

County of Monterey

Thyme Conference Room
1441 Schilling Place, 2nd Floor
Salinas, CA 93901



Meeting Agenda - Final

Thursday, June 11, 2026

9:30 AM

County of Monterey Zoning Administrator

For information on The Ralph M. Brown Act: Open Meetings please click on the link below:

Para obtener información sobre La Ley Ralph M. Brown, siga el siguiente enlace:

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5

FEE SCAM ALERT: Be aware of a fake invoice scam, if you receive an unexpected invoice related to a county project, call the County Permit Center at 831-755-5025 to confirm its authentic.

ALERTA DE ESTAFA DE TARIFAS: Tenga cuidado con las estafas de facturas falsas, si recibe una factura inesperada relacionada con un proyecto del condado, llame al Centro de Permisos del Condado al 831-755-5025 para confirmar su autenticidad.

The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Zoning Administrator alternative actions on any matter before it.

In addition to attending in person, public participation will be available by ZOOM and/or telephonic means:

You may participate through ZOOM. For ZOOM participation please join by computer audio at:

<https://montereycty.zoom.us/j/92771458150?from=addon>

OR to participate by phone call any of these numbers below:

- + 1 669 900 6833 US (San Jose)
- + 1 346 248 7799 US (Houston)
- + 1 312 626 6799 US (Chicago)
- + 1 929 205 6099 US (New York)
- + 1 253 215 8782 US
- + 1 301 715 8592 US

Enter this Meeting ID number 927 7145 8150 when prompted.

PUBLIC COMMENT: Please submit your comment (limited to 250 or less) to the Clerk at zahearingcomments@countyofmonterey.gov. In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Zoning Administrator Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the meeting.

Public Comment Prior to Wednesday at 5:00 PM will be distributed to the Zoning Administrator via

email.

Public Comment submitted during the meeting can be submitted at any time and every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after the agenda item will be made part of the record if received prior to the end of the meeting.

ALTERNATIVE FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. For information regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the County of Monterey Housing and Community Development at (831) 755-5025.

INTERPRETATION SERVICE POLICY: The County of Monterey Zoning Administrator invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the County of Monterey Housing and Community Development Department located in the County of Monterey Government Center, 1441 Schilling Place, 2nd Floor South, Salinas - or by phone at (831) 755-5025. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting.

La medida recomendada indica la recomendación del personal en el momento en que se preparó la agenda. Dicha recomendación no limita las acciones alternativas del Administrador de Zonificación sobre cualquier asunto que se le haya sometido.

Además de asistir en persona, la participación del público estará disponible por ZOOM y/o medios telefónicos:

Puede participar a través de ZOOM. Para la participación de ZOOM, únase por computadora en:

<https://montereycty.zoom.us/j/92771458150>

O para participar por teléfono, llame a cualquiera de estos números a continuación:

- + 1 669 900 6833 US (San Jose)
- + 1 346 248 7799 US (Houston)
- + 1 312 626 6799 US (Chicago)
- + 1 929 205 6099 US (New York)
- + 1 253 215 8782 US
- + 1 301 715 8592 US

Presione el código de acceso de reunión: 927 7145 8150 cuando se le solicite.

COMENTARIO PÚBLICO: Por favor envíe su comentario (limitado a 250 palabras o menos) al personal de la reunión del Administrador de Zonificación al correo electrónico:

zahearingcomments@co.monterey.ca.us. En un esfuerzo por ayudar al personal, indique en la línea de asunto, la audiencia de la reunión (por ejemplo, Administrador de Zonificación) y el número de la agenda (por ejemplo, el No. de agenda 10). Su comentario se incluirá en el registro de la reunión del Administrador de Zonificación.

Los comentarios públicos recibidos antes de las 5:00 p.m. el miércoles antes de la reunión del Administrador de Zonificación del Condado de Monterey se distribuirán por correo electrónico.

El comentario público enviado durante la reunión se puede enviar en cualquier momento y se hará todo lo posible para leer su comentario en el registro, pero algunos comentarios pueden no leerse debido a limitaciones de tiempo. Los comentarios recibidos después del tema de la agenda se incluirán en el registro si se reciben antes de que finalice la junta.

FORMATOS ALTERNATIVOS: Si se solicita, la agenda se pondrá a disposición de las personas con discapacidad en formatos alternativos apropiados, según lo exige la Sección 202 de la Ley de Estadounidenses con Discapacidades de 1990 (42 USC Sec. 12132) y las reglas y regulaciones federales adoptadas en implementación de la misma. Para obtener información sobre cómo, a quién y cuándo una persona con una discapacidad que requiere una modificación o adaptación para participar en la reunión pública puede hacer una solicitud de modificación o adaptación relacionada con la discapacidad, incluidas las ayudas o servicios auxiliares, o si tiene alguna pregunta sobre cualquiera de los temas enumerados en esta agenda, llame al Departamento de Vivienda y Desarrollo Comunitario del Condado de Monterey al (831) 755-5025.

POLÍZA DE SERVICIO DE INTERPRETACIÓN: El Administrador de Zonificación del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un intérprete, por favor comuníquese con el Departamento de Vivienda y Desarrollo Comunitario localizado en el Centro de Gobierno del Condado de Monterey, (County of Monterey Government Center), 1441 Schilling Place, segundo piso sur, Salinas – o por teléfono al (831) 755-5025. La asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deberán hacer lo más pronto posible, y a lo mínimo 24 horas de anticipo para cualquier reunión.

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report.

9:30 A.M - Call to Order**ROLL CALL**

Mike Novo, Zoning Administrator
Representative from Environmental Health
Representative from Public Works
Representative from Environmental Services

PUBLIC COMMENT

This is a time set aside for the public to comment on a matter that is not on the agenda.

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

The Zoning Administrator Clerk will announce agenda corrections, deletions and proposed additions, which may be acted on by the Zoning Administrator as provided in Sections 54954.2 of the California Government Code.

ACCEPTANCE OF MINUTES

- A. Acceptance of May 28, 2026, County of Monterey Zoning Administrator Meeting Minutes.

Attachments: [Draft Minutes 05-28-26](#)

9:30 A.M. - SCHEDULED ITEMS

1. PLN250306 - COASTLANDS MUTUAL WATER CO & VARIOUS OWNERS
Public hearing to consider the construction of two Hilfiker retaining walls, development on slopes in excess of 30%, development within 750 feet of known Archaeological Resources, and development within 100 feet of environmentally sensitive habitat area.
Project Location: 48216 & 48228 Highway 1, Big Sur, CA
Proposed CEQA action: Find the project Categorical Exempt pursuant to CEQA Guidelines sections 15301 and 15303, and there are no exceptions pursuant to Section 15300.2.

Attachments: [Staff Report](#)
 [Exhibit A - Draft Resolution](#)
 [Exhibit B - Biological Assessment & Spring Survey](#)
 [Exhibit C - Vicinity Map](#)

2. PLN240156 - JACOBO-PEREZ JOSE ALBERTO AND PABLO ALICIA PEREZ
Public hearing to consider action on the construction of a 5,000 square foot welding shop and a 1,125 square foot single family dwelling with associated site improvements.

Project Location: 24311 Grant St, Chualar, CA, Central Salinas Valley Area Plan
Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Section 15300.2.

Attachments: [Staff Report](#)

3. PLN180319 - JAISHIV PROPERTIES LLC
Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

Project Location: 24971 Carmel Hills Drive, Carmel, CA, 93923
Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15301, and there are no exceptions pursuant to Section 15300.2.

Attachments: [Staff Report](#)
 [Exhibit A - Draft Resolution](#)
 [Exhibit B - Aerial Image and Surrounding Neighborhood](#)
 [Exhibit C - Vicinity Map](#)
 [Exhibit D - Home Inspection Checklist](#)

4. PLN260065 - ZACK JAMES WILLIAM & LISA STEPHANI DE VITO TRS
Public hearing to consider action on Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.
Project Location: 24760 Lower Trail, Carmel, CA 93923
Proposed CEQA Action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made.

Attachments: [Staff Report](#)
 [Exhibit A - Draft Resolution](#)
 [Exhibit B - Home Inspection Checklist](#)
 [Exhibit C - Vicinity Map](#)
 [Exhibit D – Aerial Image & Surrounding Neighborhood](#)
 [Exhibit E – Public Comments](#)

- 5. PLN240358 - CLAY DOUGLAS A. & HEATHER R. TRS
Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement violation 26CE00194.
Project Location: 2924 Congress Road, Pebble Beach, CA 93953
Proposed CEQA action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15301, and there are no exceptions pursuant to Section 15300.2.

Attachments: [Staff Report](#)
 [Exhibit A - Draft Resolution](#)
 [Exhibit B - Aerial Image and Surrounding Neighborhood](#)
 [Exhibit C - Vicinity Map](#)
 [Exhibit D - Home Inspection Checklist](#)
 [Exhibit E - Public Comment](#)

OTHER MATTERS

ADJOURNMENT



County of Monterey

Item No.A

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: MIN 26-032

June 11, 2026

Introduced: 5/29/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Minutes

Acceptance of May 28, 2026, County of Monterey Zoning Administrator Meeting Minutes.

County of Monterey

Thyme Conference Room
1441 Schilling Place, 2nd Floor
Salinas, CA 93901



Meeting Minutes - Draft

Thursday, May 28, 2026

9:30 AM

County of Monterey Zoning Administrator

9:30 A.M - Call to Order

Mike Novo called the meeting to order at 9:30 a.m.

ROLL CALL

**Mike Novo, Zoning Administrator
Kyler Asato, Environmental Health
Arlen Blanca and Bora Akkaya, Public Works
Jess Barreras, Environmental Services**

PUBLIC COMMENT

None

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Clerk Armida Ruano stated there was correspondence for the following items: Agenda Item #2 - PLN250333, Agenda Item #4 - PLN260005, Agenda Item #5 - PLN260079, Agenda Item #6 - PLN260064, all of which was distributed to Zoning Administrator and all interested parties.

ACCEPTANCE OF MINUTES

- A. Acceptance of May 14, 2026, County of Monterey Zoning Administrator Meeting Minutes.**

The Zoning Administrator accepted the May 14, 2026, County of Monterey Zoning Administrator Meeting minutes

9:30 A.M. - SCHEDULED ITEMS

- 1. PLN260025 - ANZOATEGUI ALVARO & JESSICA KAY**
Public hearing to consider demolition of an existing 2,590 square foot one-story residence and construction of a 3,833 square foot two-story single family dwelling inclusive of an attached 650 square foot garage and associated site improvements.
Project Location: 2975 Cormorant Road, Pebble Beach, CA 93953
Proposed CEQA action: Find the project categorically exempt pursuant to Section 15302 and 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2.

Joseph Alameda, Project Planner, presented the item.

Public Comment: Brittney Schloss, agent

The Zoning Administrator found that the project is Categorical Exempt pursuant to CEQA Guidelines sections 15302 and 15303 and there are no exceptions pursuant to Section 15300.2; and approved a Design Approval to allow the demolition of an existing 2,590 square foot one-story residence and construction of a 3,833 square foot two-story single family dwelling inclusive of an attached 650 square foot garage and associated site improvements.

2. PLN250333 - MCRAE KELLY D & MOLLY L TRS

Public hearing to consider action on a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer.

Project Location: 26553 Aspen Pl., Carmel, CA 93923

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

Jack Sorensen, Project Planner, presented the item.

Public Comment: Kelly McRae, applicant; Josh Ohanian

The Zoning Administrator found that the project is Categorically Exempt pursuant to CEQA Guidelines section 15301, and there are no exceptions pursuant to Section 15300.2; and approved a Coastal Development Permit for a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer. The Zoning Administrator noted a change was needed to the operations plan and included some non-substantive changes to the resolution.

3. PLN260003 - TRUDEAU NICHOLAS R

Public hearing to consider action on a Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer.

Project Location: 24713 Camino Del Monte St.

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

Jack Sorensen, Project Planner, presented the item.

Public Comment: Anthony Nicola, agent

The Zoning Administrator found that the project is Categorically Exempt pursuant to CEQA Guidelines section 15301, and there are no exceptions pursuant to Section 15300.2; and approved a Coastal Development Permit for a Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer. The Zoning Administrator included some non-substantive changes to the resolution.

4. PLN260005 - LEAVY-HOGLUND PENELOPE CHRISTINE TR

Public hearing to consider action on a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer.

Project Location: 25735 Mesa Drive, Carmel, CA

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

Jade Mason, Project Planner, presented the item.

Public Comment: Bill Benton, applicant; Penelope Hoglund, applicant; Kathleen Ritter; Devens Hamlen; Natalia Lipkina. Bill Benton responded to comments by the public.

The Zoning Administrator referred this project to the Planning Commission for further review and consideration to address the compatibility of the outdoor spaces, and their related use, in a medium density residential setting.

5. PLN260079 - AIR SHOE VIEW LLC

Public hearing to consider action on a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer.

Project Location: 3229 17 Mile Dr, Pebble Beach, CA 93953

Proposed CEQA Action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made.

Jose Mendoza, Project Planner, presented the item.

Public Comment: Mike Linder, applicant

The Zoning Administrator found that the project is Categorical Exempt pursuant to CEQA Guidelines section 15301 and no exceptions under section 15300.2 apply; and approved a Coastal Development Permit for a Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer. The Zoning Administrator included some non-substantive changes to the resolution.

6. PLN260064 - MARZANO LOUIS DAVID & HEATHER MARIE TRS

Public hearing to consider action on a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer.

Project Location: 2505 2nd Avenue, Carmel

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

Jade Mason, Project Planner, presented the item and some errata items.

Public Comment: Heather Marzano, applicant; Jim Zack; Josh Ohanian

The Zoning Administrator found that the project is Categorical Exempt pursuant to CEQA Guidelines section 15301 and no exceptions under section 15300.2 apply; and approved a Coastal Development Permit for a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer. The Zoning Administrator included the errata changes presented by staff, noted that the operations plan needed to be updated, and included some non-substantive changes to the resolution.

OTHER MATTERS

None

ADJOURNMENT

The meeting was adjourned at 10:53 a.m.



County of Monterey

Item No.1

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ZA 26-064

June 11, 2026

Introduced: 6/3/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN250306 - COASTLANDS MUTUAL WATER CO & VARIOUS OWNERS

Public hearing to consider the construction of two Hilfiker retaining walls, development on slopes in excess of 30%, development within 750 feet of known Archaeological Resources, and development within 100 feet of environmentally sensitive habitat area.

Project Location: 48216 & 48228 Highway 1, Big Sur, CA

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines sections 15301 and 15303, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATIONS

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

- 1) Find the project qualifies for Class 1 and 3 Categorical Exemptions from CEQA Guidelines Sections 15301 and 15303, and that none of the exceptions from Section 15300.2 apply to the project; and
- 2) Approve a Combined Development Permit consisting of a:
 - a. Design Approval to allow the construction of approximately 180 total linear feet of two Hilfiker retaining walls;
 - b. Coastal Administrative Permit for development on slopes in excess of 30%;
 - c. Coastal Development Permit for development within 750 feet of known Archaeological Resources; and
 - d. Coastal Development Permit for development within 100 feet of environmentally sensitive habitat area.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION

Agent: Michael Linder

Property Owner: Coastlands Mutual Water

APN: 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000

Parcel Size: 1.03 acres, 1.36 acres, 1.76 acres, 1.74 acres, 1.95 acres

Zoning: Rural Density Residential, 40 acres per unit with a Design Control Overlay, or "RDR/40-D"

Plan Area: Big Sur Coastal Land Use Plan

Flagged and Staked: N/A

Project Planner: Jordan Evans-Polockow, Assistant Planner
Evans-PolockowJ@countyofmonterey.gov , (831)783-7065

SUMMARY/DISCUSSION

The project site is located at 48216 & 48228 Highway 1 in Big Sur, within the Big Sur Coastal Land Use Plan. The proposed project includes the construction of approximately 180 total linear feet of two Hilfiker retaining walls to repair an existing access road for the neighboring residential properties in a Coastlands Mutual Water Company easement. The development includes 247.5 linear feet of development on slopes in excess of 30%, within 750 feet of known Archaeological Resources and within 100 feet of environmentally sensitive habitat areas (ESHA). The project will consist of approximately 132 linear feet of hilfiker retaining wall for the upper wall resulting in 1,200 square feet of ground disturbance and approximately 48 linear feet for the lower wall resulting in 500 square feet of ground disturbance. The project includes installation of silt fencing and straw wattles around the western sloped development perimeter as well as grading of 251 cubic yards of cut and fill.

This project does not include an increase in wastewater generation or installation, upgrade, or repairs to any onsite wastewater treatment system components. The proposed development will not be visible from a scenic corridor or major common public viewing area due to location, topography, and intervening development and vegetation.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 1982 General Plan (General Plan), Big Sur Coastal Land Use Plan, Big Sur Coastal Implementation Plan, and applicable sections of the Monterey County Coastal zoning ordinance (Title 20).

Design and Land Use

The subject parcel is zoned as a Rural Density Residential with 40 acres per unit and a Design Control Overlay ("RDR/40-D"). The development standards for the RDR zoning district are identified in Title 20 section 20.16.060. Site development standards apply to enclosed spaces and structures. Title 20 section 20.06.1200 defines a structure as anything constructed the use of which requires location on or attached to something having location on the ground, excluding fences under 6 feet in height. The project proposes two Hilfiker retaining walls resulting in approximately 180 linear feet that will not exceed 5 feet and 11 inches tall. Therefore, the project is not subject to these development standards.

Although the project site is located on the ocean side of Highway 1, it is not within the critical viewshed and therefore will not be visible from any public access points and viewshed. Therefore, as designed and sited, the proposed development assures protection of the public viewshed, is consistent with the neighborhood character, and assures visual integrity.

Environmentally Sensitive Habitat (ESHA)

Big Sur Coastal Implementation Plan (CIP) section 20.145.040 requires that a Biological Report be required for all proposed development that is sited or may be sited within 100 feet of ESHA, and/or has the potential to negatively impact the longer-term maintenance of the habitat. A Biological Report (County of Monterey Library No. LIB260060) was prepared, and the project biologist surveyed the subject parcel twice to provide a spring survey and to determine project-related impacts to biological

resources as a result of construction. The project biologist identified that the proposed construction would be sited within 100 feet of ESHA (Redwood Forest and various wildlife species). Although sitings of special status species such as red-legged frog, Coast range newt, Santa Lucia slender salamander, Foothill yellow-legged frog, western spadefoot, and bumble bee species were identified in surrounding community or within 300 feet of the development area, there is low potential for these species to be impacted or encountered as the development is restructured to an existing road with minimal habitat for these species to breed.

The proposed development will be sited adjacent to the existing road to support the needed road repairs. Consistent with BSC LUP Policies 3.3.2.7 and 3.3.2.8, the development will be adjacent to ESHA and will ensure protection through required tree and root protection (Condition No. 4). The report also recommends that the sloped area be protected through the installation of silt fencing and straw wattles around the western sloped development perimeter, to prevent unwarranted construction impacts and sedimentation erosion and provide habitat protection during construction. Additionally, the standard Tree and Root Protection Condition No.4 will be implemented based on the consultant's recommendation to protection the trunks of the cluster of redwoods closest to the southern end of the project along the limits of grading, as well as recommending the installation of straw wattles and bales on the perimeter redwoods.

During the Spring Survey, the biologist did not observe any special status plant species to be within the project development area but did observe special status migratory species including wrenitit, oak titmouse, and olive sided flycatcher, and one yellow warbler within 250 feet of the project vicinity. However, there is no evidence of these species to be within the project development area nor is there evidence of active nesting. To avoid potential impacts to nesting raptors and other avian species, the project biologist recommends the property be surveyed again prior to construction if it were to occur during nesting season. Therefore, Condition No. 5 has been added to require the applicant to conduct another survey prior to construction, if construction takes place between February 1 and September 1.

