Finding 4.

Another letter from the public was received on February 2, 2022. Shaun Murphy expressed their support of the administrative approval of PLN220134 and rebutted the comments made in Mr. Rosenthal’s letter. This letter is included in Exhibit B.

- n) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed project are found in Project File PLN220134.

2. FINDING: **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: a) The project was reviewed by HCD-Planning, the Monterey County Regional Fire Protection District, HCD-Engineering Services, HCD-Environmental Services and the Environmental Health Bureau. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect

on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Water for the property is, and will continue to be, provided by California American Water. The property has an onsite septic system with a leach field that supports the single-family dwelling. Environmental Health Bureau reviewed the submitted materials including an Onsite Wastewater Treatment System report and utility bills to determine the property has adequate water and sewage management to serve the proposed short-term rental.
- c) This project was reviewed by the Monterey County Regional Fire Protection District and was found to be safe and suitable for the Use proposed. They added one condition of approval to the project, prior to use of the property as a short-term rental the applicant must install the proper number of smoke alarms to be in compliance with the current fire safety regulations.
- d) Concerns have been raised regarding impacts of short-term rentals on neighborhood character and the quiet enjoyment of residential properties in the vicinity of a short-term rental. With the proper implementation of the proposed operations plan and as conditioned in this permit, neighborhood impacts of the proposed short-term rental will be avoided and minimized.
- e) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed project are found in Project File PLN220134.

3. FINDING: **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) Staff reviewed aerial imagery (Google Maps & Monterey County GIS) and did not identify any violations on the property.
 - c) The applicant submitted an application for an Administrative permit to allow transient use of a residential property for remuneration to bring their property into compliance with the Monterey County Code. The County has never received a complaint regarding the property and there is no record of any code enforcement cases related to this property.
 - d) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed project are found in Project File PLN220134.

4. FINDING: **CEQA (Exempt)** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15301, categorically exempts leasing of existing private structures, involving negligible or no expansion of an existing use.
 - b) The applicant proposes to use (lease) an existing residential single-

family dwelling for transient use for remuneration and does not propose any additional development and/or expansion of the existing structure, no physical changes to the environment will occur. All facilities are existing and have been confirmed by other agencies to be adequate for this use. Limiting the number of occupants for the transient use and the duration and frequency of the use will not intensify the existing use of the property. Potential social and economic impacts of short-term rentals are not required to be addressed in CEQA.

Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301.

- c) 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, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact. The project will not impact sensitive environmental resources and there will be no significant effect on the environment due to unusual circumstances. The site is not included on any list compiled pursuant to Section 65962.5 of the Government Code to be considered on a hazardous waste site. Potential impacts of short-term rentals on long-term housing are not a unique circumstance that would disqualify the use of a categorical exemption. There are currently 5,033 residential dwellings in Carmel Valley Master Plan area and 25 short-term rental applications in this same area on file with the County. If all these applications were to be approved, short-term rentals would make up 0.5% of Carmel Valley. Given the limited number of short-term rentals, the application of regulations that address cumulative concerns, and the negligible effects of short-term use compared to long-term occupancy of residential structures, exceptions to categorical exemptions due to potential cumulative considerations are not warranted.
- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed project found in Project File PLN220134.

5. FINDING: **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
EVIDENCE: Section 21.80.040.A of the Monterey County Zoning Ordinance (Board of Supervisors).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- A. Find the project qualifies for an exemption from CEQA per Section 15301, Existing Structures, of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2; and
- B. Approve an Administrative Permit to allow the transient use of an existing single-family dwelling for remuneration.

PASSED AND ADOPTED this 8th day of March, 2023

Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN220134

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Administrative permit (PLN220134) allows allows transient use of residential (single family dwelling) property for remuneration. The property is located at 114 Story Rd, Carmel Valley (Assessor's Parcel Number 187-541-016-000), Carmel Valley Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Administrative Permit (Resolution Number _____) was approved by Planning Commission for Assessor's Parcel Number 187-541-016-000 on March 8, 2023. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

4. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

5. PD017 - DEED RESTRICTION-USE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of a building permit the applicant shall record a deed restriction as a condition of project approval stating the regulations applicable to the requested transient use as specified in Section 21.64.280 of Monterey County Code, Title 21. Including, but not limited to: 1) The minimum rental period for all transient use of residential property shall be greater than seven consecutive calendar days up to the maximum of 30 days; 2) The maximum number of allowed overnight guests shall not exceed the limit of 8; 3) No advertising on site; 4) An owner/applicant who does not reside within a five-mile radius of the residence shall designate a person located within a twenty-five (25) mile radius of the rental unit, as a local contact person who will be available twenty -four (24) hours a day; 5) A copy of any administrative permit shall be furnished by the Chief of Planning to the Treasurer of the County of Monterey and the Sheriff of the County of Monterey; 6) The administrative permit holder and/or registrant shall collect and remit to the Treasurer of the County of Monterey, the transient occupancy tax for each rental unit; 7) The property shall only be rented for residential-related use; No corporate or private events and 8) Compliance with the requirements of this Section shall be considered conditions of approval, the violation of which may result in a revocation of any administrative permit by the Chief of Planning. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit the signed and notarized document to the Chief of HCD-Planning for review and signature by the County.

Prior to occupancy or commencement of use, the Owner/Applicant shall submit proof of recordation of the document to HCD-Planning.

6. PDSP001 - DESIGNATION OF CONTACT PERSON (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: An applicant who does not reside within a five-mile radius of the residence being rented, shall designate a person located within a twenty-five (25) mile radius of the rental unit, as a local contact person who will be available twenty -four (24) hours a day to respond to tenant and neighborhood questions or concerns and to otherwise be responsible for assuring that the rental unit complies with the requirements of the administrative permit issued and the provisions of this Section and other applicable provisions of Title 21. The name, address, and telephone number(s) of such a designated person shall be furnished to the Chief of Planning prior to commencement of use. This information shall be available for public review. The permit holder shall promptly notify the Chief of Planning of any change in the local contact person's address or telephone number. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of use, the Owner/Applicant shall provide appropriate information, on whom shall be the designated local contact person. The name, address, and telephone number of the appropriate person(s) shall be provide to the Chief of Planning.

7. PDSP002 - TRANSIENT OCCUPANCY TAX (TOT) REGISTRATIION (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Chapter 5.40.070- Registration-Certification: "Within thirty (30) days after commencing business, each operator of any establishment renting occupancy to transients shall register said establishment with the tax collector and obtain the Tax Collector occupancy registration certificate, to be at all time posted in a conspicuous place on the premises."

Refer to County's website for Transient Occupancy Tax (TOT) FAQ's, forms, and ordinance: www.co.monterey.ca.us/taxcollector

(HCD-Planning)

Compliance or Monitoring Action to be Performed: Within 30 days of commencement of use, the Owner/Applicant shall provide proof that the property and transient use has been registered with the Monterey County Tax Collector.

8. PDSP005 - NO EVENTS ALLOWED (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Sections 21.64.280.A and B, to protect the residential character of the neighborhood on an ongoing basis, the property shall only be rented for residential-related use. The property shall not be rented to transient or short-term occupants for the purpose of holding a corporate or private event, unless the County approves a separate entitlement to allow such events on the property . (HCD-Planning)

Compliance or Monitoring Action to be Performed: On an ongoing basis, the property shall only be rented for residential-related use.

9. PDSP003- MAXIMUM NUMBER OF OCCUPANTS ALLOWED

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Section 21.64.280.D.2.b, the permit shall specify the maximum number of occupants in any residential unit for transient use shall not exceed the limits set forth in the California Uniform Housing Code and other applicable State and County housing regulations for residential structures based on the number of bedrooms with the unit. Each permit shall specify the maximum number of occupants allowed. In accordance with Monterey County Code 21.64.280 and the Uniform Housing Code, the rental shall be sized adequately for the amount of occupants. Each bedroom shall have a minimum of 70 square feet for the first two (2) people and 50 square feet for each additional person beyond two (2) people in that bedroom.

The single-family dwelling at 114 Story Rd, Carmel Valley, has four (4) bedrooms and three (3) bathrooms. The maximum number of allowed occupants during one rental shall not exceed 8 (eight). (HCD-Planning)

Compliance or Monitoring Action to be Performed: On an ongoing basis; the maximum number of allowed occupants during one rental shall not exceed 8 (eight).

