

Exhibit A

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DRAFT RESOLUTION

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

In the matter of the application of:

GIOVINO PAUL & STACI B TRS (PLN220057)

RESOLUTION NO. 24---

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 together with an attached guesthouse for remuneration.

[Giovino Paul & Staci B Trs, 2826 Congress Road, Pebble Beach, Greater Monterey Peninsula Area Plan (Assessor's Parcel Number 007-152-008-000)]

The Giovino Paul & Staci B Trs application (PLN220057) came before the Monterey Planning Commission on May 8, 2024. 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 proposed and conditioned, is consistent with the applicable plans, policies and regulations 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;
 - Greater Monterey Peninsula Area Plan; and
 - 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 2826 Congress Road, Pebble Beach, (Assessor's Parcel Number 007-152-008-000), Greater Monterey Peninsula Area Plan. The parcel is zoned Medium Density Residential with a B-6, Design Control, Site Plan and Recreational Equipment Storage overlay districts (MDR/B-6-D-RES) which allows for transient use of an existing residential property (single-

family dwelling together with an attached guesthouse) for remuneration subject to an Administrative Permit. The regulations of the “B-6”, “D”, “S” and “RES” overlays do not apply to this project since there is no new development being proposed. Therefore, with the approval of this Administrative Permit, the project is an allowed land use for this site.

- c) Lot Legality. The property is shown in its current size and configuration as Lot 8 in book 7, page 15 of the 1964 and 1972 County Assessor’s Maps, and the subject parcel has been under separate ownership since 1964. Therefore, the County recognizes the property as a legal lot of record.
- d) As proposed, the project includes renting the existing 1,965 square foot single family dwelling, inclusive of the attached 207 square foot guesthouse. The main residence (two bedrooms) and a garage were constructed in 1965 under Building Permit Nos. 37397 and 37411. Design Approval PLN171050 approved conversion of an existing 207 square foot storage room into a 207 square foot guesthouse.
- e) Suitability. The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, Pebble Beach Community Services 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.
- f) 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 two guests per contract.
- g) 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 person and 50 square feet for each additional person beyond two (2) people in that bedroom). The owner is proposing a maximum of two people to occupy the structure at a time. The two bedroom home and attached guesthouse has plenty of space, 1,965 square feet, to accommodate two guests at a time. This is over the minimum area required and therefore complies with the Monterey County Zoning Ordinance.
- h) Consistent with MCC Section 21.64.280.D.2.c, the applicant has included in their Operational Plan that any signage advertising the residence as a “short term rental” shall not be permitted onsite at any time.

- i) The owners (Staci and Paul Giovino) will reside at Swan Song Ranch, 7985 Carmel Valley Road, Carmel while the single family dwelling and guesthouse at 2826 Congress Rd is being rented. Pursuant to MCC Section 21.64.280.D.2.d, the attached Operational Plan identifies Staci Giovino as the short term rental manager that will be the 24-hour point of contact for guests and neighbors. The point of contact information has been made available to the public through the operations plan on Accela and attached to this resolution. The HCD Chief of Planning has reviewed the point of contact and contact information prior to the May 8th Planning Commission public hearing. 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). Any new 24-hour point of contact shall reside within 25 miles of the subject property.
- j) Pebble Beach Company CCRs. The subject property is under the Pebble Beach Company (PBC) jurisdiction, the entity with authority to enforce the covenants, conditions, and restrictions ("CCRs"). The subject CC&Rs were put on title for certain residential properties in the DMF by Del Monte Properties Co. and subsequent owners of certain properties. PBC is the successor-in-interest to Del Monte Properties and subsequent owners, so it has standing to enforce the CC&Rs and is effectively an HOA. Pursuant to section 21.64.280.D.2.g, the use of a residential unit for a transient use shall not violate any applicable conditions, covenants, or other restrictions on real property. The applicant shall provide notice to any affected homeowners' association in a manner consistent with the notice requirements for a use permit. In the event the proposed use conflicts with the CCRs or the homeowners' association objects to the issuance of the permit, the permit shall not be approved until the homeowners' association's objection has been withdrawn. Additionally, the section allows an affected homeowner's association to determine whether the CC&Rs would be violated. One of the restrictions within the property's deed prohibits the conduct of a "trade, business or profession of any description," and limits the use "solely and exclusively" to not more than "one private single family residence". PBC submitted a letter to the County on October 18th, 2016, explaining their determination of how STRs violate their CC&Rs. This letter mentioned that there are exceptions to the CC&Rs, but that their general stance is in opposition of STR permits. The 2016 letter also states "PBC has the discretion to determine, in its judgment, whether a violation of the CCRs is occurring, based on all of the circumstances surrounding the particular use". Pursuant to the previous statement, PBC reviewed the Giovino's request for a short term rental permit and submitted a letter on May 11th, 2023 stating that in this particular case, they do not believe the subject application as conditioned is in violation of their CC&Rs. PBC made it clear their May 11th, 2023 letter is only applicable to the Giovino's proposed operation and shall not be used for future STR applications. PBC stated they would not object to the permit being issued as long as the County imposes specific conditions including: that the permit does