Therefore, as sited, designed, and conditioned, the proposed project would be consistent with regulations for the development adjacent to environmentally sensitive habitats and would not result in any impacts to ESHA.

Cultural Resources

According to the Monterey County Geographic Information System (GIS), the subject property is within an area of high archaeological sensitivity and within 750 feet of a known archaeological resource. In accordance with BSC CIP section 20.145.120, any new development being proposed within high sensitivity zones, or within 750 feet of a known recorded archaeological and/or cultural site, shall complete a Phase One Archaeological survey. According to the prepared Phase One Archaeological Survey (County of Monterey Library No. LIB260059), no evidence of significant resources has been identified on the project parcel, but the report confirms that there are resources nearby, within 750 feet of the subject property. Therefore, a Coastal Administrative Permit is applied in such case. In addition, the standard condition of approval (Condition No. 3) has been incorporated into this project which requires the contractor to stop work if previously unidentified resources are discovered during construction.

Development on Slopes in Excess of 30%

Monterey County Geographic Informational Systems (GIS) identifies the subject property containing slopes in excess of 30%. Big Sur Coast CIP section 20.145.140.A.4.a and Title 20 section 20.64.230.E, states that development on slopes that exceed 30% is prohibited unless there is no feasible alternative that would allow development to occur on slopes less than 30%, or the proposed development better achieves the goals, policies, and objectives of the County of Monterey General Plan and applicable land use plan than other development alternatives. Title 20 section 20.64.230.C states a Coastal Development Permit is required except if the development is an addition to an existing structure or man-made slopes provided it does not exceed 120 square feet of the sloped area. In this case, the location of the proposed development of approximately 250 linear feet of the silt fencing is on slopes in excess of 30% in which there is not alternative feasible option. While the entire silt fencing is on slopes, only the wooden stakes would be impacting the slopes.

The road repair and development of retaining walls must remain within the Coastlands Water Company easement that exists on these properties for the road to maintain the same footprint, and preventing further development on slopes. The road where the proposed development is to occur is located on the existing flattened portion for the repair of an existing access road along the property lines of each parcel. The proposed development on slopes is in support of the retaining wall to prevent erosion and stabilize the slope directly downstream of the hilfiker retaining wall. Placing the silt fencing in a different location defeats the purpose of the required need for such development. The silt fencing include approximately 25 wooden stakes of one square foot to a depth of one foot into the slope. Therefore, the resulting development would be less than 120 square feet and meets the exception to grant a Coastal Administrative Permit in this case.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Sections 15301 and 15303 categorically exempts minor alterations of existing public or private structures involving negligible or no expansion of existing or former use, as well as the construction of new structures. The proposed project proposes to construct approximately 180 total linear feet of two hilfiker retaining walls along an existing access road with associated site development, including development on slopes in excess of 30%, within 750 feet of known Archaeological Resources, and within 100 feet of ESHA. The project does not involve the removal of trees or major vegetation. Therefore, the proposed development is consistent with the parameters of these Class 1 and Class 3 exemptions. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects was identified during staff review of the development application. There is no cumulative impact without any prior successive projects of the same type in the same place, over time. There is 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 a hazardous waste site. No known historical resources are found in the geotechnical or archaeological reports, which may cause a substantial adverse change in the significance of a historical resource. The project site is not within an officially designated highway area, as a state scenic highway. Finally, as described above, the project will not result in substantial erosion or contribute to runoff.

OTHER AGENCY INVOLVEMENT

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

- HCD-Engineering Services
- Environmental Health Bureau
- HCD-Environmental Services
- Big Sur Volunteer Fire Brigade

Prepared by: Jordan Evans-Pollockow, Assistant Planner, x7065

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Site Plans

Exhibit B - Biological Assessment & Spring Survey

Exhibit C - Vicinity Map

cc: Front Counter Copy; Big Sur Volunteer Fire Brigade; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Jordan Evans-Pollockow, Planner; Jacquelyn M. Nickerson, Principal Planner; Coastlands Mutual Water, Property Owner; Michael Linder, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild, Planning File PLN250306.



Zoning Administrator

Legistar File Number: ZA 26-064

June 11, 2026

Introduced: 6/3/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN250306 - COASTLANDS MUTUAL WATER CO & VARIOUS OWNERS

Public hearing to consider the construction of two Hilfiker retaining walls, development on slopes in excess of 30%, development within 750 feet of known Archaeological Resources, and development within 100 feet of environmentally sensitive habitat area.

Project Location: 48216 & 48228 Highway 1, Big Sur, CA

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines sections 15301 and 15303, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATIONS

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

- 1) Find the project qualifies for Class 1 and 3 Categorical Exemptions from CEQA Guidelines Sections 15301 and 15303, and that none of the exceptions from Section 15300.2 apply to the project; and
- 2) Approve a Combined Development Permit consisting of a:
 - a. Design Approval to allow the construction of approximately 180 total linear feet of two Hilfiker retaining walls;
 - b. Coastal Administrative Permit for development on slopes in excess of 30%;
 - c. Coastal Development Permit for development within 750 feet of known Archaeological Resources; and
 - d. Coastal Development Permit for development within 100 feet of environmentally sensitive habitat area.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION

Agent: Michael Linder

Property Owner: Coastlands Mutual Water

APN: 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000

Parcel Size: 1.03 acres, 1.36 acres, 1.76 acres, 1.74 acres, 1.95 acres

Zoning: Rural Density Residential, 40 acres per unit with a Design Control Overlay, or "RDR/40-D"

Plan Area: Big Sur Coastal Land Use Plan

Flagged and Staked: N/A

Project Planner: Jordan Evans-Polockow, Assistant Planner
Evans-PolockowJ@countyofmonterey.gov , (831)783-7065

SUMMARY/DISCUSSION

The project site is located at 48216 & 48228 Highway 1 in Big Sur, within the Big Sur Coastal Land Use Plan. The proposed project includes the construction of approximately 180 total linear feet of two Hilfiker retaining walls to repair an existing access road for the neighboring residential properties in a Coastlands Mutual Water Company easement. The development includes 247.5 linear feet of development on slopes in excess of 30%, within 750 feet of known Archaeological Resources and within 100 feet of environmentally sensitive habitat areas (ESHA). The project will consist of approximately 132 linear feet of hilfiker retaining wall for the upper wall resulting in 1,200 square feet of ground disturbance and approximately 48 linear feet for the lower wall resulting in 500 square feet of ground disturbance. The project includes installation of silt fencing and straw wattles around the western sloped development perimeter as well as grading of 251 cubic yards of cut and fill.

This project does not include an increase in wastewater generation or installation, upgrade, or repairs to any onsite wastewater treatment system components. The proposed development will not be visible from a scenic corridor or major common public viewing area due to location, topography, and intervening development and vegetation.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 1982 General Plan (General Plan), Big Sur Coastal Land Use Plan, Big Sur Coastal Implementation Plan, and applicable sections of the Monterey County Coastal zoning ordinance (Title 20).

Design and Land Use

The subject parcel is zoned as a Rural Density Residential with 40 acres per unit and a Design Control Overlay ("RDR/40-D"). The development standards for the RDR zoning district are identified in Title 20 section 20.16.060. Site development standards apply to enclosed spaces and structures. Title 20 section 20.06.1200 defines a structure as anything constructed the use of which requires location on or attached to something having location on the ground, excluding fences under 6 feet in height. The project proposes two Hilfiker retaining walls resulting in approximately 180 linear feet that will not exceed 5 feet and 11 inches tall. Therefore, the project is not subject to these development standards.

Although the project site is located on the ocean side of Highway 1, it is not within the critical viewshed and therefore will not be visible from any public access points and viewshed. Therefore, as designed and sited, the proposed development assures protection of the public viewshed, is consistent with the neighborhood character, and assures visual integrity.

Environmentally Sensitive Habitat (ESHA)

Big Sur Coastal Implementation Plan (CIP) section 20.145.040 requires that a Biological Report be required for all proposed development that is sited or may be sited within 100 feet of ESHA, and/or has the potential to negatively impact the longer-term maintenance of the habitat. A Biological Report (County of Monterey Library No. LIB260060) was prepared, and the project biologist surveyed the subject parcel twice to provide a spring survey and to determine project-related impacts to biological

resources as a result of construction. The project biologist identified that the proposed construction would be sited within 100 feet of ESHA (Redwood Forest and various wildlife species). Although sightings of special status species such as red-legged frog, Coast range newt, Santa Lucia slender salamander, Foothill yellow-legged frog, western spadefoot, and bumble bee species were identified in surrounding community or within 300 feet of the development area, there is low potential for these species to be impacted or encountered as the development is restructured to an existing road with minimal habitat for these species to breed.

The proposed development will be sited adjacent to the existing road to support the needed road repairs. Consistent with BSC LUP Policies 3.3.2.7 and 3.3.2.8, the development will be adjacent to ESHA and will ensure protection through required tree and root protection (Condition No. 4). The report also recommends that the sloped area be protected through the installation of silt fencing and straw wattles around the western sloped development perimeter, to prevent unwarranted construction impacts and sedimentation erosion and provide habitat protection during construction. Additionally, the standard Tree and Root Protection Condition No.4 will be implemented based on the consultant's recommendation to protect the trunks of the cluster of redwoods closest to the southern end of the project along the limits of grading, as well as recommending the installation of straw wattles and bales on the perimeter redwoods.

During the Spring Survey, the biologist did not observe any special status plant species to be within the project development area but did observe special status migratory species including wren-tit, oak titmouse, and olive-sided flycatcher, and one yellow warbler within 250 feet of the project vicinity. However, there is no evidence of these species to be within the project development area nor is there evidence of active nesting. To avoid potential impacts to nesting raptors and other avian species, the project biologist recommends the property be surveyed again prior to construction if it were to occur during nesting season. Therefore, Condition No. 5 has been added to require the applicant to conduct another survey prior to construction, if construction takes place between February 1 and September 1.

Therefore, as sited, designed, and conditioned, the proposed project would be consistent with regulations for the development adjacent to environmentally sensitive habitats and would not result in any impacts to ESHA.

Cultural Resources

According to the Monterey County Geographic Information System (GIS), the subject property is within an area of high archaeological sensitivity and within 750 feet of a known archaeological resource. In accordance with BSC CIP section 20.145.120, any new development being proposed within high sensitivity zones, or within 750 feet of a known recorded archaeological and/or cultural site, shall complete a Phase One Archaeological survey. According to the prepared Phase One Archaeological Survey (County of Monterey Library No. LIB260059), no evidence of significant resources has been identified on the project parcel, but the report confirms that there are resources nearby, within 750 feet of the subject property. Therefore, a Coastal Administrative Permit is applied in such case. In addition, the standard condition of approval (Condition No. 3) has been incorporated into this project which requires the contractor to stop work if previously unidentified resources are discovered during construction.

Development on Slopes in Excess of 30%

Monterey County Geographic Informational Systems (GIS) identifies the subject property containing slopes in excess of 30%. Big Sur Coast CIP section 20.145.140.A.4.a and Title 20 section 20.64.230.E, states that development on slopes that exceed 30% is prohibited unless there is no feasible alternative that would allow development to occur on slopes less than 30%, or the proposed development better achieves the goals, policies, and objectives of the County of Monterey General Plan and applicable land use plan than other development alternatives. Title 20 section 20.64.230.C states a Coastal Development Permit is required except if the development is an addition to an existing structure or man-made slopes provided it does not exceed 120 square feet of the sloped area. In this case, the location of the proposed development of approximately 250 linear feet of the silt fencing is on slopes in excess of 30% in which there is not alternative feasible option. While the entire silt fencing is on slopes, only the wooden stakes would be impacting the slopes.

The road repair and development of retaining walls must remain within the Coastlands Water Company easement that exists on these properties for the road to maintain the same footprint, and preventing further development on slopes. The road where the proposed development is to occur is located on the existing flattened portion for the repair of an existing access road along the property lines of each parcel. The proposed development on slopes is in support of the retaining wall to prevent erosion and stabilize the slope directly downstream of the hilfiker retaining wall. Placing the silt fencing in a different location defeats the purpose of the required need for such development. The silt fencing include approximately 25 wooden stakes of one square foot to a depth of one foot into the slope. Therefore, the resulting development would be less than 120 square feet and meets the exception to grant a Coastal Administrative Permit in this case.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Sections 15301 and 15303 categorically exempts minor alterations of existing public or private structures involving negligible or no expansion of existing or former use, as well as the construction of new structures. The proposed project proposes to construct approximately 180 total linear feet of two hilfiker retaining walls along an existing access road with associated site development, including development on slopes in excess of 30%, within 750 feet of known Archaeological Resources, and within 100 feet of ESHA. The project does not involve the removal of trees or major vegetation. Therefore, the proposed development is consistent with the parameters of these Class 1 and Class 3 exemptions. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects was identified during staff review of the development application. There is no cumulative impact without any prior successive projects of the same type in the same place, over time. There is 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 a hazardous waste site. No known historical resources are found in the geotechnical or archaeological reports, which may cause a substantial adverse change in the significance of a historical resource. The project site is not within an officially designated highway area, as a state scenic highway. Finally, as described above, the project will not result in substantial erosion or contribute to runoff.

OTHER AGENCY INVOLVEMENT

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

HCD-Engineering Services
Environmental Health Bureau
HCD-Environmental Services
Big Sur Volunteer Fire Brigade

Prepared by: Jordan Evans-Pollockow, Assistant Planner, x7065
Reviewed and Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Site Plans

Exhibit B - Biological Assessment & Spring Survey

Exhibit C - Vicinity Map

cc: Front Counter Copy; Big Sur Volunteer Fire Brigade; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Jordan Evans-Pollockow, Planner; Jacquelyn M. Nickerson, Principal Planner; Coastlands Mutual Water, Property Owner; Michael Linder, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild, Planning File PLN250306.

Exhibit A

This page intentionally left blank.

DRAFT RESOLUTION

Before the Housing and Community Development Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

**COASTLANDS MUTUAL WATER CO &
VARIOUS OWNERS (PLN250306) RESOLUTION
NO. ----**

Resolution by the County of Monterey Zoning
Administrator:

- 1) Finding that the project qualifies for a Class 4 Categorical Exemption pursuant to CEQA Guidelines Sections 15301 and 15303; and
- 2) Approving a Combined Development Permit consisting of:
 - Design Approval to allow the construction of approximately 180 linear feet of two Hilfiker retaining walls;
 - Coastal Administrative Permit for development on slopes in excess of 30%;
 - Coastal Development Permit for development within 750 feet of known Archaeological Resources; and
 - Coastal Development Permit for development within 100 feet of ESHA.

[PLN250306, 48216 & 48228 Highway 1, Big Sur, Big Sur Coastal Land Use Plan (APN's: 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000)]

The COASTLANDS MUTUAL WATER CO & VARIOUS OWNERS application (PLN250306) came on for a public hearing before the County of Monterey Zoning Administrator on June 11, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
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 1982 Monterey County General Plan (General Plan);
 - Big Sur Coastal Land Use Plan (BSC LUP);
 - Big Sur Coastal Implementation Plan (Part 3); and
 - Monterey County Zoning Ordinance (Title 20).

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) Project Scoping. The proposed project includes the construction of approximately 180 total linear feet of two Hilfiker retaining walls to repair an existing access road for the neighboring residential properties in a Coastlands Mutual Water Company easement. The development includes 247.5 linear feet of development on slopes in excess of 30%, within 750 feet of known Archaeological Resources and within 100 feet of environmentally sensitive habitat areas (ESHA). The project will consist of approximately 132 linear feet of hilfiker retaining wall for the upper wall resulting in 1,200 square feet of ground disturbance and approximately 48 linear feet for the lower wall resulting in 500 square feet of ground disturbance. The project includes grading of 251 cubic yards of cut and fill with a total of 1,700 square feet of grading disturbance area to occur, as well as 2,200 square feet of total area disturbance.
- c) Allowed Use. The property is located along 48216 & 48228 Highway 1 in Big Sur (Assessor's Parcel Number: 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000). The subject parcel is zoned Rural Density Residential with 40 acres per unit and a Design Control Overlay in the Coastal Zone, or "RDR/40-D(CZ)", which allows accessory structures to the principal residential use of the property in the district, including maintenance to access. The proposed project includes the construction of approximately 180 total linear feet of two Hilfiker retaining walls to repair an existing access road for the neighboring residential properties in a Coastlands Mutual Water Company easement. The development includes 247.5 linear feet of development on slopes in excess of 30%, within 750 feet of known Archaeological Resources and within 100 feet of environmentally sensitive habitat areas (ESHA) (see evidence below). As further illustrated below, the project development requires a Design Approval as required by Title 20 section 20.44.020. Therefore, the proposed project is an allowed use.
- d) Lot Legality. The subject properties (approximately 10 acres total), APN: 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000, are identified "Parcels 24-27 and 34-36" on sheet 4 of Coast Lands Tract No. 1 Cities & Towns Map (Volume 3, Page 46), recorded October 3, 1927. Therefore, the County recognizes this lot as a legal lot of record.
- e) Design and Visual Resources. Pursuant to Title 20 Chapter 20.44, the project parcels and surrounding area are designated as a Design Control Zoning District ("D" zoning overlay), which is intended to regulate the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. Consistent with Big Sur LUP Policy 3.2.4.3 and Chapter 20.44, the project includes colors and materials that are subordinate and help blend the development with the surrounding environment and will blend in with the existing road to not be visible to neighboring

residences. The project includes the construction of approximately 180 linear feet total of two Hilfiker retaining walls, which is made of the uniform graded native stone in earthy tones that will be below ground, as well as installation of silt fencing and straw wattles around the western sloped development perimeter. Therefore, granting of the Design Approval can be met in this case.

The project does not include any tree removal, and therefore, the proposed development will not detract from undeveloped ridgelines, skylines, or shorelines (LUP Policy 3.2.4.1). Although the project site is located on the ocean side of Highway 1, it is not within the critical viewshed and therefore will not be visible from any public access points and viewshed. Therefore, as designed and sited, the proposed development assures protection of the public viewshed, is consistent with the neighborhood character, and assures visual integrity.

- f) Development Standards. As proposed, the project meets all required development standards established in Title 20 section 20.16.060. Site development standards apply to enclosed spaces and structures. Title 20 section 20.06.1200 defines a structure as anything constructed the use of which requires location on or attached to something having location on the ground, excluding fences under 6 feet in height. The proposed Hilfiker retaining walls will not exceed 5 feet and 11 inches tall. Fences under 6 feet in height are not required to meet setbacks and do not count towards lot coverage for floor area ratio. The total 179.22 linear feet of retaining wall consist of 131.27 linear feet for the upper wall, and 47.95 linear feet for the lower wall.
- g) Cultural Resources. According to the Monterey County Geographic Information System (GIS), the subject property is within an area of high archaeological sensitivity and within 750 feet of a known archaeological resource. In accordance with BSC CIP section 20.145.120, any new development being proposed within high sensitivity zones, or within 750 feet of a known recorded archaeological and/or cultural site, shall complete a Phase One Archaeological survey. According to the prepared Phase One Archaeological Survey (County of Monterey Library No. LIB260059), no evidence of significant resources has been identified on the project parcel, but the report confirms that there are resources nearby, within 750 feet of the subject property. Therefore, a Coastal Administrative Permit is applied in such case. In addition, the standard condition of approval (Condition No. 3) has been incorporated into this project which requires the contractor to stop work if previously unidentified resources are discovered during construction.
- h) Environmentally Sensitive Habitat (ESHA). The project includes a Coastal Development Permit to allow development within 100 feet of ESHA. Policies in Chapter 3.3 of the Big Sur Coast LUP are directed at maintaining, protecting, and, where possible, enhancing sensitive habitats. As designed and conditioned, the project does not impact any environmentally sensitive habitat in accordance with the applicable goals and policies of the Big Sur Coast Land Use Plan and Monterey County Code. The project includes a Coastal Development Permit to

allow development within 100 feet of ESHA. See Finding No. 4 and supporting evidence.