10. PDSP004 - PERMIT LIMITATION OF THE TRANSIENT USE OF A RESIDENTIAL PROPERTY (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This permit is valid for 7 years and shall expire on March 8, 2030, unless an extension is granted. Approval of this Administrative Permit is limited to 7 years to provide an adequate, on-going review of the approved transient use of the residential property for remuneration. Prior to its expiration, the owner/applicant shall file an extension in accordance with Title 21 Section 21.70.120. The appropriate authority to consider this extension shall be the Chief of Planning. This subsequent review will ensure: 1) the use continues to meet the standards of Title 21; 2) that the nature and character of the neighborhood has not changed so to cause the transient use to be detrimental to the area; and 3) an opportunity for Planning staff's review for ongoing compliance with the Administrative Permit's conditions of approval.

Compliance or Monitoring Action to be Performed: The applicant shall commence and operate the authorized use to the satisfaction of the HCD-Chief of Planning. Any request for extension must be received by HCD-Planning at least 30 days prior to the expiration date.

11. Smoke Detectors

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Prior to occupancy, owner must install smoke detectors in the following locations

- On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms (hallways)
- In each room used for sleeping purposes
- In each story within a dwelling unit

NOTE - Smoke alarms are not recommended in kitchens unless they are 20 horizontal feet away from cooking appliances.

Compliance or Monitoring Action to be Performed: Applicant will install smoke detectors in the required areas and provide proof to the Monterey County Regional Fire District code official when complete. This may happen via photos or with a site visit.