not run with the land and that it shall expire after three years, a four day minimum stay length, a maximum of 15 rental weeks per year, a maximum occupancy of two persons per bedroom (not to exceed ten people total), a nearby local property manager to respond to any potential complaints, written support from all adjacent neighbors must be obtained, no objections from any neighbors within 500 feet of the property, the permit be revoked if three verifiable complaints are received, and that no events are held at the property. PBC stated as long as their conditions are implemented, the STR would be in compliance with the applicable CC&Rs.

The County has conditioned the permit to expire three years from the date of approval. If the applicants wish to pursue an extension to their permit, they may apply for one before the expiration date. If they apply for an extension, staff will review the application for compliance with PBC's CC&Rs. The applicants would be required to receive an updated or additional letter of support from PBC for staff to support approval of the permit extension.

The County requires that rental periods last between 7-30 days, PBC requested a minimum stay of four days. Per Condition No. 4, a deed restriction will be recorded on the property indicating 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. This exceeds the four day minimum stay imposed by PBC. The operations plan approved with this permit states the maximum rental days per years shall equal 105 days. This equals 15 weeks per year in accordance the letter from PBC. If the applicants wish to amend the operations plan to increase the rental weeks from 15, they will need to apply for an amendment and provide a letter from PBC stating their approval of the proposed change.

PBC requires a limitation of two persons per bedroom and ten people total per rental contract. The applicants are proposing a maximum occupancy of two people total per contract, well below the required max occupancy. Again, if the applicants wish to make any changes to their operations plan in the future, they will need to apply for an amendment which would be reviewed by county staff and PBC for consistency with all applicable regulations.

Similar to the County's regulations, PBC stated the need for a local property manager. A local property manager has been identified and their contact information has been provided in the operations plan. The property owner (Staci Giovino) is local and will manage the rental while it is in use.

Letters of support were received by all adjacent neighbors and staff did not receive any opposition from neighbors within 500 feet of the project during the course of review.

PBC stated in order for the project to comply with their CC&Rs, a condition shall be added requiring the revocation of the administrative permit in the event that three verifiable complaints are received by the County. Condition No. 10 ensures compliance with this request.

Per Condition No. 9, no events are allowed on the property during a rental contract. This addresses PBC's final condition to find the proposed project consistent with their CC&Rs.

Since PBC has submitted in writing that the subject application does not conflict with the property's CC&Rs and they do not object to the permit, there is no issue with section 21.64.280.D.2.g of Title 21.