- i) Geological Hazards. The project site is in an area of known geological hazard. According to the prepared Geologic Hazards Assessment (County of Monterey Library No. LIB260061), this site is suitable for the residential use this project proposes; there are no geological or seismic hazards that would preclude this property from being developed. See Finding 2, evidence “c”.
- j) Development on slopes in excess of 30%. Monterey County Geographic Informational Systems (GIS) identifies the subject property containing slopes in excess of 30%. Big Sur Coast CIP section 20.145.140.A.4.a and Title 20 section 20.64.230.E, states that development on slopes that exceed 30% is prohibited unless there is no feasible alternative that would allow development to occur on slopes less than 30%, or the proposed development better achieves the goals, policies, and objectives of the County of Monterey General Plan and applicable land use plan than other development alternatives. Title 20 section 20.64.230.C states a Coastal Development Permit is required except if the development is an addition to an existing structure or man-made slopes provided it does not exceed 120 square feet of the sloped area. In this case, the location of the proposed development of approximately 250 linear feet of the silt fencing is on slopes in excess of 30% in which there is not alternative feasible option. While the entire silt fencing is on slopes, only the wooden stakes would be impacting the slopes.

The road repair and development of retaining walls must remain within the Coastlands Water Company easement that exists on these properties for the road to maintain the same footprint, and preventing further development on slopes. The road where the proposed development is to occur is located on the existing flattened portion for the repair of an existing access road along the property lines of each parcel. The proposed development on slopes is in support of the retaining wall to prevent erosion and stabilize the slope directly downstream of the hilfiker retaining wall. Placing the silt fencing in a different location defeats the purpose of the required need for such development. The silt fencing include approximately 25 wooden stakes of one square foot to a depth of one foot into the slope. Therefore, the resulting development would be less than 120 square feet and meets the exception to grant a Coastal Administrative Permit in this case.

- k) Public Access. As proposed and conditioned, the development is consistent with the applicable Public Access policies of the BSC CIP. See Finding No. 6 and supporting evidence.
- l) Land Use Advisory Committee (LUAC) Review. The project was not referred to the Big Sur Advisory Committee (LUAC) for review because it does not involve a public hearing a Design Approval, a Lot Line Adjustment, preparation of an Initial study, or a Variance as outlined in the LUAC Guidelines Board Resolution No. 08-338.

- m) The project planner conducted a site inspection on May 19, 2026, to verify that the proposed project on the subject parcel conforms to the applicable plans and Monterey County Code
- n) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250306.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Big Sur Volunteer Fire Brigade. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to archaeological resources, biological resources, and soils. The following reports have been prepared:
 - “Phase I Archaeological Assessment” (County of Monterey Library No. LIB260059) prepared by Susan Morley, Marina, CA, February 2026.
 - “Biological Assessment” (County of Monterey Library No. LIB260060) prepared by Fred Ballerini, Pacific Grove, CA, January 2026.
 - “Geotechnical & Geohazards Report” (County of Monterey Library No. LIB260061) prepared by Larence Grice, Salinas, CA, October 2025.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. All development shall be in accordance with these reports.

- c) Geological Hazards. According to Monterey County GIS, the subject property is located within 660 feet of active or potentially active faults. Pursuant to NC CIP section 20.145.080.A.1.b.3, a Geotechnical and Geological Hazards Report (County of Monterey Library No. LIB260061) was prepared to address the property’s known geological hazards. Per the geologist’s research, site reconnaissance, review of previous subsurface data, and review of stereo aerial photography and LiDAR imagery, there was no evidence indicative of active faults at or immediately adjacent to the road repair footprint areas. The report states the nearest fault line is the San Gregario Fault, located 4 miles northeast of the site, while a second subsidiary trace of the fault is approximately 240 feet northeast of the proposed retaining wall. In accordance with this policy, the proposed development has been sited greater than 50 feet from the identified fault trace. Additionally, the project site did not reveal any surface features, including a fault rupture that has occurred at the site. The proposed repair to the existing residential road does not

reveal any strain, which would be attributable to subsurface, lateral or vertical displacement, resulting from a fault slip. Therefore, surface rupture from fault activity across the site is considered improbable. Further, the project site is underlain by relatively strong soils and bedrock at a shallow depth. These materials are considered resistant to collateral spreading and as such, surface rupture from lateral spreading is considered improbable. According to the prepared Geotechnical and Geologic Hazards Report (County of Monterey Library No. LIB260061), this site is suitable for the residential use this project proposes, and there are no geological or seismic hazards that would preclude this property from being developed. All recommendations of the Geological Hazards Assessment and Geotechnical Report shall be incorporated into final construction plans pursuant to Title 16 section 16.08.110.D.

- d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250306.

3. 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, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Big Sur Volunteer Fire Brigade. 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) Necessary facilities will be provided. Potable water to serve the development will be served by Coastlands Mutual Water Co. The parcel will also continue to be served by their individual Onsite Wastewater Treatment Systems (OWTS’). This water will not be used for this project, as it is strictly reserved for separate residential use as potable water. No waste will be generated from the project. As no permanent facilities or structures are included within this project, rented portable toilets will be provided for workers. As proposed, the proposed use will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The project would not require intensification of services already provided.
 - c) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250306.

4. FINDING: DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT AREAS (ESHA) - The subject project avoids or minimizes impact on environmentally sensitive habitat areas in

accordance with the applicable goals and policies of the Big Sur Coast LUP, Coastal Implementation Plan, and applicable zoning codes.

- a) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Big Sur Coast Land Use Plan (LUP), Coastal Implementation Plan, Part 3, and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.
- b) Pursuant to Big Sur Coastal Implementation Plan section 20.145.040, a Biological Report is required for all proposed development that is sited or may be sited within 100 feet of ESHA, and/or has the potential to negatively impact the long-term maintenance of the habitat. Therefore, a biological report was prepared in accordance with this policy (County of Monterey Library No. LIB260060).
- c) The project biologist surveyed the subject parcel twice within the past six months to provide a Biological Assessment and a Spring Survey to determine project-related impacts to biological resources as a result of construction. As indicated in the project plans and County of Monterey GIS records, the area of construction is sited within 100-feet of ESHA, specifically the Redwood Forest Habitat, as well as the California Red-Legged Frog critical habitat. The consultant also identified many avian species that have the potential to occur near the proposed development. According to Big Sur Coastal Implementation Plan (CIP) section 20.145.040.B.4, projects within 100-feet of ESHA shall be prohibited, unless determined through a Biological report, to not negatively impact the habitat's long-term maintenance through siting, location, bulk, size, design, grading vegetation removal, and/or other methods where such modifications will reduce impacts to a level less than significant and assure the habitat's long-term maintenance.
- d) The proposed development will be sited primarily within existing roads footprint but disturbs land on the side roads easements without impacts to vegetation but encroaching slopes. However, the proposed development will not be sited within ESHA or have direct or indirect impacts on ESHA and thus ensures the protection of ESHA (Policy 3.3.2.8). Further, the project is consistent with Big Sur Coast LUP Policies 3.3.2.4 and 3.3.2.7 as it proposes long-term improvements and maintenance of the habitat present on site.
- e) As detailed in the report, to avoid potential impacts to nesting raptors and other nesting avian species, construction activities should be timed to avoid the nesting season period (February 1-September 1). Therefore, Condition No. 5 has been added to require the applicant to conduct another survey prior to ground disturbance and construction, if construction takes place between February 1 to September 1. The report also recommends that the sloped area be protected through the installation of silt fencing and straw wattles around the western sloped development perimeter, to prevent unwarranted construction impacts and sedimentation erosion and provide habitat protection during construction. Additionally, the standard Tree and Root Protection Condition No. 4 will be implemented based on the consultant's

recommendation to protection the trunks of the cluster of redwoods closest to the southern end of the project along the limits of grading, as well as recommending the installation of straw wattles and bales on the perimeter redwoods.

- f) According to the project biologist's survey, there is a low to moderate potential that the adjacent Redwood Forest trees provide the following species with a overwintering habitat; red-legged frog, Coast range newt, Santa Lucia slender salamander, Foothill yellow-legged frog, and western spadefoot, western bumble bee, crotch's bumble bee, obscure bumble bee, red tailed hawk, red shouldered hawk, great horned owl, barn owl, and turkey vulture. A majority of these species are predominantly considered special status species as well as federally listed threatened or endangered species, their overwintering habitat is recognized by the Big Sur Coast LUP as ESHA. During the Spring Survey, the consultant observed the following noteworthy species in the upper canopies of the surrounding redwood trees: wrenit, oak titmouse, olive-sided fly catcher, yellow warbler, dark-eyed junco, and chestnut-backed chickadee. Thus, with the implementation of standard Condition No. 5 (tree and root protection), any potentially overwintering habitat would be protected in place. Although red-legged frog and other species were not observed, should construction initiate between October 15 and February 28, Condition No. 15 will require a pre-construction survey for such species and related overwintering habitat to be prepared, and necessary buffer zones to be installed if observed. As designed and sited, the project will have less than significant impacts on the overwintering and overall habitat, and as conditioned, would ensure no impacts occur.
- g) As sited, designed, and conditioned, the proposed project would be consistent with regulations for the development adjacent to environmentally sensitive habitats, would have no or less than significant impacts on ESHA, and would result in enhanced ESHA habitat values.
- h) The project planner conducted a site inspection on May 19, 2026, to verify that the proposed project on the subject parcel conforms to the applicable plans and Monterey County Code.
- i) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN250306.

5. FINDING: **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and the Local Coastal Program (LCP), and does not interfere with any form of historic public use or trust rights.

EVIDENCE: a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the Monterey County Coastal Implementation Plan (Part 3) can be demonstrated.

- b) The subject property is not described as an area where the Local Coastal Program requires physical public access (Figure 3, Trails Plan, in the Big Sur Coast Land Use Plan).
- c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- d) The project planner conducted a site visit on May 19, 2026, to verify that the project, as proposed and conditioned and mitigated, would not impact public access. Based on this site inspection, the proposed development would not obstruct public views of the shoreline from surrounding roadways and would not obstruct public visual access to the shoreline from major public viewing corridors. The existing road is currently not visible from Highway 1, and the proposed retaining walls would continue to not be from Highway 1, through siting the structures in the same development footprint and continuing to comply with reduced height standards. As proposed, the project will not result in adverse impacts to the public viewshed or scenic character in the project vicinity and is consistent with the applicable visual resource and public access policies of the Big Sur Coast Land Use Plan.
- e) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN250306.

6. 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 County of Monterey HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250306.

7. 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 Sections 15301 and 15303 categorically exempts minor public or private alterations in the condition of the land or vegetation which do not involve removal of healthy, mature, and scenic trees.
 - b) The project proposes to construct approximately 180 total linear feet of two hilfiker retaining walls along an existing access road with associated site development, including development on slopes in excess of 30%, within 750 feet of known Archaeological Resources, and within 100 feet of ESHA. Therefore, the proposed development qualifies as Class 1 and 3 Categorical Exemptions pursuant to sections 15301 and 15303 of the CEQA Guidelines.
 - 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, unusual circumstances that would result in a significant effect, or development that would result in a cumulative significant impact. The project site will not impact a preexisting environmentally sensitive habitat, the property is not located on or along a scenic highway or corridor and has been designed and sited to minimize impacts to forest resources and remove only the trees necessary for construction. There is no substantial evidence that would support a fair argument that the project has a reasonable possibility of having a significant effect on the environment or that it would result in a cumulative significant impact.

- d) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250306.

8. FINDING: **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Board of Supervisors. Title 20 section 20.86.030 of the County Monterey Zoning Ordinance allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors
 - b) California Coastal Commission. This project is appealable to the California Coastal Commission pursuant to Title 20 sections 20.86.080.A.1 and 20.86.080.A.3, as it includes development between the sea and the first public road paralleling the sea (Highway 1) and involves development that is permitted in the zoning district as a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project qualifies for Class 1 and Class 3 Categorical Exemptions pursuant to CEQA Guidelines Section 15301 and 15303;
 - a. Approve the Combined Development Permit consisting of a:
 - 1) Design Approval to allow the construction of 179.22 total linear feet of two Hilfiker retaining walls;
 - 2) Coastal Administrative Permit for development on slopes in excess of 30%;
 - 3) Coastal Development Permit for development within 750 feet of known Archaeological Resources; and
 - 4) Coastal Development Permit for development within 100 feet of Environmentally sensitive habitat area.

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of June 2026.

Mike Novo, AICP
Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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.

Form Rev. 1-27-2021

County of Monterey HCD Planning

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

PLN250306

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit (PLN250306) allows a: 1) Design Approval to allow the construction of two (2) Hilfiker retaining walls; 2) Coastal Administrative Permit for development on slopes in excess of 30%; 3) Coastal Development Permit for development within 750 feet of known Archaeological Resources; and 4) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat area. The property is located at 48216 & 48228 Highway 1, Big Sur (Assessor's Parcel Number 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000), Big Sur Coastal Land Use 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 on-going 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:
"A Combined Development Permit (Resolution Number _____) was approved by the Zoning Administrator for Assessor's Parcel Number 420-171-029-000, 420-171-030-000, 420-171-037-000, 420-171-038-000 & 420-171-039-000 on June 11th, 2026. The permit was granted subject to 5 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. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.
Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to HCD - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

5. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County 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. (HCD - Planning)

Compliance or Monitoring Action to be Performed: No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to HCD -Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

This page intentionally left blank

RECOMMENDED GRADING SPECIFICATIONS FOR EARTHWORK

ET:1 GENERAL DESCRIPTION:

1.1 THIS ITEM SHALL CONSIST OF ALL CLEARING AND GRUBBING, PREPARATION OF LAND TO BE FILLED, EXCAVATION AND FILL OF THE LAND, SPREADING, COMPACTION AND CONTROL OF THE FILL, AND ALL SUBSIDIARY WORK NECESSARY TO COMPLETE THE GRADED AREA TO CONFORM WITH THE LINES, GRADES AND SLOPES AS SHOWN ON THE APPROVED PLANS.

1.2 THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT AND LABOR NECESSARY TO COMPLETE THE WORK AS SPECIFIED HEREIN, AS SHOWN ON THE APPROVED PLANS AS STATED IN THE SPECIFICATIONS.

ET:2 TESTS:

2.1 THE STANDARD TEST USED TO DEFINE MAXIMUM DENSITIES OF ALL COMPACTION WORK SHALL BE THE A.S.T.M. D-1557, MOISTURE DENSITY OF SOILS, USING A 10-POUND RAM AND 18-INCH DROP. ALL DENSITIES SHALL BE EXPRESSED AS A RELATIVE DENSITY IN TERMS OF THE MAXIMUM DENSITY OBTAINED IN THE LABORATORY BY THE FOREGOING STANDARD PROCEDURE.

2.2 IN-PLACE DENSITY SHALL BE DETERMINED BY TEST METHODS A.S.T.M. D-1556, DENSITY OF SOIL IN-PLACE BY SAND CONE METHOD AND D-2922, DENSITY OF SOIL IN-PLACE BY NUCLEAR METHOD.

2.3 PAD ELEVATIONS SHALL BE CERTIFIED TO 0.1 FEET, PRIOR TO DIGGING ANY FOOTINGS OR SCHEDULING ANY INSPECTIONS.

ET:3 CLEARING, GRUBBING AND PREPARING AREAS TO BE EXCAVATED OR FILLED:

3.1 ALL VEGETABLE MATTER, IRREDUCIBLE MATERIAL GREATER THAN 4 INCHES AND OTHER DELETERIOUS MATERIALS SHALL BE REMOVED FROM THE AREAS IN WHICH GRADING IS TO BE DONE. ALL STUMPS AND ROOT MASSES OF REMOVED TREES ARE TO BE REMOVED FROM AREA OF CONSTRUCTION AND FILL PLACEMENT. SUCH MATERIALS NOT SUITABLE FOR REUSE SHALL BE DISPOSED OF AS DIRECTED.

3.2 AFTER THE FOUNDATION FOR FILL HAS BEEN CLEARED, IT SHALL BE BROUGHT TO THE PROPER MOISTURE CONTENT BY ADDING WATER OR AERATING AND COMPACTING TO A RELATIVE DENSITY OF NOT LESS THAN 90% OR AS SPECIFIED. COMPACTION OF FILL PLACED FOR LANDSCAPE ARE TO BE COMPACTED TO A RELATIVE DENSITY OF APPROXIMATELY 90% OR AS DIRECTED BY THE OWNER. THE SOILS SHALL BE TESTED TO A DEPTH SUFFICIENT TO DETERMINE QUALITY AND SHALL BE APPROVED BY THE SOILS ENGINEER FOR FOUNDATION PURPOSES PRIOR TO PLACING ENGINEERED FILL.

ET:4 MATERIALS:

4.1 THE MATERIAL FOR ENGINEERED FILL SHALL BE APPROVED BY THE SOILS ENGINEER BEFORE COMMENCEMENT OF GRADING OPERATIONS. ANY IMPORTED MATERIAL MUST BE APPROVED FOR USE BEFORE BEING BROUGHT TO THE SITE. THE MATERIAL USED SHALL BE FREE FROM VEGETABLE MATTER AND OTHER DELETERIOUS MATERIALS.

4.2 IMPORTED MATERIALS FOR ENGINEERED FILL SHALL CONSIST OF NON-EXPANSIVE SOIL WITH MAXIMUM AGGREGATE SIZE OF 4 INCHES, A PI LESS THAN 15 AND/OR A CU GREATER THAN 4 AND SHALL BE APPROVED BY THE ENGINEER.

ET:5 PLACING, SPREADING AND COMPACTING FILL MATERIAL:

5.1 THE SELECTED FILL MATERIAL SHALL BE PLACED IN LAYERS WHICH, WHEN COMPACTED, SHALL NOT EXCEED 6 INCHES IN THICKNESS. EACH LAYER SHALL BE SPREAD EVENLY AND SHALL BE THOROUGHLY MIXED DURING THE SPREADING TO ENSURE UNIFORMITY OF MATERIAL IN EACH LAYER. FILL SHALL BE PLACED SUCH THAT CROSS FALL DOES NOT EXCEED 1 FOOT IN 20 UNLESS OTHERWISE DIRECTED.

5.2 WHEN FILL MATERIAL INCLUDES ROCK OR CONCRETE RUBBLE, NO IRREDUCIBLE MATERIAL LARGER THAN 4 INCHES IN GREATEST DIMENSION WILL BE ALLOWED EXCEPT UNDER THE DIRECTION OF THE SOILS ENGINEER.

5.3 THE MOISTURE CONTENT OF THE FILL MATERIAL SHALL BE MAINTAINED IN A SUITABLE RANGE TO PERMIT EFFICIENT COMPACTION. THE SOILS ENGINEER MAY REQUIRE ADDING MOISTURE, AERATING, OR BLENDING OF WET AND DRY SOILS.