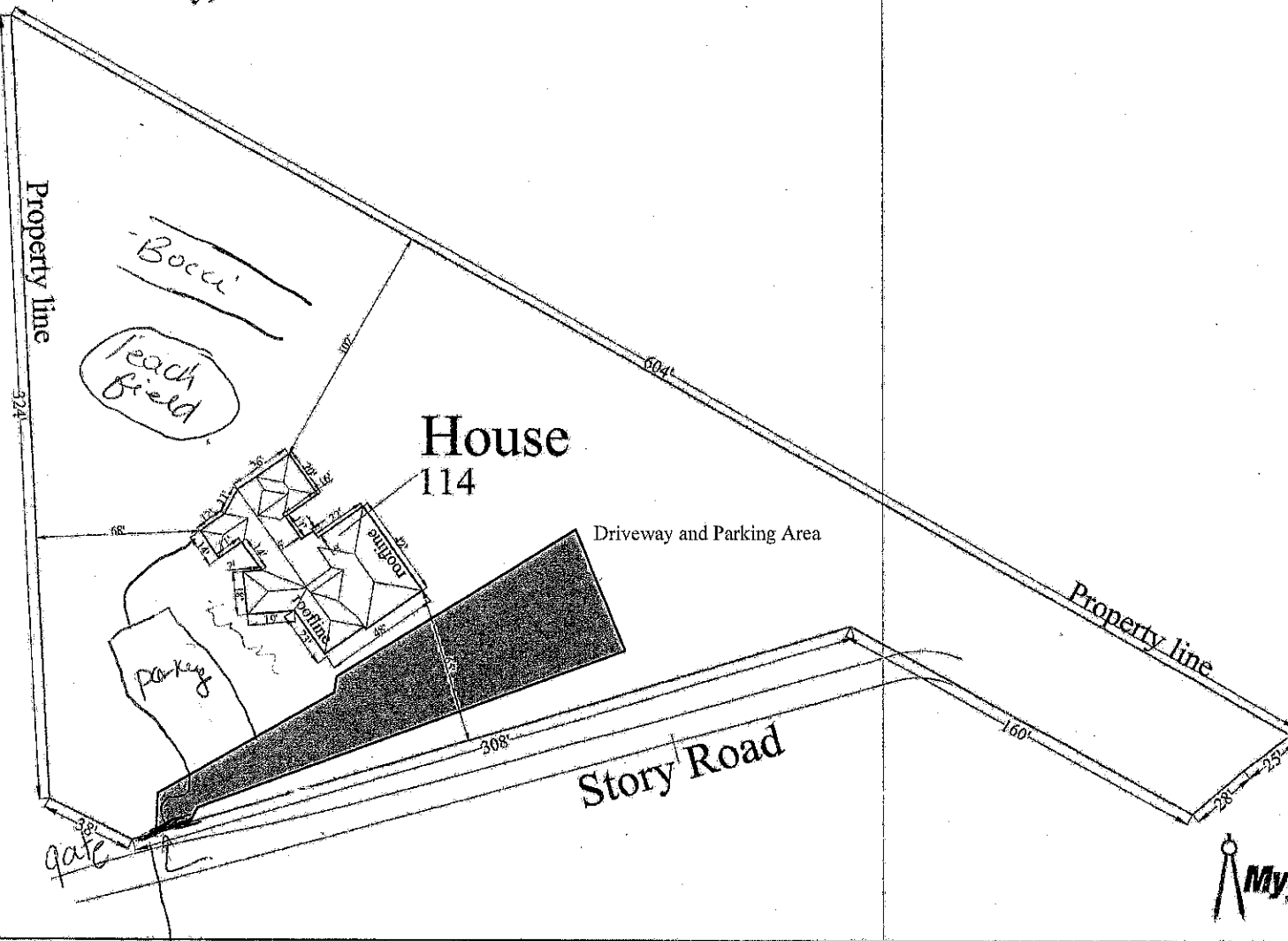
SITE PLAN

Address: 114 Story Road

City, State, ZIP: Carmel Valley, CA 93923

County: USA

Scale 1":40'

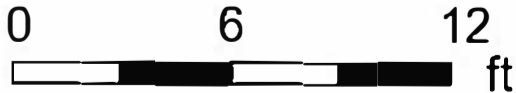


Luxe Vaca LX16

Main Floor Finished Area 2957.37 sq ft

X - Carbon Monoxide Detector

O - Smoke Alarm



PREPARED: 2022/06/18



White regions are excluded from total floor area in iGUIDE floor plans. All room dimensions and floor areas must be considered approximate and are subject to independent verification.

October 20, 2022

114 STORY ROAD CARMEL VALLEY OPERATIONAL PLAN

1. MAXIMUM OCCUPANCY: 8 PEOPLE – 4 BEDROOMS

MAXIMUM OCCUPANCY SHALL BE 8 PEOPLE, WHICH MAY CONSIST OF A COMBINATION OF ONE AND/OR TWO PERSONS PER BEDROOM. THERE IS A SOFA BED IN THE LIVING ROOM AND LARGE COUCH IN THE FAMILY ROOM THAT GUESTS MAY ALSO USE AS SLEEPING AREAS, IF DESIRED.

2. RENTAL PERIOD: GUEST RENTAL PERIODS SHALL BE NO LESS THAN A 7 NIGHT STAY AND NO GREATER THAN A 30 NIGHT STAY. ONLY ONE RENTAL CONTRACT IS ALLOWED AT A TIME. THE MAXIMUM NUMBER OF RENTAL DAYS PER YEAR IS 250. THERE WILL NOT BE A RESIDENT LIVING ON OR AT THE PROPERTY WHEN IT IS RENTED. A MAXIMUM OF 8 OCCUPANTS MAY RENT THE PROPERTY. THE APPROXIMATE NUMBER OF EMPLOYEES WORKING TO SUPPORT THE RENTAL IS 8.

3. ACCESS INSTRUCTIONS: GUESTS SHALL BE PROVIDED A UNIQUE DIGITAL COMBINATION ON THE DAY OF ARRIVAL. FOR GUEST SECURITY, THIS UNIQUE COMBINATION IS CHANGED FOR EVERY NEW ARRIVAL.

4. PARKING INSTRUCTIONS: GUEST PARKING IS ONLY ALLOWED ON THE PROPERTY. THERE ARE TWO PARKING AREAS THAT ACCOMMODATE A TOTAL OF 7 CARS. 4 CARS CAN PARK AT THE TOP OF THE DRIVEWAY AND 3 CARS CAN PARK ON THE FLAT

AREA AS YOU ENTER THE GATE. GUESTS ARE INSTRUCTED TO NOT BLOCK THE AREAS EMERGENCY ACCESS VEHICLES ENTER. PARKING AND/OR BLOCKING THE COMMON ACCESS ROAD/DRIVEWAY IS NOT ALLOWED AND VIOLATORS ARE SUBJECT TO HAVING THEIR CARS TOWED AT THEIR EXPENSE WHEN A VIOLATION OCCURS.