- k) Parking. Per the operations plan, there will be one parking spot available for the guests. The single car shall be parked on the driveway, in front of the garage, located behind the existing fence as not to be visible from street. There is no street parking proposed.
- l) 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, an additional condition has been applied to expressly prohibit events on the property (Condition No. 9). 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 3 years from the day it was granted (Condition No. 8). 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.
- m) Land Use Advisory. This project was referred to the Pebble Beach LUAC for review. On Thursday, October 19, 2023, the Pebble Beach LUAC reviewed this project and unanimously recommended approval of the project as proposed by a vote of 4-0.
- n) Public Comment. The County received five letters from the public during the course of review of this application. One letter was from Pebble Beach Company supporting the proposed rental and stating their determination that the proposal is consistent with their CC&Rs and that they do not object to this Administrative Permit (See Finding 1, Evidence j). The other four were also letters of support and were submitted by each adjacent neighbor to the subject property, per the requirements of PBC.
- o) 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 PLN220057.

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 Pebble Beach Community Services 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) This application was reviewed by the Environmental Health Bureau, they determined that the property has adequate water and wastewater services to support the proposed use. The property also receives adequate trash and recycling service through Greenwaste.
- c) 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 PLN220057.

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 found there is a code violation case (24CE00083) associated with the property for using their guesthouse as a short term rental. No administrative citation was issued under 24CE00083. The applicants do not currently have a listing on Airbnb or another site advertising their guesthouse as a rental and are not currently renting it out.
 - b) 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 PLN220057.

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 operation of existing private structures, involving negligible or no expansion of an existing use.
 - b) The applicant proposes to use (operate) an existing residential single-family dwelling together with an attached guesthouse for transient use for remuneration and does not propose any additional development and/or expansion of the existing structure, therefore 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 analyzed 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 result in significant effort or result in a cumulative significant impact to disqualify the use of a categorical exemption. There are currently 3,879 residential dwellings in the Greater Monterey Peninsula Area Plan area and 27 short term rental applications in this same area on file with the County of Monterey. Twelve of these applications have been approved, fifteen are in different stages of the planning review process. If all these applications were to be approved, short term rentals would make up 0.7% of the residences in the Greater Monterey Peninsula Area Plan. 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 PLN220057.

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 transient use of an existing single-family dwelling together with an attached guesthouse for remuneration.

PASSED AND ADOPTED this 8th day of May, 2024, upon motion of Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD 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.

County of Monterey HCD Planning

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

PLN220057

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Administrative Permit (PLN220057) allows the transient use of a residential property (single family dwelling together with a guesthouse) for remuneration, commonly known as a short term rental. The property is located at 2826 Congress Rd, Pebble Beach, (Assessor's Parcel Number 007-152-008-000), Greater Monterey Peninsula Area 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: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Administrative Permit (Resolution Number _____) was approved by the Planning Commission for Assessor's Parcel Number 007-152-008-000 on May 8, 2024. The permit was granted subject to 10 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. PD017 - DEED RESTRICTION-USE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to transient use of the property, 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 seven or greater consecutive calendar days up to the maximum of 30 days; 2) The maximum number of allowed overnight guests shall not exceed the limit of two persons; 3) No advertising on site; 4) An owner/applicant who does not reside within a twenty five-mile (25) 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. This deed restriction shall expire three years after the granting of this permit on April 10, 2024 or as PLN220057 may be extended pursuant to Condition 8. (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 Director 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.

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

Responsible Department: 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.

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

Responsible Department: 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: 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)

7. PDSP003- MAXIMUM NUMBER OF OCCUPANTS ALLOWED

Responsible Department: Planning

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 and guesthouse at 2826 Congress Road, Pebble beach, has 3 bedrooms and 3 bathrooms. The maximum number of allowed occupants during one rental shall not exceed two persons. (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 two persons per contract.

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

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This permit is valid for 3 years and shall expire on April 10, 2027, unless an extension is granted. Approval of this Administrative Permit is limited to 3 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.

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

Responsible Department: 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.