5.4 EACH LAYER SHALL BE COMPACTED TO THE SPECIFIED RELATIVE DENSITY. COMPACTION SHALL BE CONTINUOUS OVER THE ENTIRE AREA OF EACH LAYER.

5.5 FIELD DENSITY TEST SHALL BE MADE BY THE SOILS ENGINEER OF EACH COMPACTED LAYER. AT LEAST ONE TEST SHALL BE MADE FOR EACH 500 CUBIC YARDS OR FRACTION THEREOF, PLACED WITH A MINIMUM OF TWO TESTS PER LAYER IN ISOLATED AREAS. WHERE A SHEEP-FOOT ROLLER IS USED, THE SOIL MAY BE DISTURBED TO A DEPTH OF SEVERAL INCHES. DENSITY TESTS SHALL BE TAKEN IN COMPACTED MATERIALS BELOW THE DISTURBED SURFACE. WHEN THESE TESTS INDICATE THAT THE DENSITY OF ANY LAYER OF FILL OR PORTION THEREOF, IS BELOW THE REQUIRED DENSITY, THAT PARTICULAR LAYER OR PORTION SHALL BE REWORKED UNTIL THE REQUIRED DENSITY HAS BEEN OBTAINED.

5.6 ALL EARTH MOVING AND WORK OPERATIONS SHALL BE CONTROLLED TO PREVENT WATER FROM RUNNING INTO EXCAVATED AREAS. ALL SUCH WATER SHALL BE PROMPTLY REMOVED AND THE SITE KEPT DRY.

5.7 CUT AND FILL SLOPES STEEPER THAN TWO HORIZONTAL TO ONE VERTICAL MUST BE APPROVED BY THE SOILS ENGINEER.

ET:6 SEASONAL LIMITS:

6.1 WHEN THE WORK IS INTERRUPTED BY RAIN, FILL OPERATIONS SHALL NOT BE RESUMED UNTIL FIELD TESTS BY THE SOILS ENGINEER INDICATE THAT THE MOISTURE CONTENT AND DENSITY OF THE FILL IS AS PREVIOUSLY SPECIFIED AND SOILS TO BE PLACED ARE IN SUITABLE CONDITION.

ET:7 UNUSUAL CONDITIONS:

7.1 IN THE EVENT THAT ANY UNUSUAL CONDITIONS ARE ENCOUNTERED DURING GRADING OPERATIONS WHICH ARE NOT COVERED BY THE SOIL INVESTIGATION OR THE SPECIFICATIONS, THE SOILS ENGINEER SHALL BE IMMEDIATELY NOTIFIED SUCH THAT ADDITIONAL RECOMMENDATIONS MAY BE MADE.

ET:8 COUNTY

8.1 A COPY OF ALL COMPACTION TESTS AND FINAL GRADING REPORTS SHALL BE SUBMITTED TO THE COUNTY PRIOR TO SCHEDULING ANY INSPECTIONS.

8.2 ALL GRADING SHALL CONFORM WITH THE MONTEREY COUNTY GRADING ORDINANCE #2535.

8.3 THE SOILS ENGINEER SHALL INSPECT THE BUILDING PAD AND FOUNDATION EXCAVATIONS & SUBMIT WRITTEN APPROVAL TO THE BUILDING INSPECTOR BEFORE REQUESTING FOUNDATION INSPECTION AND POURING OF ANY FOOTINGS.

EROSION CONTROL PLANNING

ER:1 GENERAL DESCRIPTION:

1.1 INSTALLATION OF THE EROSION PROTECTION FEATURES SHOULD CONFORM TO THE EXISTING AND PROPOSED GRADES AND CONSIDER THE TOPOGRAPHIC AND HYDROLOGIC FEATURES OF THE SITE. IT IS IMPORTANT TO MINIMIZE UNNECESSARY GRADING OF OR NEAR STEEP SLOPES, DISTURBING NATIVE VEGETATION AND NATURAL SOIL STRUCTURE ALLOWS RUNOFF VELOCITY AND TRANSPORT OF SEDIMENTS TO INCREASE. ALL DISTURBED AREAS ARE TO BE PROVIDED WITH EROSION CONTROL AS GIVE UNDER SECTION ER.3.

1.2 COLLECTED RUNOFF SHOULD BE RELEASED IN A CONTROLLED FASHION. COLLECTED RUNOFF FLOWS SHOULD BE DIRECTED INTO PIPES OR LINED DITCHES AND THEN ONTO AN ENERGY DISSIPATER TO REDUCE THE HYDRAULIC GRADIENT BEFORE DISCHARGING THE RUNOFF TO FLOW.

1.4 DE-SILTATION OF RUNOFF MAY TAKE FORM OF STILLING BASINS, GRAVEL BERM, TURF OR VEGETATION SCREENS, REFORESTATION, ETC..

1.5 FREE FLOWING STORM RUNOFF SHOULD NEVER BE DIRECTED TOWARDS STRUCTURE (ON OR OFF SITE), SEPTIC SYSTEMS OR STRUCTURES SENSITIVE TO FREE FLOWING WATER. COLLECTED DRAINAGE ADJACENT TO SENSITIVE STRUCTURES SHOULD BE CARRIED IN CLOSED CONDUIT OR LINED SURFACE DRAIN.

1.6 ANY SITE SOILS OR OTHER MATERIALS WHICH ARE DISTURBED SHALL BE ADEQUATELY WATERED TO PREVENT DUST FROM BECOMING AIRBORNE IN ACCORDANCE WITH LOCAL DUST CONTROL ORDINANCES.

ER:1 MATERIALS STORAGE:

2.1 DURING CONSTRUCTION, NEVER STORE CUT AND FILL MATERIAL WHERE IT MAY WASH INTO STREAMS OR DRAINAGE WAYS. SHOULD WEATHER THREATEN THE STORED MATERIALS IT SHOULD BE COVERED WITH PLASTIC OR APPROPRIATE RETENTION FACILITIES PROVIDED FOR DESILTATION OF THE STORM WATER PRIOR TO RELEASE.

2.2 KEEP ALL CULVERTS AND DRAINAGE FACILITIES FREE OF SILT AND DEBRIS. KEEP EMERGENCY EROSION CONTROL MATERIALS SUCH AS STRAW MULCH, PLASTIC SHEETING, AND SANDBAGS ON SITE AND INSTALL THESE AT THE END OF EACH DAY AS NECESSARY.

ER:3 RE-VEGETATION AND PLANTING:

3.1 RE-VEGETATE AND PROTECT EXPOSED SOILS BY OCTOBER 15. USE APPROPRIATE GRASS/LEGUME SEED MIXES AND/OR STRAW MULCH FOR TEMPORARY COVER. PLAN PERMANENT VEGETATION TO INCLUDE NATIVE AND DROUGHT TOLERANT PLANTS. SEEDING AND RE-VEGETATION MAY REQUIRE SPECIAL SOIL PREPARATION, FERTILIZING, IRRIGATION, AND MULCHING.

3.1.A RECOMMENDED SEED SCHEDULE IS AS FOLLOWS:
40 POUNDS PER ACRE OF CALIFORNIA BROME
15 POUNDS PER ACRE OF BLUE WILD RYE
4 POUNDS PER ACRE OF ZORRO FESCUE
6 POUNDS PER ACRE OF RED CREEPING FESCUE

3.2 IN THE ABSENCE OF A DETAILED EROSION CONTROL PLAN, THE WORK WILL BE PROTECTED IN ACCORDANCE WITH THE APPROPRIATE ORDINANCE, REGULATION AND/OR STANDARD PRACTICE WHICH EVER PROVIDES SATISFACTORY EROSION PROTECTION.

3.3 ACTUAL GRADING SHALL BEGIN WITHIN 30 DAYS OF VEGETATION REMOVAL OR THE AREA SHALL BE PLANTED TO CONTROL EROSION.

ER:4 COUNTY

4.1 ALL EROSION CONTROL MEASURES FOR GRADING SHALL BE IN PLACE AT THE END OF EACH WORKING DAY BETWEEN OCTOBER 15 AND APRIL 15.

4.2 ALL EROSION CONTROL MEASURES SHALL CONFORM WITH MONTEREY COUNTY EROSION CONTROL ORDINANCE #2806.

Table with 2 columns: ABBREVIATIONS - USED WITH OR WITHOUT PERIODS (E.G. - EG) and corresponding definitions for various engineering terms like ASPHALTIC PAVEMENT, FINISH GRADE ASPHALTIC CONCRETE DRIVE, etc.

LEGEND section containing symbols and descriptions for EXISTING MAJOR TOPO LINE, EXISTING MINOR TOPO LINE, EXISTING PROPERTY LINE, PROFILE OR SECTION LINE, PROPOSED MAJOR TOPO LINE, PROPOSED MINOR TOPO LINE, AREA OF REPAIRS, and PERFORATED WALL DRAIN.

APPROXIMATE SOIL GRADING DISTURBANCE AREA: UPPER WALL = 1,200 SQUARE FEET, LOWER WALL = 500 SQUARE FEET, TOTAL = 1,700 SQUARE FEET

SITE OPERATIONS DISTURBANCE AREA: 500 SQUARE FEET
TOTAL AREA TO BE DISTURBED: 2,200 SQUARE FEET

GRADING BALANCE: TOTAL CUT: 251 CUBIC YARDS, TOTAL FILL: 251 CUBIC YARDS
IMPORT: GRAVEL = 15 CUBIC YARDS, EXPORT: EARTH = 0 CUBIC YARDS (ESTIMATE)
SHRINKAGE FACTOR: NONE USED
VOLUME CALCS ARE TO FINISH GRADE AND DO NOT CONSIDER SPOILS (E.G. UNDERGROUND UTILITIES, PAVEMENT OR FOUNDATIONS). NO TREES ARE TO BE REMOVED.

IMPORT SOURCE: WILSON QUARRY, AROMAS, CALIFORNIA.

HAUL ROUTE: HIGHWAY ONE FROM AROMAS TO COASTLANDS ROAD.

EXPORT DESTINATION: NOT DETERMINED AT THIS TIME.

HAUL ROUTE: NOT DETERMINED AT THIS TIME.

GEOTECHNICAL REPORT IS COMPLETED FOR THE PROJECT BY GRICE ENGINEERING, INC., OFFICE TELEPHONE (831) 422-9619, FILE NO. 7872-24.08. REFER TO THE RECOMMENDATIONS IN THE REPORT. THE REPORT IS CONSIDERED PART OF THE PROJECT PLANS AND SPECIFICATIONS.

EXISTING UTILITIES

EXISTING UTILITIES ARE LOCATED WITHIN OR CLOSE TO AREAS OF PROPOSED GRADING. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS AND PRESERVE, IMPROVE OR RELOCATE AS NECESSARY. PERMITS ARE REQUIRED FOR INSTALLATION OR REPAIRS OF MOST UTILITIES AND WILL NEED TO BE OBTAINED AS REQUIRED PRIOR TO INSTALLATION OR REPAIR OF SUCH UTILITY.

ESTIMATED PROJECT SCHEDULE (APPROXIMATE):
START: TO BE DETERMINED END: TO BE DETERMINED
ACTUAL START: N/A ACTUAL END: N/A

ALL OF THE CONSTRUCTION IS TO BE COMPLETED PRIOR TO OCTOBER 15, 2014. NOTE: THE DIRECTOR OF BUILDING INSPECTION (BUILDING OFFICIAL) SHALL STOP OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE OR SHE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY (MCC 16.12.090B5)

PERSON RESPONSIBLE FOR EROSION AND SEDIMENT CONTROL BMP INSTALLATION AND MAINTENANCE IS THE PROJECT CONTRACTOR AS NOTED ON THIS SHEET, C-0.

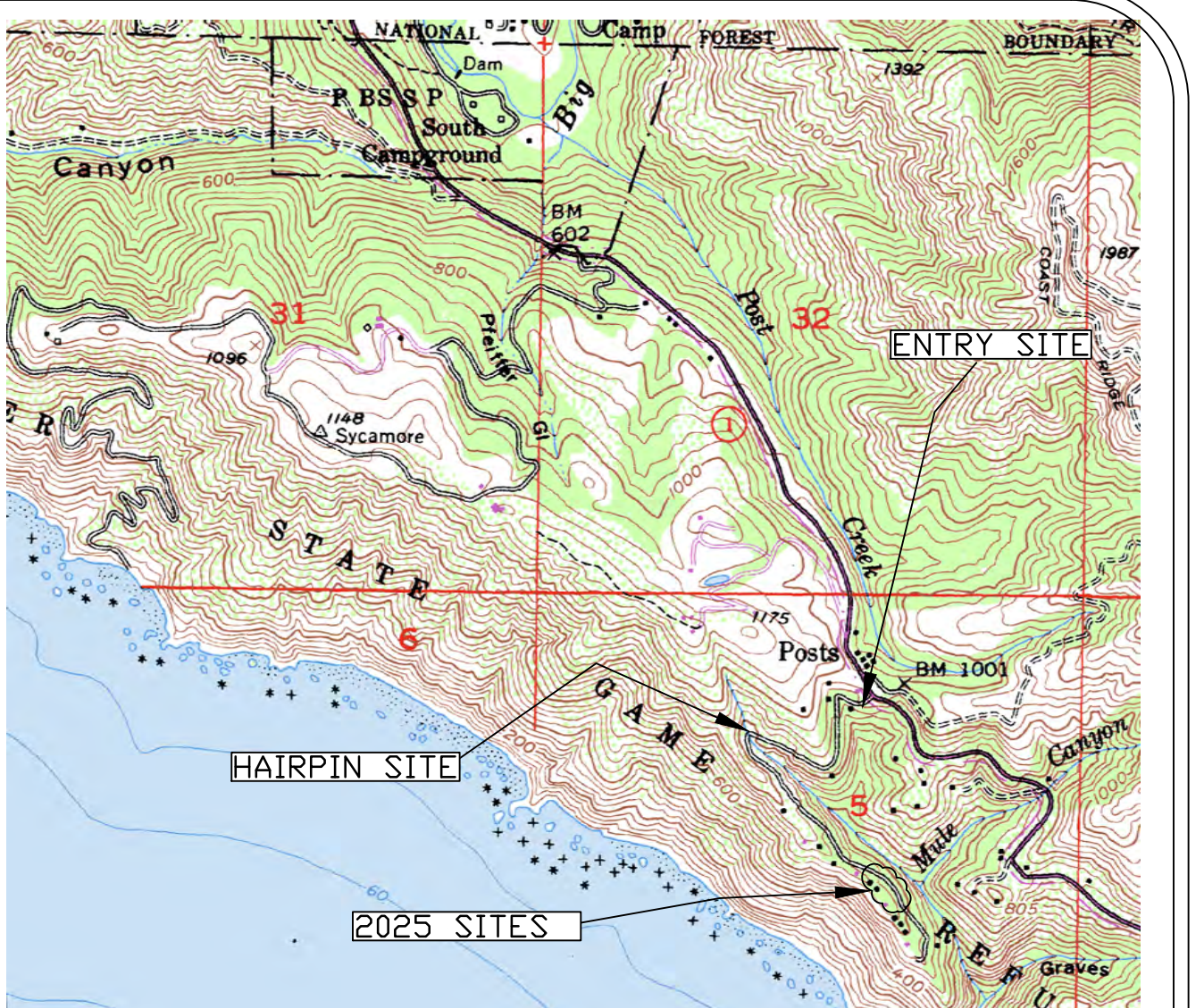
SPECIAL INSPECTIONS, BY A CERTIFIED SPECIAL INSPECTOR, ARE REQUIRED FOR EXISTING SITE SOIL CONDITIONS, FILL PLACEMENT AND LOAD-BEARING REQUIREMENTS. DURING FILL PLACEMENT, THE SPECIAL INSPECTOR SHALL DETERMINE THAT PROPER MATERIALS AND PROCEDURES ARE USED IN ACCORDANCE WITH THE PROVISIONS OF THE APPROVED GEOTECHNICAL REPORT. (CBC1705.6)

SPECIAL TESTS AND INSPECTION SCHEDULE

THE FOLLOWING ITEMS SHALL BE INSPECTED. "SPECIAL INSPECTION" SHALL CONFORM TO 2013 CBC 1704.7. SPECIAL INSPECTION AGENCIES AND/OR INDIVIDUALS SHALL BE RETAINED BY THE OWNER AND APPROVED BY THE BUILDING OFFICIAL PRIOR TO ANY WORK. FOR MATERIAL TESTING REQUIREMENTS, SEE SPECIFICATIONS AND/OR GENERAL NOTES. TESTING AGENCY SHALL SEND COPIES OF ALL STRUCTURAL TESTING AND INSPECTION REPORTS DIRECTLY TO THE BUILDING OFFICIAL AND ENGINEER.

Table with 3 columns: ITEM, REQ., REMARKS. Lists items like BASE EXCAVATION, MAT PLACEMENT, CLASSIFICATION/TESTING FILL MATERIAL, etc.

SOILS ENGINEER TO PROVIDE OBSERVATION DURING GRADING AND FOUNDATION PHASE OF CONSTRUCTION.



LOCATION MAP NOT TO SCALE

THESE PLANS DETAIL THE CONSTRUCTION OF TWO HILFIKER RETAINING WALLS TO REPAIR DAMAGE OF THE COASTLANDS COMMUNITY ROADWAY. IN GENERAL THE DAMAGE IS DUE TO VEHICLE TIRE LOADS AND INADEQUATE ORIGINAL CONSTRUCTION.

A WATER MAIN PASSES THROUGH THE AREA AND WILL BE TEMPORARILY RE-ROUTED DURING CONSTRUCTION.

THE REPAIRS OVERLAY PORTIONS OF THE PARCELS APN 420-171-029-000, 420-147-030-000, 420-171-037-000, 420-147-038-000, & 420-171-039-000

PRIOR REPAIRS COMPLETED UNDER 14CP02580 ADDRESSED THE DAMAGE FROM THE WINTER STORMS OF DECEMBER 2014. THIS CONSTRUCTION PROPOSED TO CONSTRUCT ONE WALL AT THE "ENTRY SITE" AND ONE WALL AT THE "HAIRPIN SITE".

PROJECT OWNER:

COASTLANDS MUTUAL WATER COMPANY
48280 HIGHWAY ONE
BIG SUR, CALIFORNIA 93920

PROJECT CONTRACTOR:

MR. DAVE MARTIN
BLACK TAIL ENG LLC
1125 ROUSCH AVENUE
SEASIDE, CALIFORNIA 93955
(831) 747-0092

PROJECT CIVIL AND GEOTECHNICAL ENGINEER:

GRICE ENGINEERING, INC.
561A BRUNKEN AVENUE
SALINAS, CALIFORNIA 93901
(831) 422-9619

PROJECT SURVEYOR:

NONE AT THIS TIME

REVISION DATES

PUB. 10/01/2025

INDEX

- C-0 TITLE AND SPECIFICATION SHEET
C-1 PARCEL MAP WITH AREAS OF CONSTRUCTION
C-1.5 SITE PLAN
C-2.0 PROFILES
C-2.1 SECTIONS
C-4 HILFIKER TYPICAL DETAILS
C-5.0 EROSION CONTROL
C-5.1 EROSION CONTROL NOTES AND DETAILS

GRICE ENGINEERING INC logo and contact information: 561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE. Includes a circular professional seal for Lawrence E. Grice, P.E., R.C.E. 66857.