5. NOISE RESTRICTIONS: GUEST ARE INFORMED PRIOR TO OR ON ARRIVAL OF THE MONTEREY COUNTY NOISE ORDINANCE CODE 10.6 WHICH READS AS FOLLOWS:

“IT IS PROHIBITED WITHIN THE UNINCORPORATED AREA OF THE COUNTY OF MONTEREY TO MAKE, ASSIST IN MAKING, ALLOW, CONTINUE, CREATE, OR CAUSE TO BE MADE ANY LOUD AND UNREASONABLE SOUND ANY DAY OF THE WEEK FROM 10:00 P.M. TO 7:00 A.M. THE FOLLOWING MORNING.” SURROUNDING NEIGHBORS CALL THE OWNERS CELL PHONE TO REPORT EXCESSIVE NOISE ISSUES. ALL SUCH CALLS ARE TAKEN SERIOUSLY AND ACTED UPON IMMEDIATELY TO RESOLVE THE PROBLEM. THE QUIET HOURS AT 114 STORY ARE 10:00 P.M. TO 7:00A.M.

THE VACATION RULES ARE SENT TO THE RENTERS PRIOR TO ARRIVAL IN A CONTRACT. RENTERS ARE REQUIRED TO SIGN THAT THEY HAVE READ, UNDERSTOOD AND ACCEPT THE TERMS OF THE RENTAL AGREEMENT.

THE SPECIFIC RULES THAT PERTAIN TO 114 STORY ARE AS FOLLOWS:

1. *NO FIRES*
2. *NO SMOKING INSIDE, SMOKING OUTSIDE ONLY ALLOWED ON PATIO AREAS*
3. *NO EVENTS*
4. *NO ILLEGAL DRUGS ALLOWED ON THE PREMISE*

5. *NO ACCESS TO OWNERS CLOSET*

6. SIGNAGE: THERE IS NOT SIGNAGE ADVERTISING THE HOUSE AS A SHORT-TERM RENTAL ON THE PROPERTY AND SIGNAGE WILL NOT BE PERMITTED ONSITE AT ANY TIME.

7. LOCAL PROPERTY MANAGER RESIDES APPROXIMATELY 1 MILE FROM THE PROPERTY. KYLE MORRISON IS THE LOCAL PROPERTY MANAGER AND IS THE FIRST POINT OF CONTACT DAY OR NIGHT FOR GUESTS QUESTIONS, CONCERNS, AND PROBLEMS. IN THE EVENT KYLE CANNOT BE REACHED, THERE ARE OTHER PROPERTY MANAGERS THAT ARE ON A LIST AND READY TO RESPOND. THE PROPERTY MANAGERS RESPOND TO NEIGHBOR CALLS ALONG WITH THE PROPERTY OWNER, WHICHEVER IS MORE APPROPRIATE BASED ON THE SITUATION. TIMELY AND EFFECTIVE RESOLUTION IS THE GOAL OF THE PROPERTY MANAGERS AND OWNERS AND ARE REACHED AS FOLLOW;

KYLE MORRISON

14B EAST CARMEL VALLEY ROAD, CARMEL VALLEY, CA 93924

831/236-8909 (CELL – AVAILABLE 24 HOURS A DAY)

OWNERS: LESLIE AND GREG LOOMIS

27 BENNETT ROAD, REDWOOD CITY, CA 94062

650/339-1626 LESLIE'S CELL 650/722-2726 GREG'S CELL
(AVAILABLE 24 HOURS A DAY)

THE SAFETY CONTACTS ARE AS FOLLOWS:

MONTEREY SHERRIFS OFFICE – 911

FIRE PROTECTION AGENCY FOR MONTEREY COUNTY REGIONAL
FIRE DISTRICT : 831/455-1828

EMERGENCY MEDICAL – COMMUNITY HOSPITAL OF THE MONTEREY
PENINSULA: 831/624-5311 LOCATED AT 23625 HOLMAN
HIGHWAY, MONTEREY CA 93940

8. LOCATION OF HOUSE INFORMATION: A BINDER THAT CONTAINS THE HOUSE INFORMATION INCLUDING EMERGENCY CONTACT INFORMATION, SAFETY INFORMATION, INTERNET ACCESS, AND LOCATION OF FIRE EXTINGUISHERS AND CARBON MONOXIDE AND SMOKE DETECTORS IS LOCATED ON THE KITCHEN COUNTER NEXT TO THE FRONT DOOR.

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