10. PDSP006 - PERMIT REVOCATION (THREE VERIFIABLE COMPLAINTS)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Section 21.64.280.D.2.g, the use of a residential unit for a transient use shall not violate any applicable conditions, covenants, or other restrictions (CC&Rs) on real property. This property at 2826 Congress Rd, Pebble Beach is subject to the CC&Rs imposed by Pebble Beach Company (PBC). PBC submitted a letter listing required conditions that the project must follow to be considered in compliance with the applicable CC&Rs. One condition was that the County shall revoke the Administrative Permit (PLN220057) if three verifiable complaints are received in relation to the operation of the short term rental. Therefore, if three verifiable complaints are received by the County regarding the operation of a short term rental at 2826 Congress Rd, this permit (PLN220057) shall be revoked. (HCD - Planning)

Compliance or Monitoring Action to be Performed: On an on-going basis, if three verifiable complaints are received by the County in regards to this administrative permit to allow transient use for remuneration, the permit (PLN220057) shall be revoked.

STAMPS / COMMENTS:

DRAFTING:

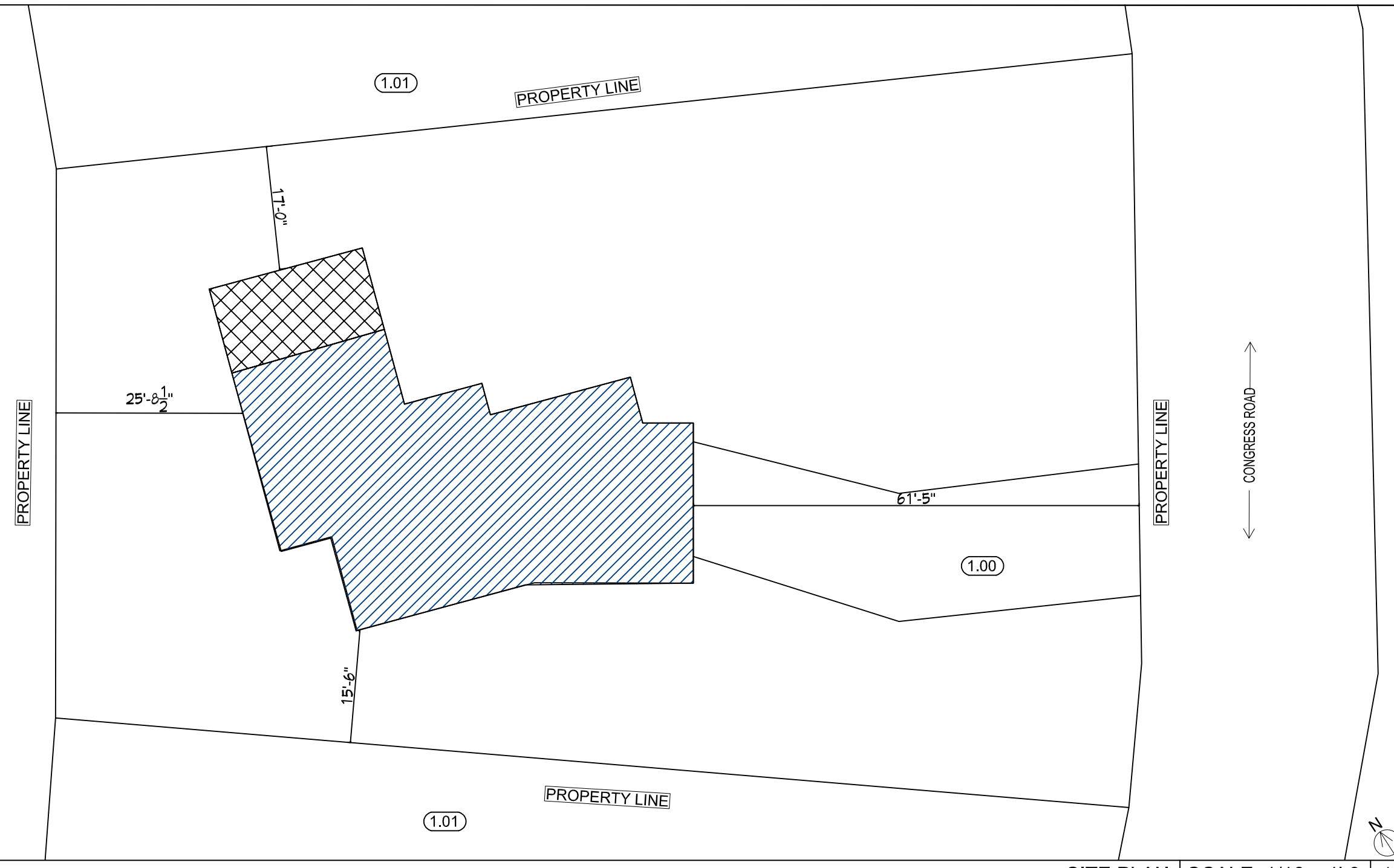
Fenix Five Drafting LLC
 (916) 996-3838
 www.F5Drafting.com