PREPARED FOR: COASTLANDS MUTUAL WATER COMPANY C/O MR. DAVE MARTIN BLACK TAIL ENG LLC 1125 ROUSCH AVENUE SEASIDE, CALIFORNIA 93955

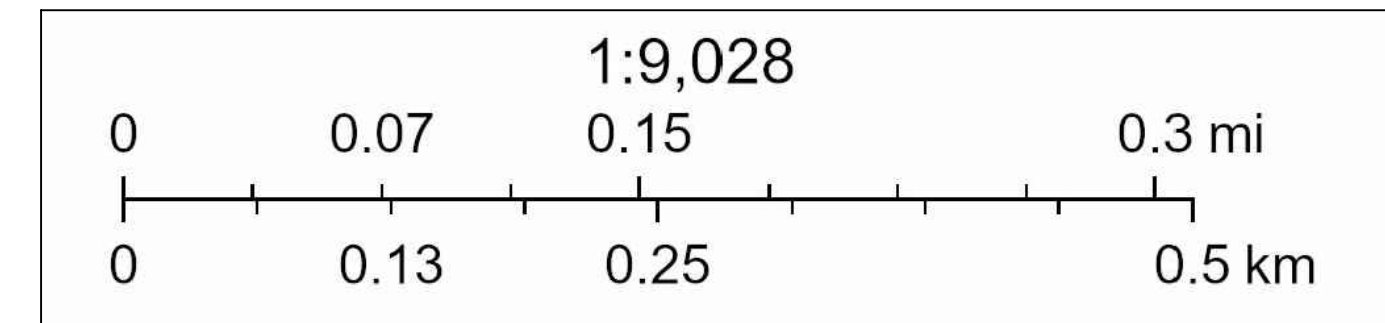
COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039. IMPROVEMENT PLANS - ROAD REPAIR TITLE AND SPECIFICATION SHEET

C-0 Date Plotted: Oct 06, 2025. COASTLANDS SUBDIVISION FILE NO. 7872-24.06



9/12/2025, 11:34:21 AM

- MONTEREY CO Roads
- Minor Arterial
- Local
- Parcels



Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

REVISION DATES

PUB. 10/01/2025

County of Monterey | Maxar | Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS | ArcGIS Web AppBuilder

GRICE ENGINEERING INC
 ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES
 561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE

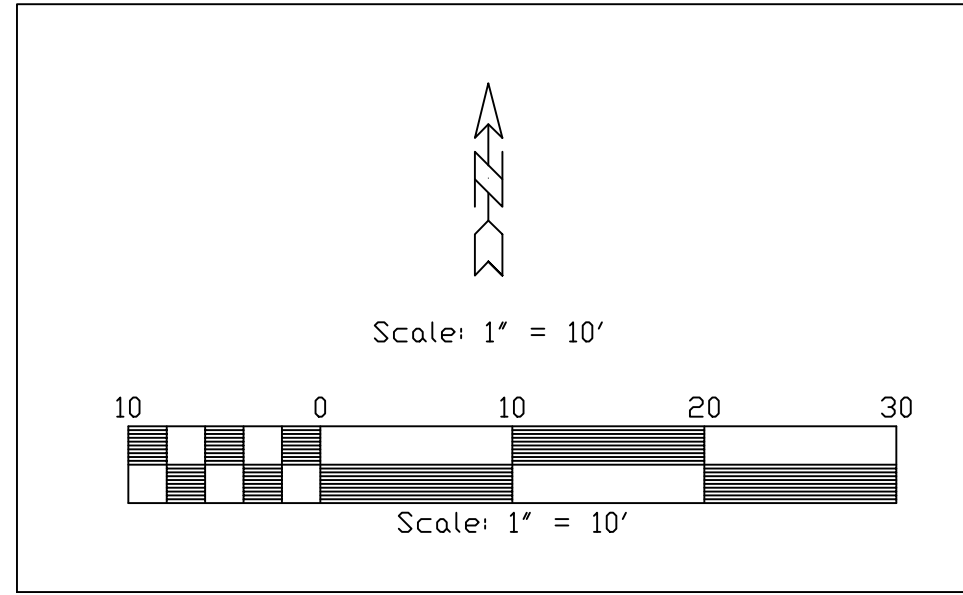
 LAWRENCE E. GRICE, P.E. : R.C.E. 66857

PREPARED FOR:
 COASTLANDS MUTUAL WATER COMPANY
 C/O MR. DAVE MARTIN
 BLACKTAIL ENGINEERING, INC
 1125 ROUSCH AVENUE
 SEASIDE, CALIFORNIA 93955

COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
 ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
 A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039
IMPROVEMENT PLANS - ROAD REPAIR
 PARCEL MAP WITH AREAS OF CONSTRUCTION

C-1
 Date Plotted: Oct 06, 2025
 COASTLANDS SUBDIVISION
 FILE NO. 7872-24.06

☐ = Slopes in Excess of 30%



PARCEL
APN 420-171-030

PARCEL
APN 420-171-029

HOUSE 9 -RIGHT
48216 HWY 1
APN 421-171-037

UPPER REPAIR

HOUSE 10 -RIGHT
APN 420-171-038

LOWER REPAIR

HOUSE 11 -RIGHT
APN 420-171-039

RELEASE WALL DRAIN TO GRADE.
PROVIDE RIP-RAP ENERGY DISSIPATOR
PER DETAIL 6 / C-2.1, TYPICAL

REVISION
DATES

PUB 10/01/25

C-1.5

Date Plotted: Oct 06, 2025

LOWER COASTLANDS ROAD
FILE NO. 7872-24.06

GRICE ENGINEERING INC

ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES

561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE



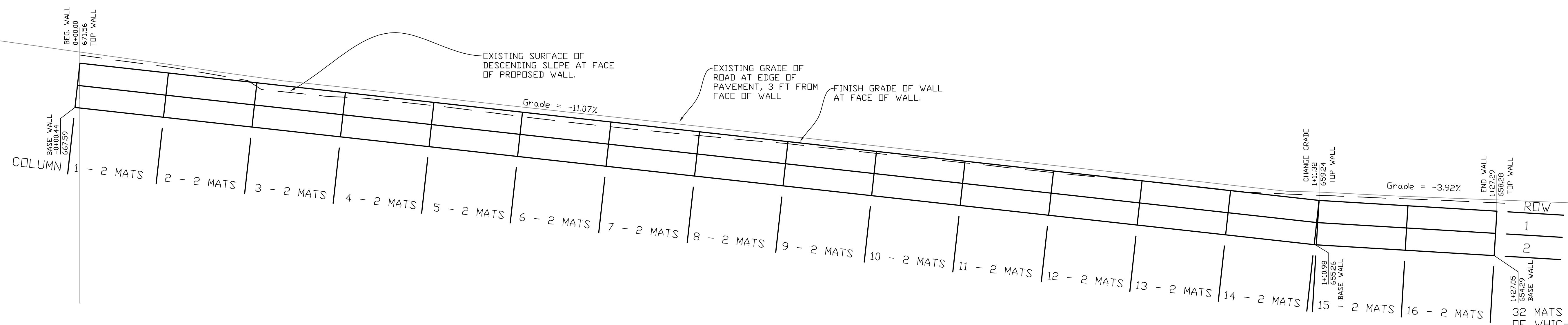
LAWRENCE E. GRICE, P.E.; R.C.E. 66857

PREPARED FOR:

COASTLANDS MUTUAL WATER COMPANY
C/O MR. DAVE MARTIN
BLACK TAIL ENG LLC
1125 ROUSCH AVENUE
SEASIDE, CALIFORNIA 93955

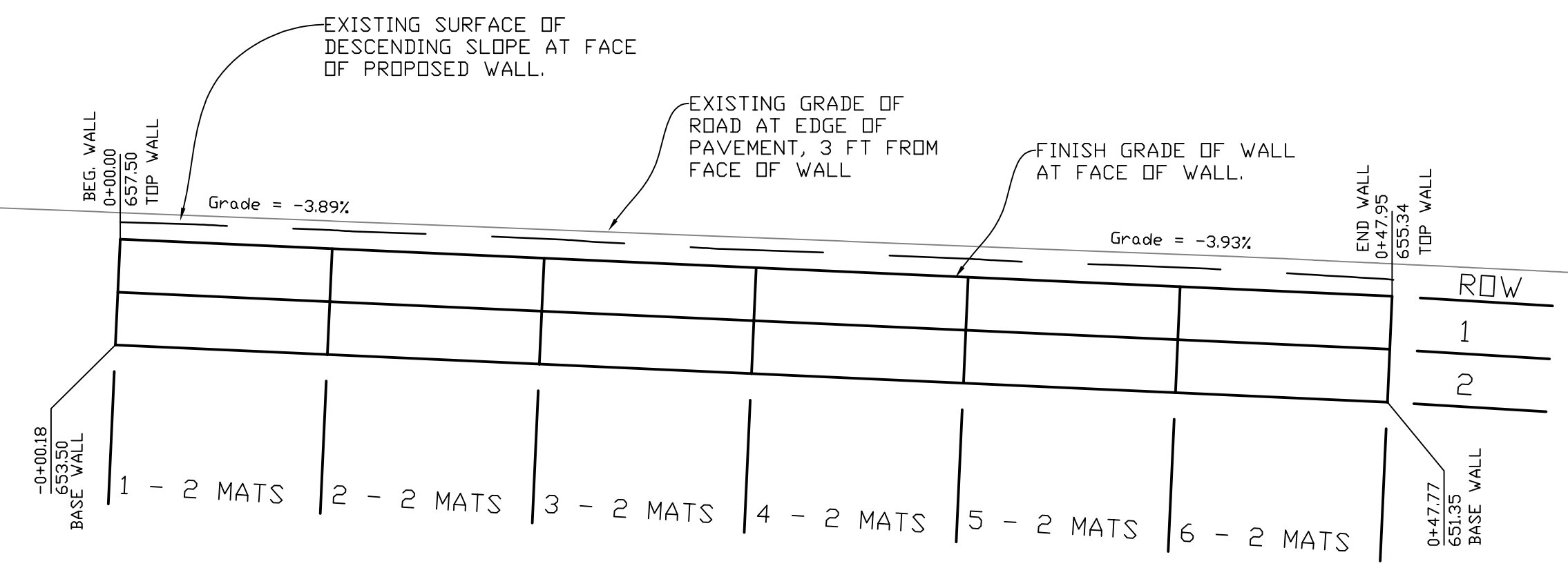
COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039

IMPROVEMENT PLANS - ROADWAY REPAIRS
PLAN; STA 39+00 TO 41+00



1 PROFILE - UPPER REPAIR - HILFIKER WALL STA 39+65.52 TO 40+96.79
SCALE 1" = 4' : HORZ. AND VERT.

32 MATS TOTAL
OF WHICH
16 BOTTOM MATS
16 PRONGLESS MATS
16 ADDITIONAL TOP (CAP) MATS
ALL MATS TO BE 8'9" BASE
DEPTH, W7 WIRE, HOT DIP
GALVANIZED



2 PROFILE - LOWER REPAIR - HILFIKER WALL STA 41+14.51 TO 41+06:83
SCALE 1" = 4' : HORZ. AND VERT.

12 MATS TOTAL
OF WHICH
6 BOTTOM MATS
6 PRONGLESS MATS
6 ADDITIONAL TOP (CAP) MATS
ALL MATS TO BE 8'9" BASE
DEPTH, W7 WIRE, HOT DIP
GALVANIZED

REVISION DATES

PUB 10/01/25

GRICE ENGINEERING INC

ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES
561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE



LAWRENCE E. GRICE, P.E.; R.C.E. 66857

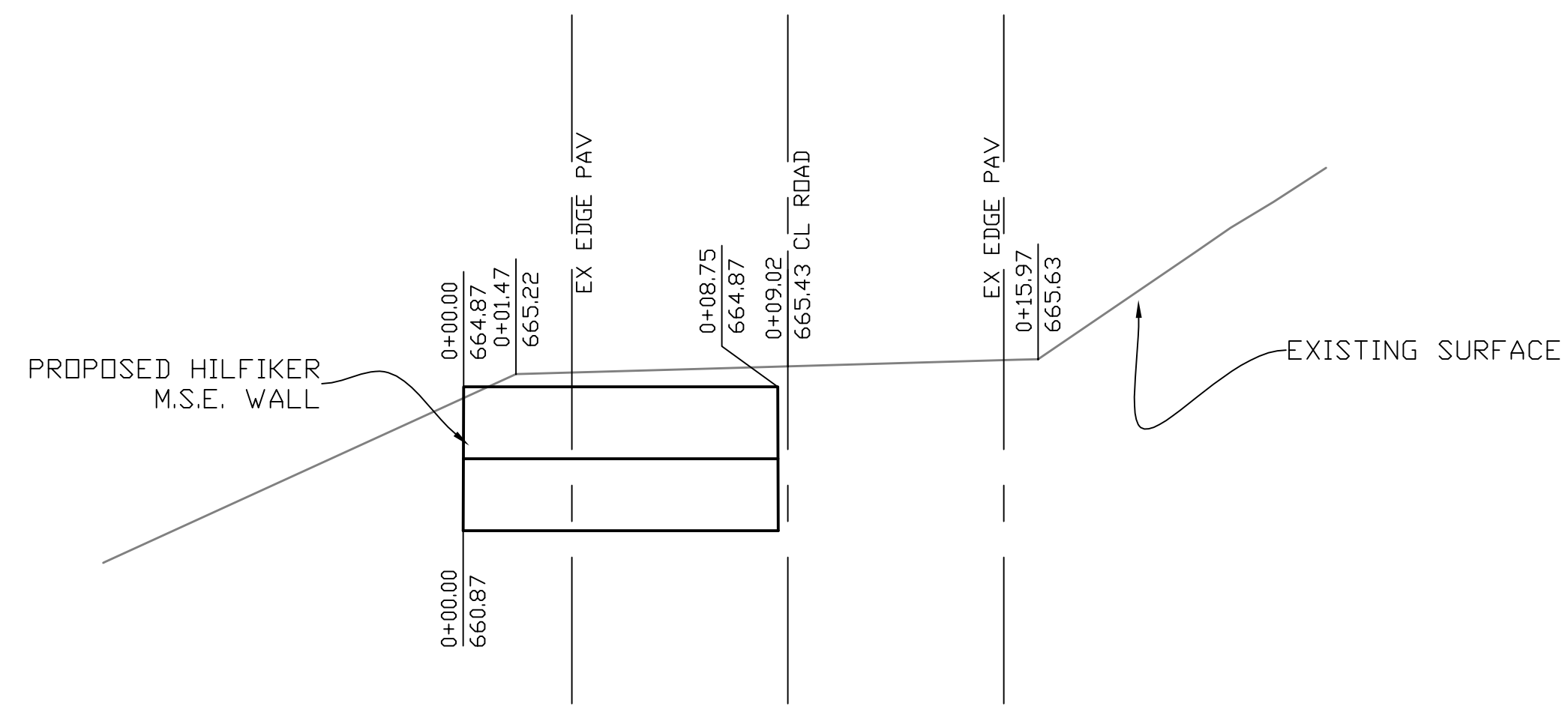
PREPARED FOR:

COASTLANDS MUTUAL WATER COMPANY
C/O MR. DAVE MARTIN
BLACK TAIL ENG LLC
1125 ROUSCH AVENUE
SEASIDE, CALIFORNIA 93955

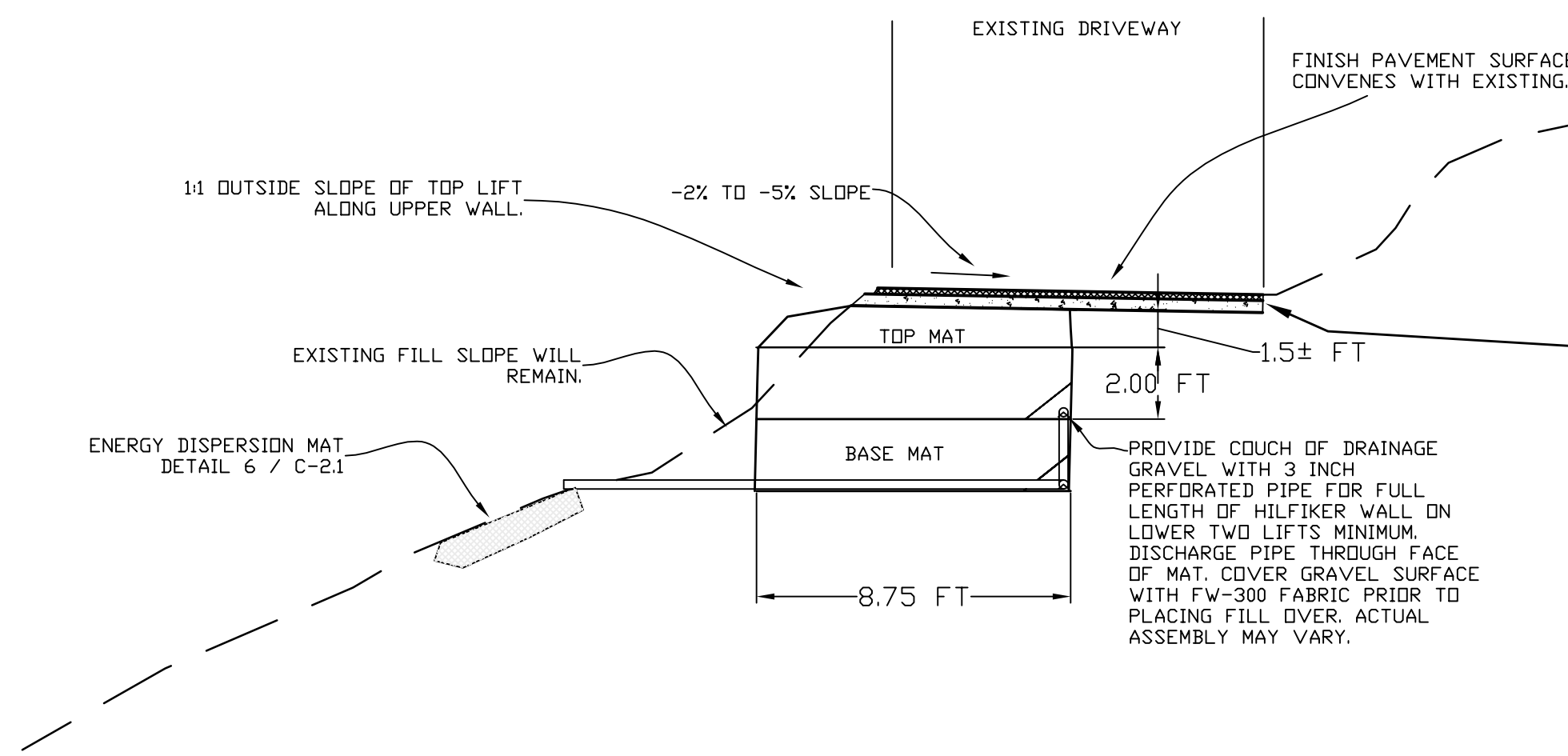
COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039
IMPROVEMENT PLANS - ROAD REPAIR
PROFILES

C-2.0
Date Plotted: Oct 06, 2025

LOWER COASTLANDS ROAD
FILE NO. 7872-24.06



3 SECTION THROUGH UPPER WALL
SCALE 1" = 4'; HORZ. AND VERT.



5 TYPICAL SECTION AND DRAINAGE
SCALE NONE

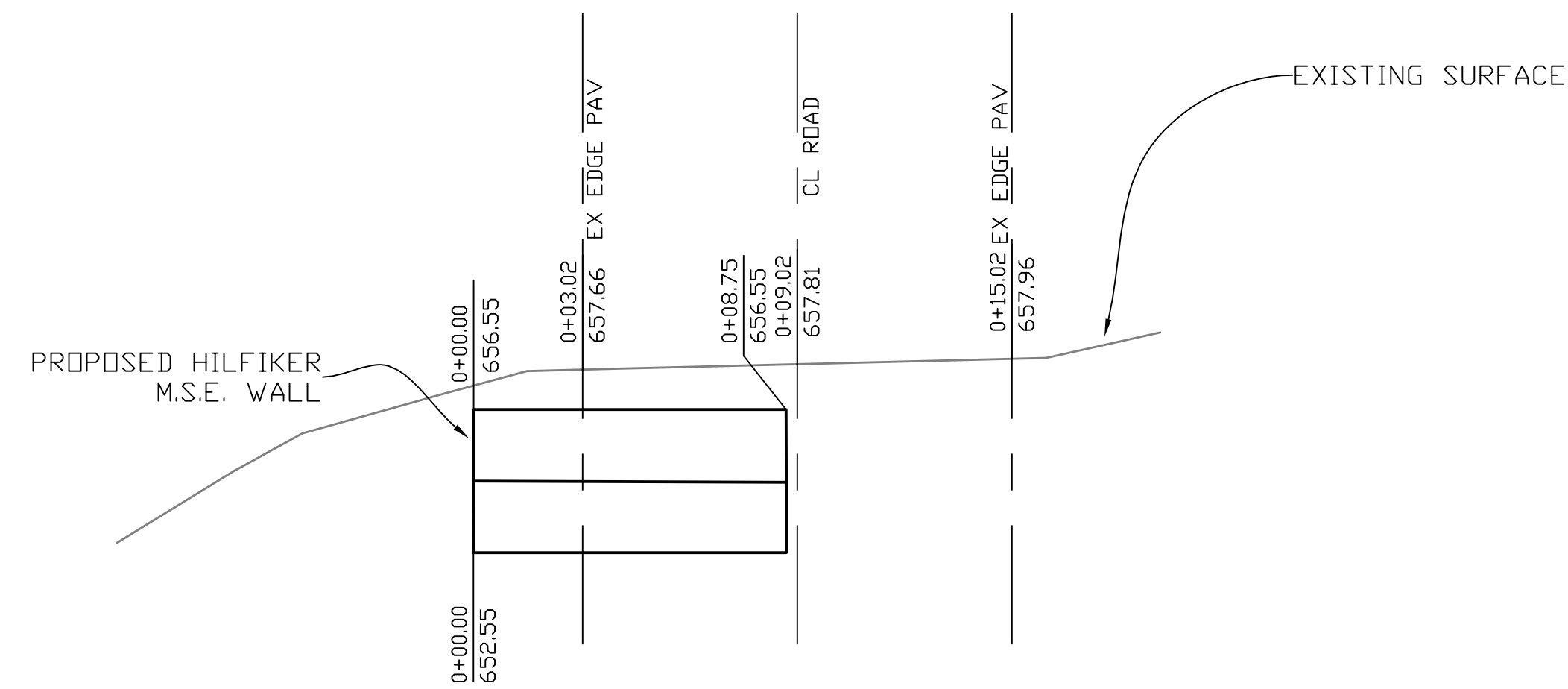
Recommended Pavement Sections
Asphaltic concrete surfacing is recommended. It is recommended that the minimum sections are as follows.

PAVEMENT SECTIONS		
Grade	Material	Aggregate Base
		Inches
Surfacing	AC 1	2.00
Base	CL 2	4.00
Subbase	CL 4	0.00
Sub-grade	SG 1	12.00

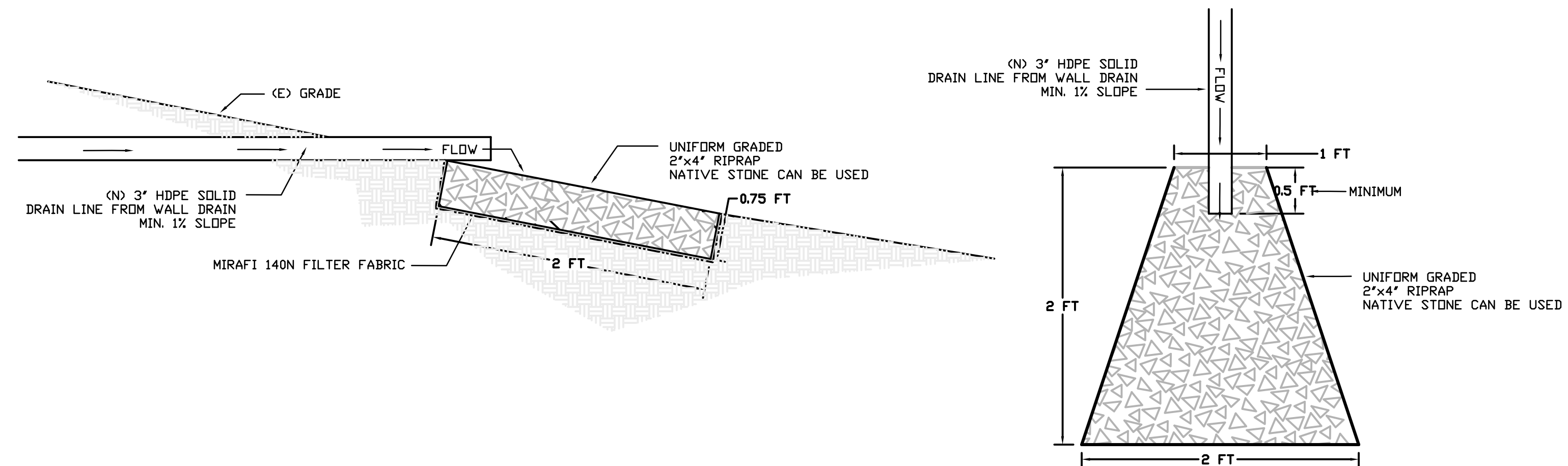
Class 2 base aggregate may be substituted for Class 4 base aggregate at the following ratio of 1 inch of Class 2 equals 1.2 inches of Class 4. The inverse ratio is also appropriate. Compaction of all sections to be 95% Relative Density.

Specifications of Pavement Materials

- AC 1 Asphalt Concrete 1, CalTrans, "Section 39", Type B, 1/2" inch maximum, medium graded. Individual lifts are to be a maximum of 2.5" in height after compaction.
- CL 2 Base Aggregate, CalTrans, "Section 26", Class 2 base aggregate, 3/4" maximum aggregate. Compacted to 95% Relative Density.
- CL 4 Base Aggregate, City of Salinas, "Section 25", Class 4 base aggregate, 3/4" maximum aggregate. Compacted to 95% Relative Density.
- SG 1 Sub-grade 1, native material scarified, moisture and size prepared, and compacted to 95% Relative Density.



4 SECTION THROUGH LOWER WALL
SCALE 1" = 4'; HORZ. AND VERT.



6 TYPICAL ENERGY DISPERSION MAT
SCALE NONE

REVISION DATES

PUB 10/01/25

NOT VALID WITHOUT STAMP AND SIGNATURE



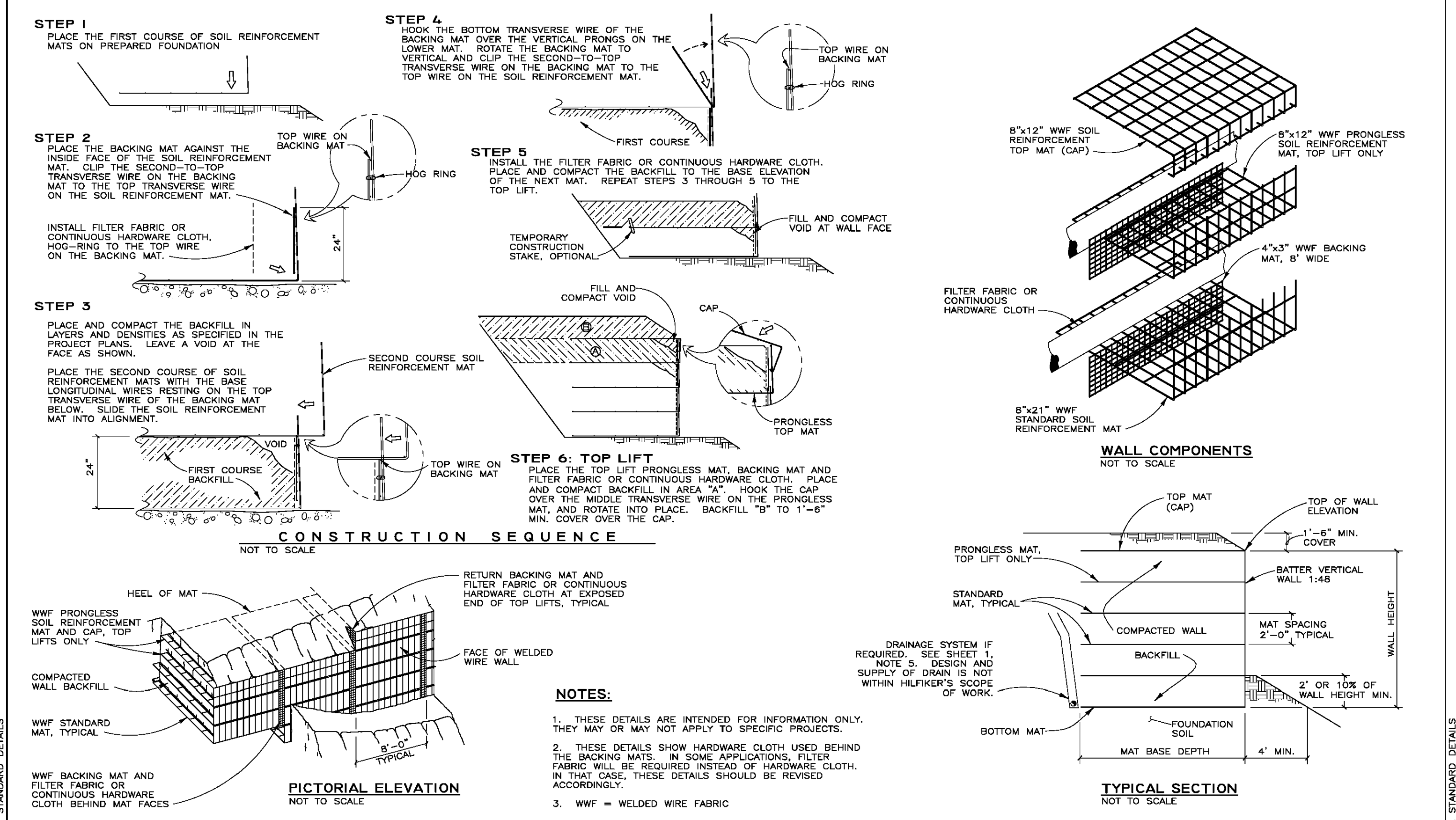
LAWRENCE E. GRICE, P.E.; R.C.E. 66857

PREPARED FOR:
COASTLANDS MUTUAL WATER COMPANY
C/O MR. DAVE MARTIN
BLACK TAIL ENG LLC
1125 ROUSCH AVENUE
SEASIDE, CALIFORNIA 93955

COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039
IMPROVEMENT PLANS - ROAD REPAIR SECTIONS

C-2.1
Date Plotted: Oct 06, 2025

LOWER COASTLANDS ROAD
FILE NO. 7872-24.06

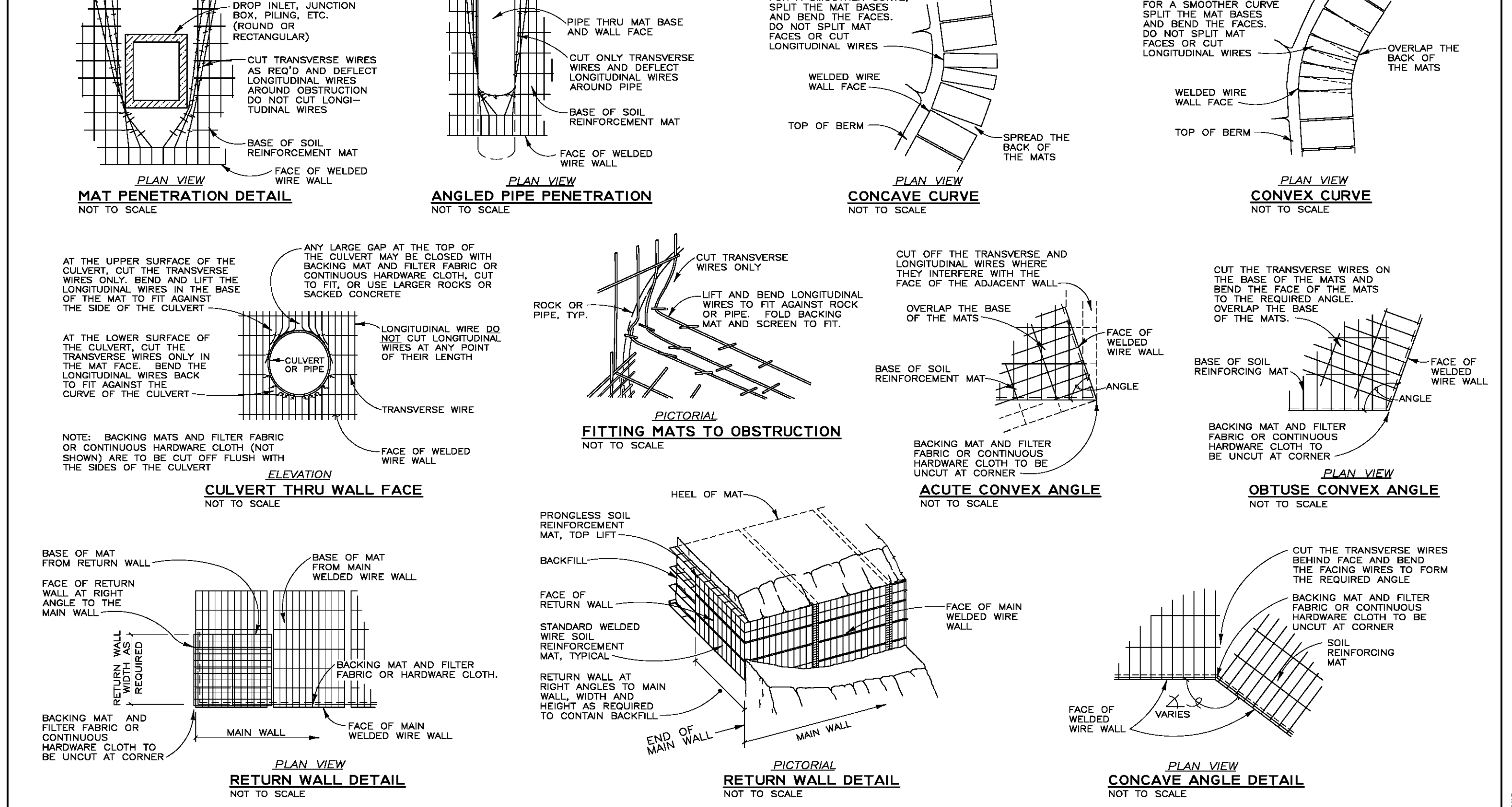


REVNO	DATE	BY	DESCRIPTION
1	6 JAN 03	DR	MINOR REVISIONS
2	25 SEP 06	AMJ	MINOR REVISIONS, UPDATED BORDER
3	12 SEP 07	AMJ	MINOR REVISIONS, UPDATED BORDER
4	17 SEP 07	JTE	CHANGED LOGO, FIXED LEADERS

HILFIKER RETAINING WALLS
1902 Hillier Lane, Escondido, CA 92029-9711
Tel: 760.443.5993 Fax: 760.443.2891
www.hilfi.com

STANDARD DRAWING
WELDED WIRE RETAINING WALL
24" LIFTS

PROJECT NO. 1 SHEET 1 OF 3



REVNO	DATE	BY	DESCRIPTION
1	6 JAN 03	DR	MINOR REVISIONS
2	25 SEP 06	AMJ	MINOR REVISIONS, UPDATED BORDER
3	12 SEP 07	AMJ	MINOR REVISIONS, UPDATED BORDER
4	17 SEP 07	JTE	CHANGED LOGO, FIXED LEADERS

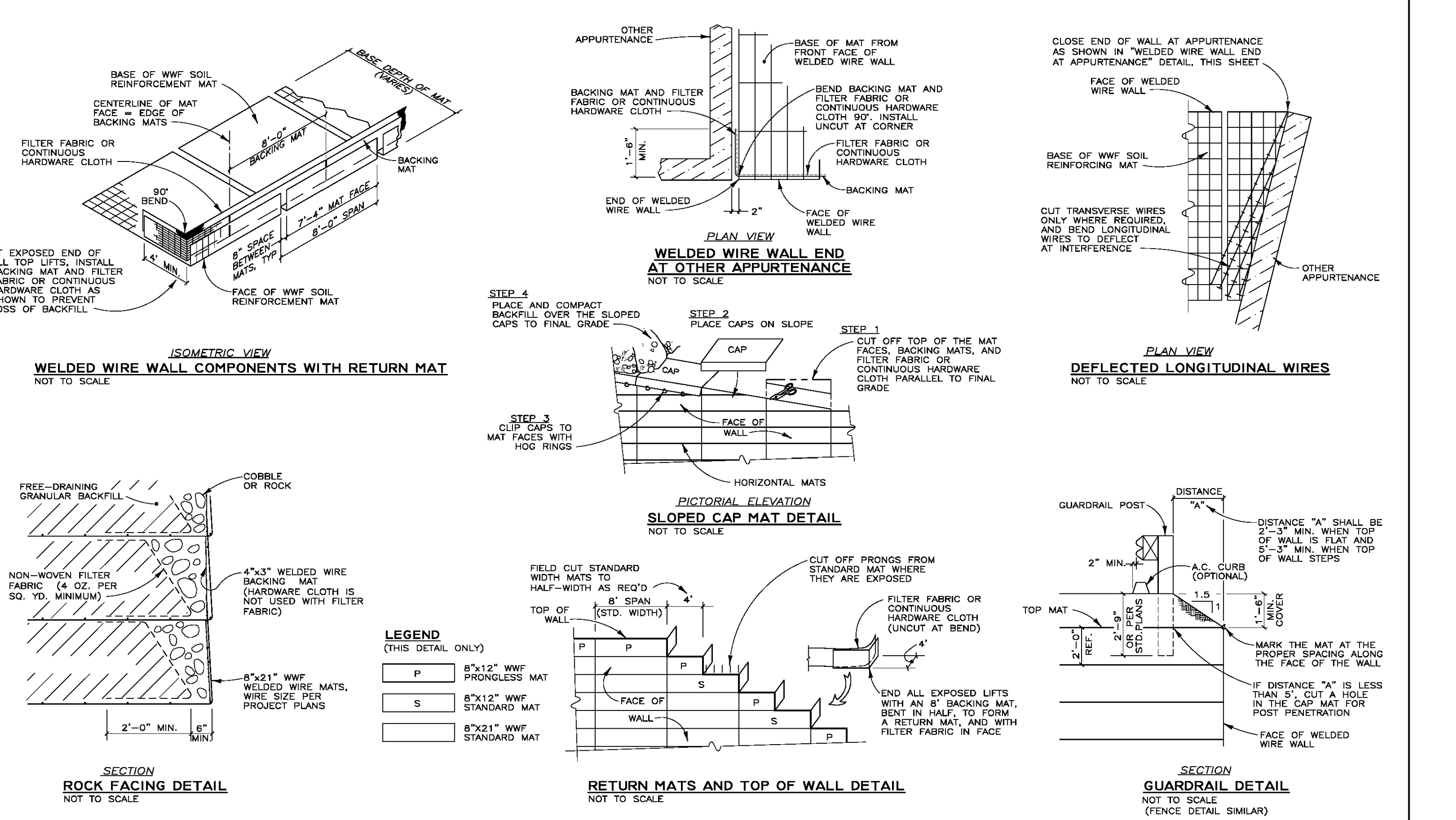
HILFIKER RETAINING WALLS
1902 Hillier Lane, Escondido, CA 92029-9711
Tel: 760.443.5993 Fax: 760.443.2891
www.hilfi.com