OWNER:

Mr. & Mrs. Giovino
 2826 Congress Rd.
 Pebble Beach, CA 93953
 Stacibeck@yahoo.com

REVISIONS:

For Approval
 2/16/2016
 P.C. #1 2.6.18



SITE PLAN SCALE: 1/16 = 1'-0 1

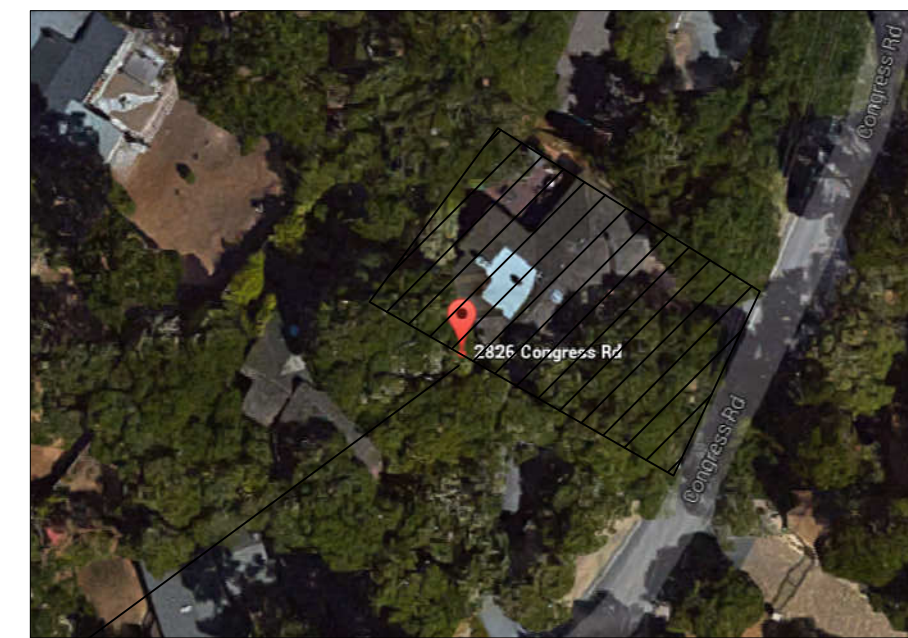
ARCHITECTURAL KEYNOTES:

- (1.00) - EXISTING ENTRY / EXIT
- (1.01) - ADJACENT PROPERTY

- EXISTING SINGLE FAMILY DWELLING
- REMODEL AREA

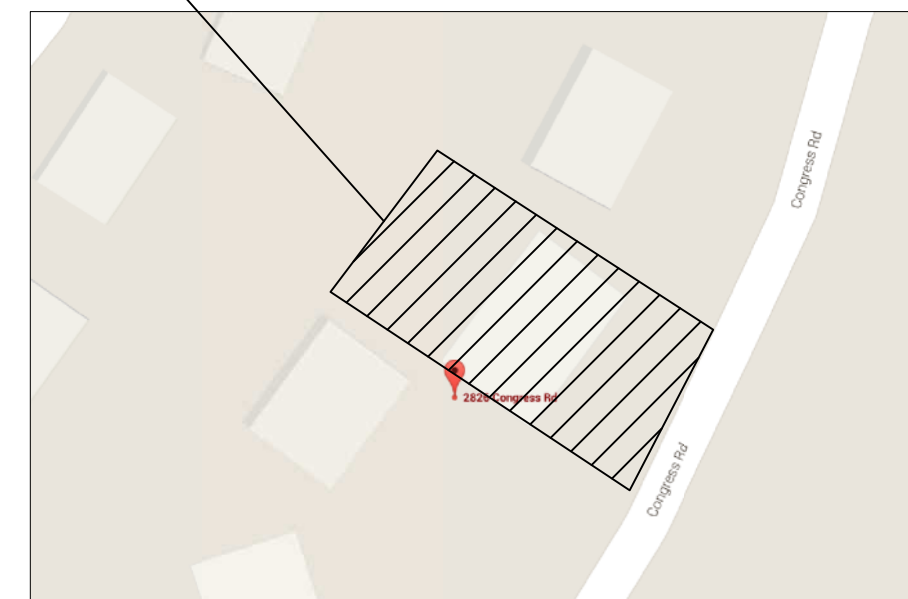
VICINITY MAP:

SATELLITE VIEW:



2826 CONGRESS RD.
 PEBBLE BEACH, CA 93953

MAP VIEW:



2826 CONGRESS RD.
 PEBBLE BEACH, CA 93953

Plot Date:
 2.16.2016

Scale:
 As Noted

Design By:
 OWNER

Drawn By:
 B.OHearn

Checked By:
 S.Tibbs

SHEETS:

Index Sheet / Site Plan

A0.0

PROJECT DESCRIPTION:

SCOPE OF WORK DESCRIPTION:

- INTERIOR REMODEL
- ADDING EXTERIOR DOOR
- (NO CEILING OR ROOF CHANGES)
- ADDING WINDOWS
- 492 SQ. FT.

LEGAL DESCRIPTION:

SUBJECT SITE: 2826 CONGRESS RD.
 PEBBLE BEACH, CA 93953
 APN# - 007152008000

DRAWING INDEX:

ARCHITECTURAL / ELECTRICAL

- A0.0 INDEX SHEET / SITE PLAN
- A1.0 EXISTING / DEMO / PROPOSED FLOOR PLAN
- A2.0 PROPOSED ELEVATIONS
- S1.0 PROPOSED WALL FRAMING PLAN
- E1.0 EXISTING / PROPOSED ELECTRICAL PLAN
- P1.0 EXISTING / PROPOSED PLUMBING PLAN

BUILDING CODE DATA LEGEND:

BUILDINGS SHALL COMPLY WITH LOCAL AND STATE CODE REGULATIONS PER ORDINANCE OF PEBBLE BEACH, CA:

- 2016 California Building Code (CBC)
- 2016 California Residential Code (CRC)
- 2016 California Mechanical Code (CMC)
- 2016 California Plumbing Code (CPC)
- 2016 California Electrical Code (CEC)
- 2016 California Green Building Standards Code (CGBSC)
- 2016 California Energy Efficiency Standards (CEES)

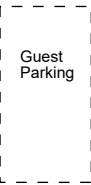
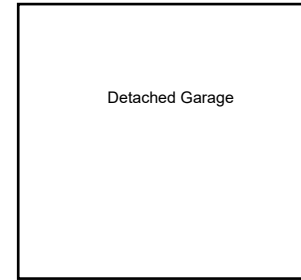
PROJECT SHALL COMPLY WITH THE 2013 CBC, CRC, CMC, CPC, CEC, CGBSC, CEES, AND 2016 T-24 ENERGY CONSERVATIONS.

Zoning -

OCCUPANCY: R-3

SETBACKS

- FRONT AS SHOWN
- REAR AS SHOWN
- SIDE AS SHOWN













Miller Suite Operational Plan

Project Summary Table	
Address	2826 Congress Road Pebble Beach Ca 93953
Assessor's Parcel number	007-152-008-000
Parcel size	13100 Square Feet
Land use designation	R1
Zoning designation	Residential
Coastal zone	No
HVAC	Heating throughout, AC available in separate room
Main home has a full kitchen	
Existing lot coverage	2412/13100=18.4% (house which includes attached guest suite + garage)
Required & proposed parking coverage	Guest limited to 1 car in designated parking spot. (Room for 4 cars in driveway)
Sewage type	Sanitary Sewer
Water provider	California American Water
Rental Contracts allowed	1 Contract per time
Min. rental days per contract	7
Max. rental days per contract	30
Max. rental days per year	105 Days
Resident occupying home during the transient rental use	NO
Max. number of occupants during rental use	2
Max. number of employees anticipated	0
Occupancy classification of existing buildings	Residential
Closest Fire Station:	Pebble Beach Fire Station
Water source for fire protection	Fire Hydrant in front of house
Safety and Emergency Information/Plan.	Attached and part of guest manual located in home
Vacation Rental Rules	Attached and part of guest manual located in home

Miller Suite Rental Rules

- **QUIET HOURS:** Tenant shall not disturb neighbors with loud noise or music. No outdoor noise is allowed after 9 PM at night and before 7 AM.
- **PARKING:** 1 Vehicle only - to be parked in driveway located inside 8-foot fence as not to be visible from street. No Parking outside of fenced driveway.
- **MAXIMUM OCCUPANCY:** Two people are the maximum allowed to stay overnight in the home.
- **PROHIBITED USES:** No outdoor fires of any kind. No fireworks. Special events and parties of any kind are prohibited. Pets, infants and children are not allowed. Smoking is not allowed anywhere on the property
- **FURNITURE:** Please leave furniture in place. Repositioning increases risk of damage or injury. A minimum of \$50 will be charged if the cleaning crew needs to reposition heavy furniture.
- **SUBLETTING:** Tenant shall not let or sublet all or any part of premises nor assign this agreement or any interest in it.
- **ADDITIONAL RULES:**
- **RIGHT OF ENTRY:** Landlord or their agent may enter the premises immediately, in the event of an emergency or a complaint, in order to investigate complaint or perform necessary repairs or maintenance, and within 24 hours of notice for normal maintenance.
- **BREACH OF RULES:** Landlord will retain all or part of the security deposit if any of the terms of the above rules are breached. Landlord has the right to evict Tenant with eight (8) hours notice if any of the above rules are broken. In this case, no rent paid by Tenant will be refunded.

Safety and Emergency Information/Plan

Contact information.

Owner: Paul Giovino-303-332-3894
Staci Giovino-303-257-6899

Address: Swan Song Ranch, 7985 Carmel Valley Road, Carmel 93923

Property Manager: Staci Giovino-303-257-6899

Local Emergency phone numbers

Emergency: 911

Fire Department: Pebble Beach Fire Station
3101 Forest Lake Road Pebble Beach Ca 93953
(831) 659-2021

Police: Monterey County Sheriff
J (831) 647-7702

Hospital: Community Hospital of Monterey (24 hours)
23625 Holman Hwy, Monterey, CA 93940
(831) 624-5311

Emergency Evacuation Route

In an emergency, local officials might call for an evacuation. If you are told by authorities to evacuate, you must do so immediately. The choice of route will depend on the emergency and where the threat is. Officials will likely tell you which way to evacuate.

Directions to HWY-1 North:

- Take Congress Road north to Holman Highway follow to stop sign east to Holman Highway east (right) to the roundabout to enter highway 1 North.

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