STANDARD DRAWING
WELDED WIRE RETAINING WALL
24" LIFTS

PROJECT NO. 1 SHEET 2 OF 3

GRICE ENGINEERING INC
ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES
561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE
LAWRENCE E. GRICE, P.E. R.C.E. 66857

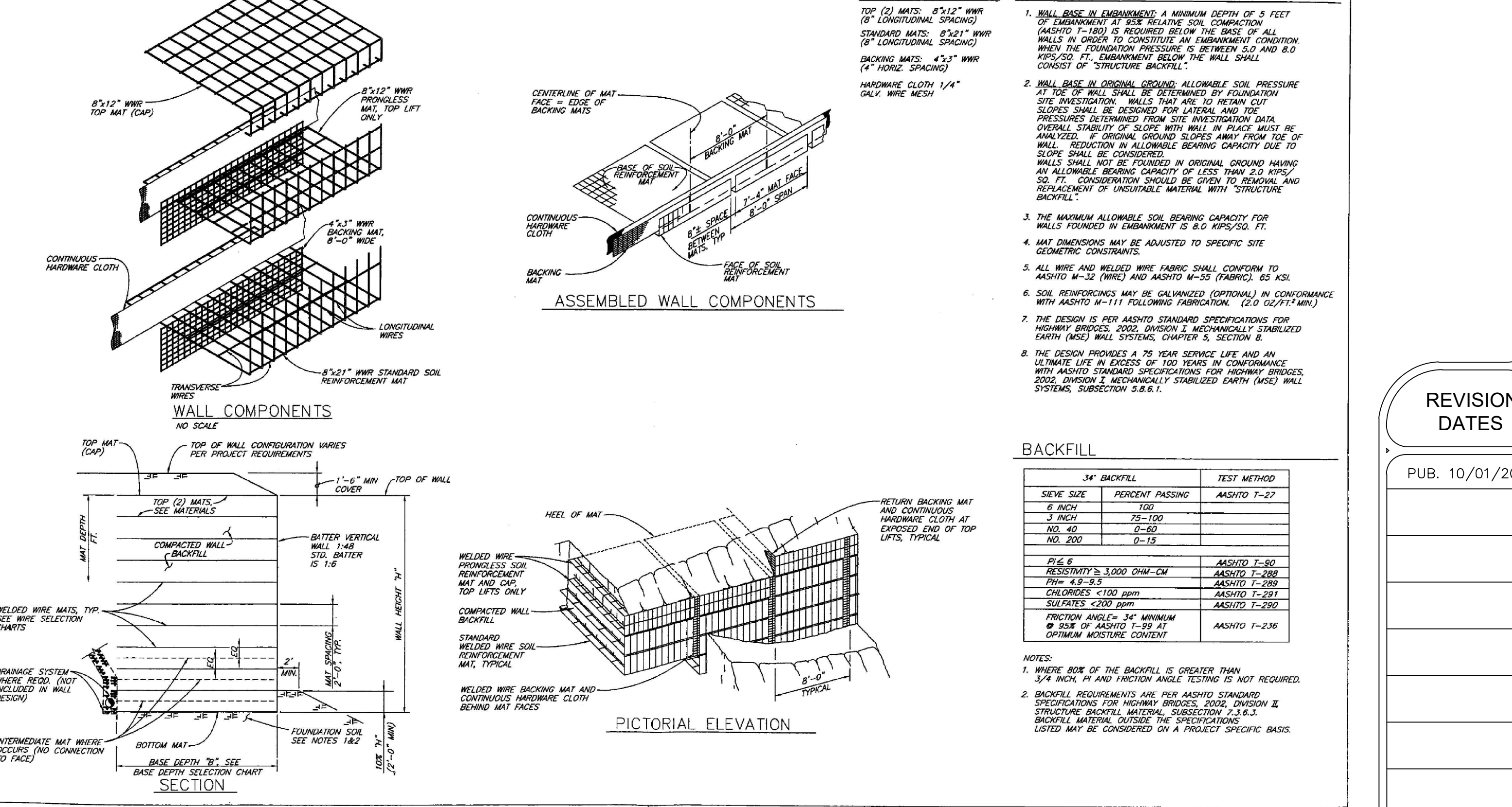


REVNO	DATE	BY	DESCRIPTION
1	6 JAN 03	DR	MINOR REVISIONS
2	25 SEP 06	AMJ	MINOR REVISIONS, UPDATED BORDER
3	12 SEP 07	AMJ	MINOR REVISIONS, UPDATED BORDER
4	17 SEP 07	JTE	CHANGED LOGO, FIXED LEADERS

HILFIKER RETAINING WALLS
1902 Hillier Lane, Escondido, CA 92029-9711
Tel: 760.443.5993 Fax: 760.443.2891
www.hilfi.com

STANDARD DRAWING
WELDED WIRE RETAINING WALL
24" LIFTS

PROJECT NO. 1 SHEET 3 OF 3



SIEVE SIZE	PERCENT PASSING	TEST METHOD
6 INCH	100	AASHTO T-27
3 INCH	100	
NO. 40	0-60	
NO. 200	0-15	

HILFIKER RETAINING WALLS
1902 Hillier Lane, Escondido, CA 92029-9711
Tel: 760.443.5993 Fax: 760.443.2891
www.hilfi.com

STANDARD DRAWING
WELDED WIRE RETAINING WALL
24" LIFTS

PROJECT NO. 1 SHEET 3 OF 3

PREPARED FOR:
COASTLANDS MUTUAL WATER COMPANY
C/O MR. DAVE MARTIN
BLACK TAIL ENG LLC
1125 ROUSCH AVENUE
SEASIDE, CALIFORNIA 93955

COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039

IMPROVEMENT PLANS - ROAD REPAIR
HILFIKER TYPICAL DETAILS


C-4
Date Plotted: Oct 06, 2025
COASTLANDS SUBDIVISION
FILE NO. 7872-24.06


WIND EROSION CONTROL:
 1. ALL ACTIVE AREAS AND NEW BARE EARTH SURFACES ARE TO BE SPRAY WATERED DAILY OR AS REQUIRED TO ELIMINATE AIRBORNE DUST.
 2. CONSTRUCTION TRAFFIC TO BE LIMITED TO A VELOCITY OF 15 MPH OR LESS.
 3. HAUL TRUCKS TO UTILIZE COVERS WHEN VEHICLE SPEEDS ALLOW WIND EROSION.

NOTE:
 - Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations.
 - During construction, the owner/applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point.
 - Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services to ensure that all disturbed areas have been stabilized and that all temporary erosion and sediment control measures that are no longer needed have been removed.

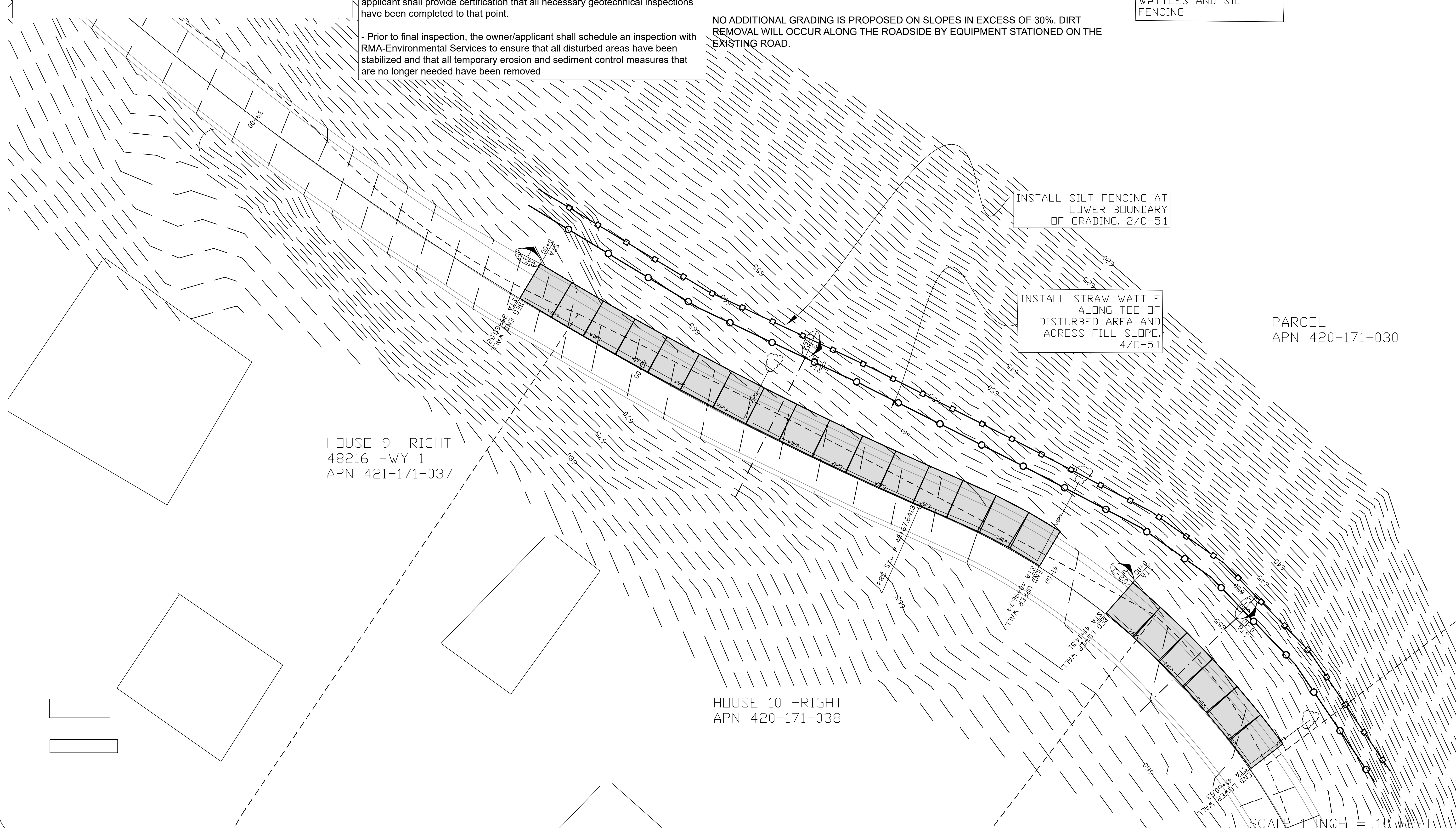
NOTES:
 CONSTRUCTION TRAFFIC ACCESS IS OVER COASTLANDS ROAD EXTENDING 4000 FT TO HIGHWAY ONE. TRACKING OF DEBRIS OFF SITE IS NOT CURRENTLY ANTICIPATED. SHOULD THE POTENTIAL OF SUCH EXIST INSTALL CONSTRUCTION ENTRANCE PER DETAIL 1/C-5.1 OR PROVIDE OTHER MEANS OF DEBRIS REMOVAL FROM TIRES.
 STOCKPILE, MATERIALS AND EQUIPMENT STORAGE, WASTE COLLECTION, CONCRETE WASHOUT CONTAINMENT AND SANITATION FACILITY TO BE LOCATED IN HAIR PIN TURNOUT
 NO ADDITIONAL GRADING IS PROPOSED ON SLOPES IN EXCESS OF 30%. DIRT REMOVAL WILL OCCUR ALONG THE ROADSIDE BY EQUIPMENT STATIONED ON THE EXISTING ROAD.

LEGEND

STRAW ROLLS / WATTLE 

SILT FENCING 

REFER TO DETAILS 2/C-5.1 & 4/C-5.1 FOR INSTALLATION OF STRAW WATTLES AND SILT FENCING




REVISION DATES
PUB. 10/01/2025

GRICE ENGINEERING INC

ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES

561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE



LAWRENCE E. GRICE, P.E. ; R.C.E. 66857

PREPARED FOR:

COASTLANDS MUTUAL WATER COMPANY
 C/O MR. DAVE MARTIN
 BLACK TAIL ENG LLC
 1125 ROUSCH AVENUE
 SEASIDE, CALIFORNIA 93955

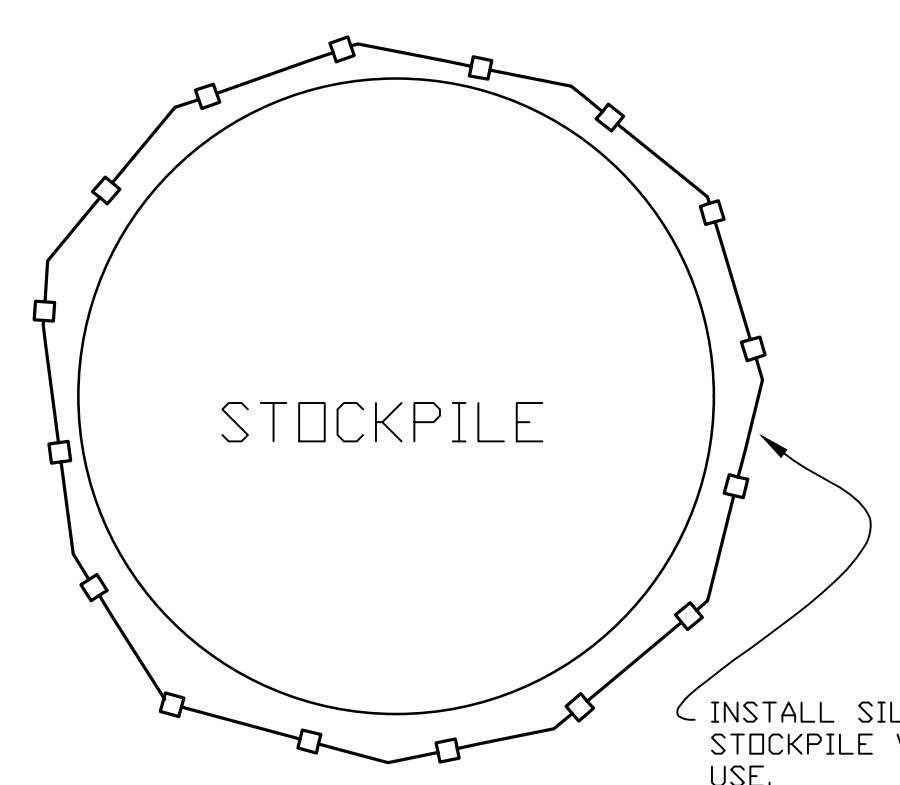
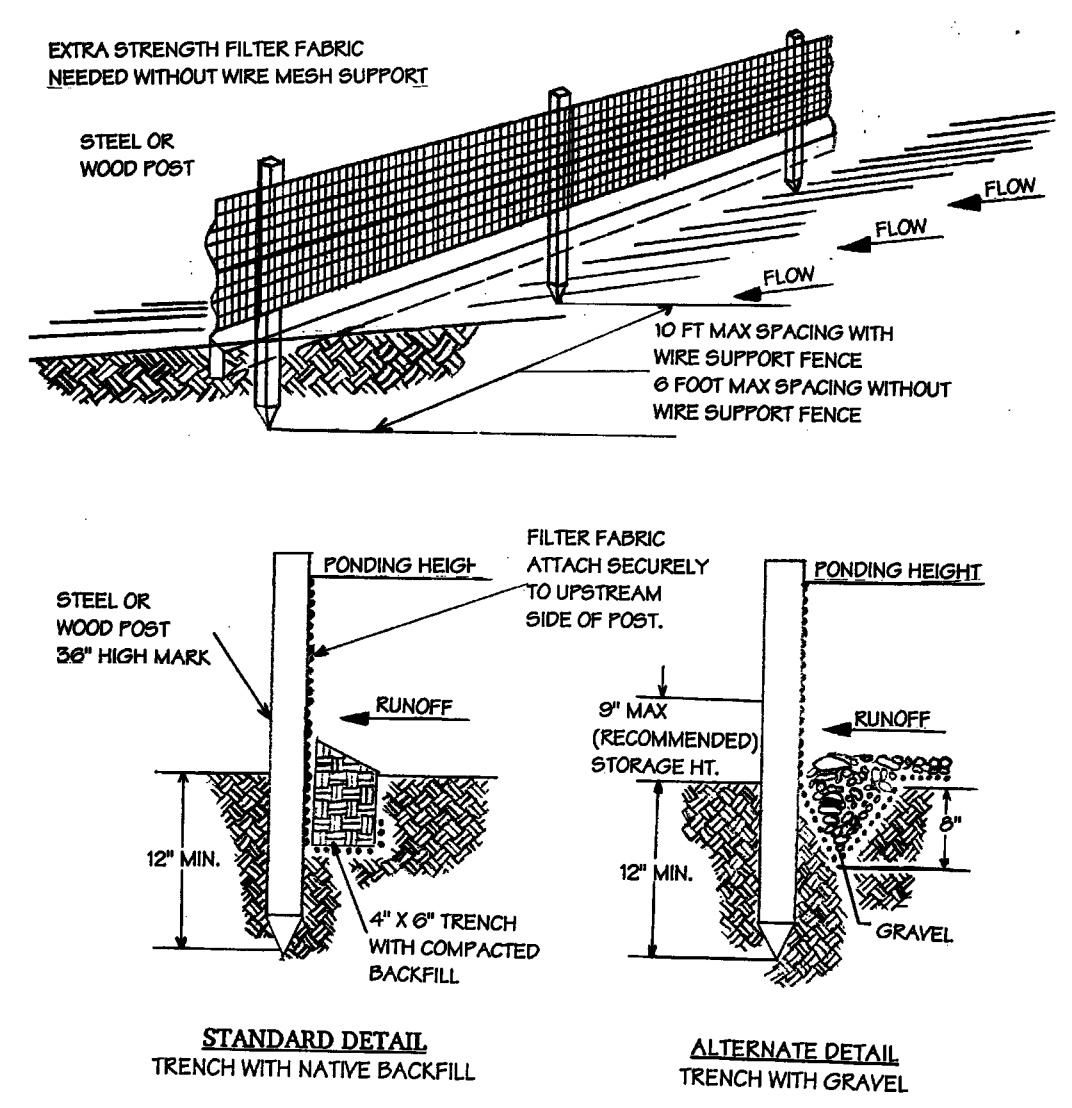
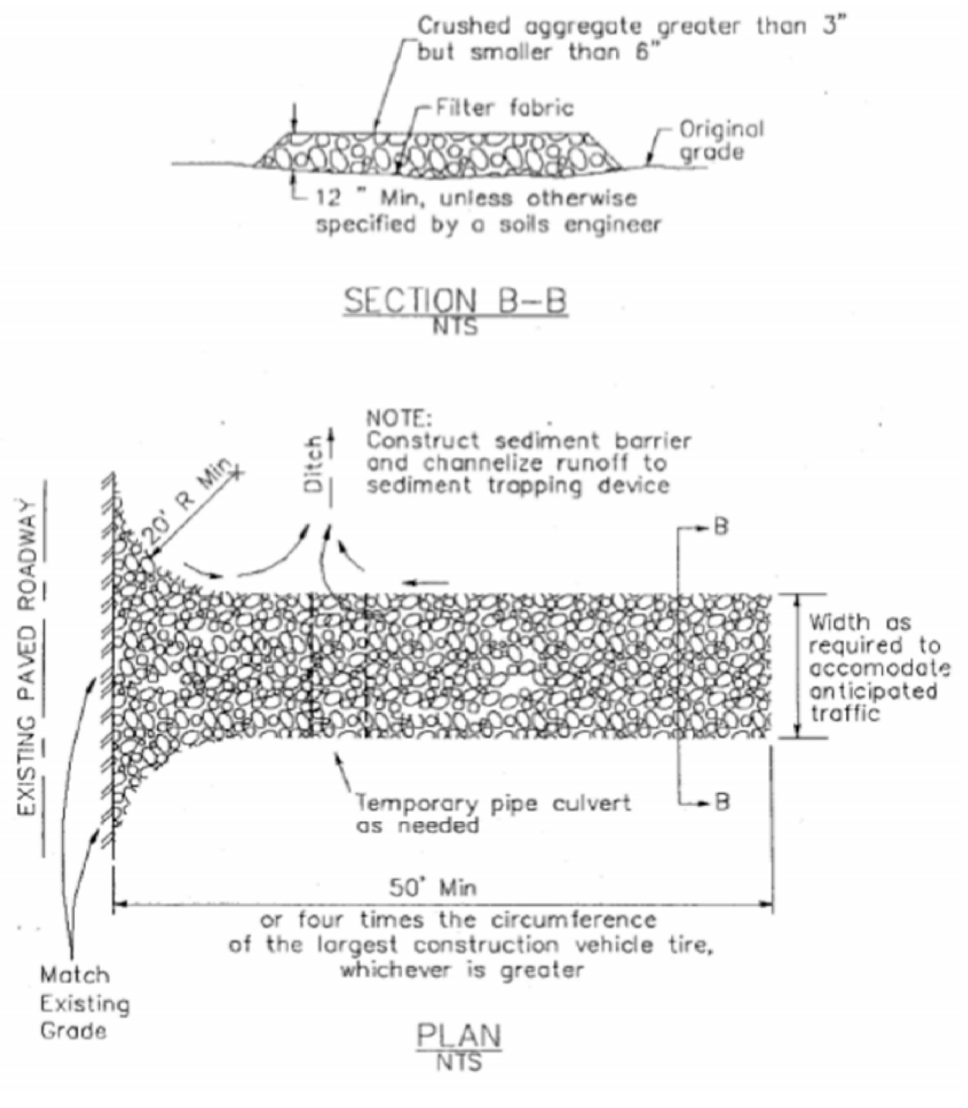
COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
 ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
 A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039

IMPROVEMENT PLANS - ROAD REPAIR

EROSION CONTROL - SITE PLAN

C-5.0
 Date Plotted: Oct 06, 2025

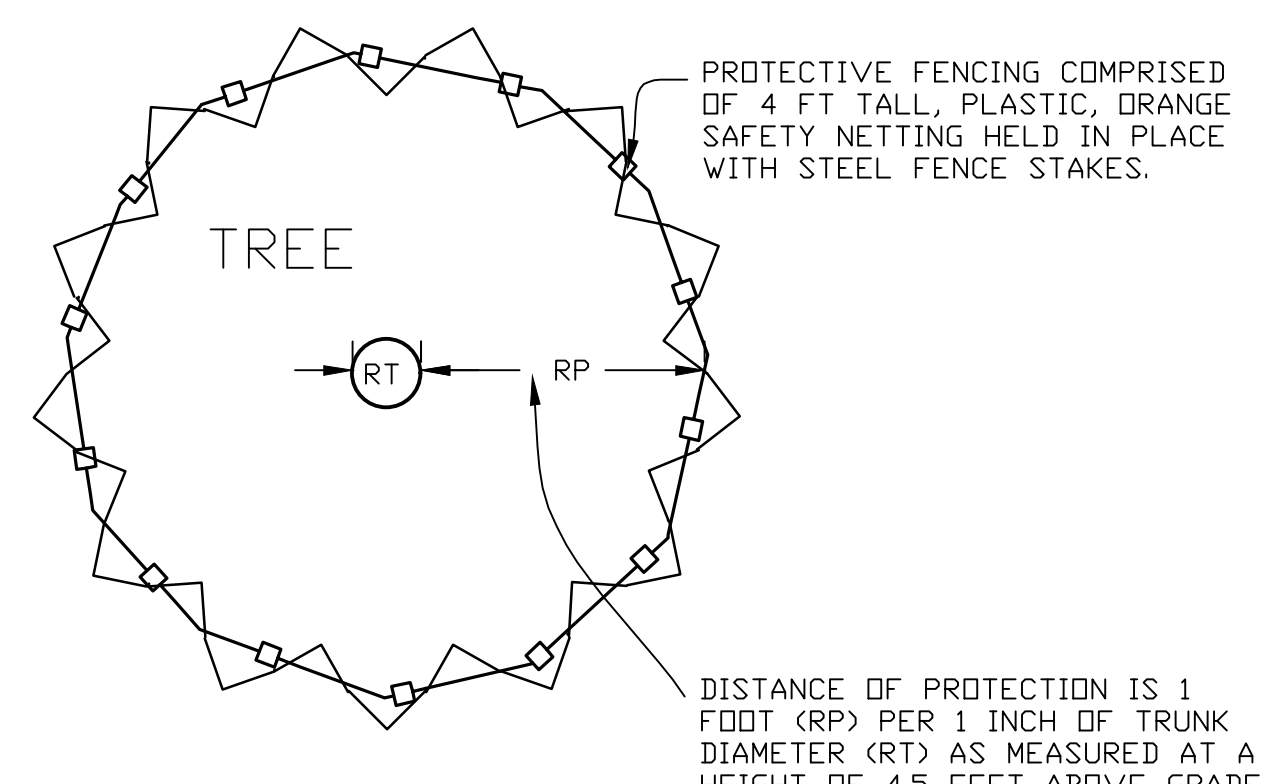
COASTLANDS SUBDIVISION
 FILE NO. 7872-24.06



1. LOCATE STOCKPILES A MINIMUM OF 50 FEET AWAY FROM CONCENTRATED FLOW OF STORM WATER, DRAINAGE COURSES AND INLETS.
2. PROTECT ALL STOCKPILES FROM STORM WATER RUN-ON USING A TEMPORARY PERIMETER SEDIMENT BARRIER OF SILT FENCING.
3. IMPLEMENT WIND EROSION CONTROL PRACTICES AS APPROPRIATE ON ALL STOCKPILED MATERIAL.

FILL PLACEMENT WITH THE PROTECTED AREA IS ALLOWED. COMPACTION OF FILL IS TO BE MINIMAL AND ONLY SUFFICIENT TO SETTLE SOILS.

CUTTING WITHIN PROTECTED AREA IS TO BE AVOIDED FOR PROTECTED TREE SPECIES OR FOR TREES TO REMAIN.



① CONSTRUCTION ENTRANCE

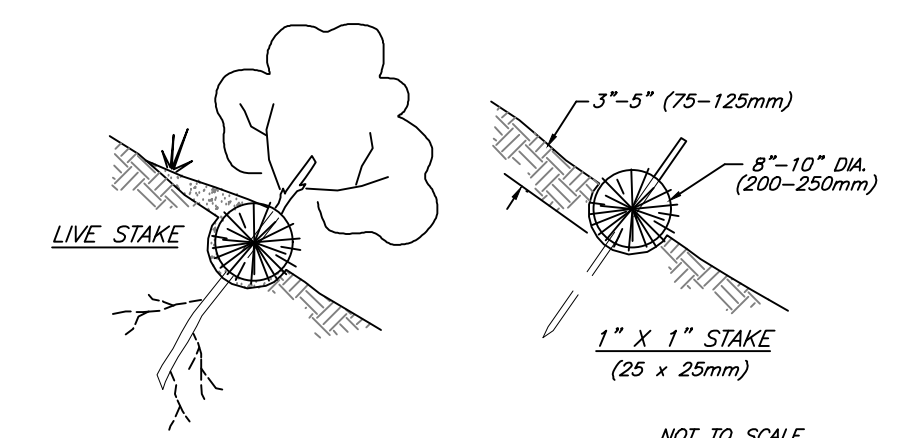
② SILT FENCE INSTALLATION DETAILS NOT TO SCALE

③ TEMPORARY ACTIVE STOCKPILE MANAGEMENT

⑥ TEMPORARY TREE PROTECTION

NOTE:
1. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.

STRAW ROLLS



NOTE:
1. STRAW ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 3"-5" (75-125mm) DEEP, DUG ON CONTOUR. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND ROLL.
© 1998 JOHN MUDALAH

STRAW WATTLE INSTALLATION

Proper installation of the Straw Wattles is essential in order to insure the success of the product. Straw Wattles are designed for low surface flows, not to exceed 1 cfs for small areas. While they work well on stream banks, they should not be placed in the path of high water flow. On slopes, Wattles should be installed on contour with a slight downward angle at the end of the row in order to prevent pooling at the mid-section. No overall slope preparation is needed prior to installation, however Straw Wattles should always be installed in shallow trenches according to the guidelines given below. Running lengths of Wattles should be abutted firmly to ensure no leakage at the abutments. Guidelines regarding vertical spacing are given below. The Wattles should be pinned securely to the ground according to instructions in order to insure their stability and the success of the installation.

SPACING - DOWN SLOPE

Vertical spacing for slope installations should be determined by site conditions: slope gradient and soil type are the main factors. A good rule-of-thumb is:

- 1:1 slopes = 10 feet apart
- 2:1 slopes = 20 feet apart
- 3:1 slopes = 30 feet apart
- 4:1 slopes = 40 feet apart, etc.

However, adjustments may have to be made for the soil type: For soft, loamy soils - adjust the rows closer together; For hard, rocky soils - adjust the rows further apart.

TRENCHING

Use a hand tool such as a maddox or pick to score the ground. Using a shovel, dig the trench to the needed depth. Soil from excavating the trenches can be placed on the uphill, or flow side, of the trench to be used during installation.

For soft, loamy soils dig a 3 - 5 inch trench.
For hard, rocky soils dig a 2 - 3 inch trench.

INSTALLING

Lay the first Straw Wattle snugly in the trench. No daylight should be seen under the Wattle. Pack soil from trenching against the Wattle on the uphill side. When installing running lengths of Straw Wattles, butt the second Wattle tightly against the first. DO NOT overlap the ends. Stake the Straw Wattles at each end and four foot on center. For example:

- A 25 foot Wattle uses 6 stakes
- A 20 foot Wattle uses 5 stakes
- A 12 foot Wattle uses 4 stakes

Stakes should be driven through the middle of the Wattle, leaving 2 - 3 inches of the stake protruding above the Wattle. A heavy sediment load will tend to pick the Wattle up and could pull it off the stakes if they are driven down too low. It may be necessary to make a hole in the Wattle with the pick end of your maddox in order to get the stake through the straw. When Straw Wattles are used for flat ground applications, drive the stakes straight down; when installing Wattles on slopes, drive the stakes perpendicular to the slope.

Drive the first end stake of the second Wattle at an angle toward the first Wattle in order to help abut them tightly together. If you have difficulty driving the stake into extremely hard or rocky slopes, a pilot bar may be needed to begin the stake hole.

FLAT GROUND APPLICATIONS

For installations along sidewalks or behind curbs it may not be necessary to stake the Wattles, however trenches must still be dug. If you have not yet back-filled behind the sidewalk or curb, lay the Wattle snugly against it first, then backfill behind the Wattle: your trench is done! For installations around storm drains and inlets, trenches and staking will be needed.

Fit Wattle in trench snugly up against the sidewalk or curb. Around storm drains or inlets, the Wattle should be back 1 - 1 1/2 ft. and should direct water flow toward the angle of drainage. If all drainage angles into the inlet, snake the Wattle all the way around the inlet, using more than one Wattle if needed.

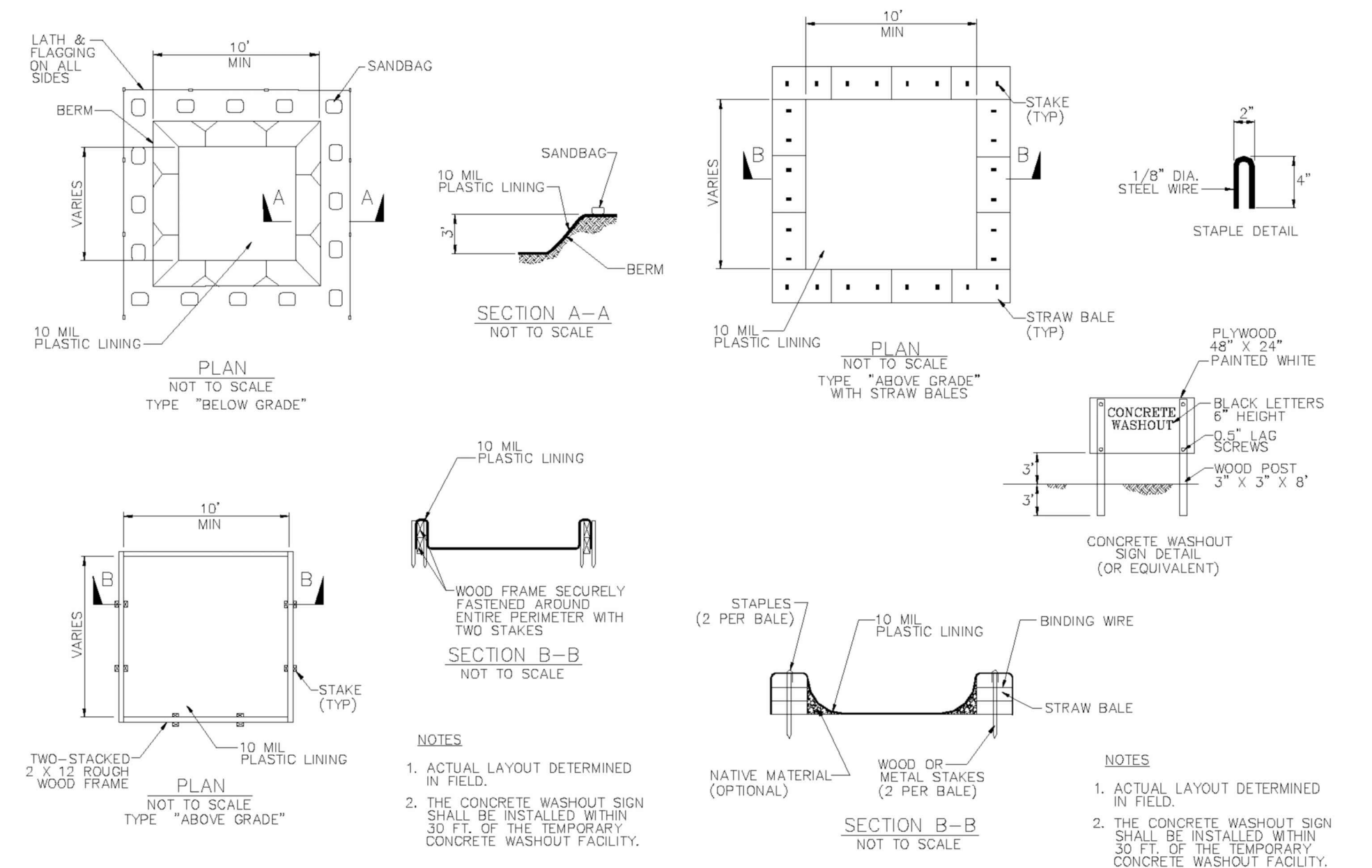
STAKING

We recommend using wood stakes or willow cuttings, rather than metal pins, to secure the Straw Wattles. Wood stakes will eventually biodegrade, and willow cuttings will grow and provide extra stabilization. Be sure to use a stake that is long enough to protrude several inches above the Wattle: 18" is a good length for hard, rocky soil. For soft, loamy soil use a 24" stake for greater security. The diameter of the stake should be approximately 1" for ease of driving through the Wattle.

© 1997-2000 by California Straw Works.

④ STRAW WATTLE DETAILS AND NOTES NOT TO SCALE

WM-8 Concrete Waste Management



6 of 7 California Stormwater BMP Handbook January 2003 January 2003 California Stormwater BMP Handbook Construction www.cabmp.com 7 of 7

⑤ CONCRETE WASHOUT MANAGEMENT CONTRACTOR TO DETERMINE WHICH BASIN TO USE. ACCEPTABLE ALTERNATIVES INCLUDE PREFABRICATED ITEMS SUCH AS THE OUTPAK SERIES.

REVISION DATES

PUB. 10/01/2025

GRICE ENGINEERING INC
ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES
561A Brunken Avenue Salinas, California Salinas: (831) 422-9619 Monterey: (831) 375-1198 FAX: (831) 422-1896

NOT VALID WITHOUT STAMP AND SIGNATURE
LAWRENCE E. GRICE, P.E.; R.C.E. 66857

PREPARED FOR:
COASTLANDS MUTUAL WATER COMPANY
C/O MR. DAVE MARTIN
BLACK TAIL ENG LLC
1125 ROUSCH AVENUE
SEASIDE, CALIFORNIA 93955

COASTLANDS SUBDIVISION; CABRILLO HIGHWAY, BIG SUR, CALIFORNIA
ROAD REPAIR FOR PORTIONS OF COASTLAND ROAD OVERLAYING
A.P.N.'S 420-171-029 & 030 & 037 & 038 & 039
IMPROVEMENT PLANS - ROAD REPAIR
EROSION CONTROL DETAILS

C-5.1
Date Plotted: Oct 06, 2025
COASTLANDS SUBDIVISION
FILE NO. 7872-24.06

Exhibit B

This page intentionally left blank.

BIOLOGICAL ASSESSMENT

OF

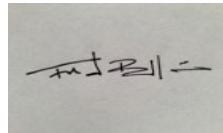
**Coastlands Mutual Water Company
(Coastlands Road)
48280 Highway One
Big Sur, CA 93923**

Prepared For:

Project Contractor: Dave Martin
Black Tail Engineering, LLC
1125 Rausch Avenue
Seaside, CA 93955

Prepared by:

Fred Ballerini
Fred Ballerini Horticultural Services
P.O. Box 1023
Pacific Grove, CA 93950
831.333.9009
fred@fredballerini.com



January 28, 2026

I. INTRODUCTION

This 13-page report has been authorized by Mike Linder (project representative) on November 5, 2025.

This Biological Assessment has been prepared to evaluate potential impacts to biological resources that would be generated from a proposed road repair development project along the Coastlands Road in Big Sur. The report includes mapped native plant communities and identified sensitive biotic resources throughout the project areas and recommendations to reduce potential development impacts.

II. SUMMARY

The road improvement project proposes to repair the damaged community Coastlands Road by installing two hilfiker retaining wall systems (130'L and 50'L) adjacent the eastern road edge with the project scheduled to be completed within a 2-1/2 week span. The project area transects natural habitat communities to the east of the road and mixed landscaped areas along the west side of the road. Along the eastern boundary mixed native Oak Woodland Forest and Redwood Forest are present along the canyon slope leading down to the Coastlands Canyon drainage. Excavation and hilfiker construction are sited along the road proper and extending several feet along the eastern edge of the existing road where ruderal herbaceous vegetation dominates. No direct construction impacts are proposed to native habitat or wildlife constituents, though portions of the project occur within 100-feet of Environmentally Sensitive Habitat Areas (Redwood Forest) and the project site overlaps within the boundaries of California Red-Legged Frog critical habitat. When recommendations in this report are applied, potentially deleterious impacts to sensitive elements and habitats can be prevented or minimized to temporary, less than significant levels.

III. METHODS

Field surveys conducted on November 12 and December 9, 2025 with the project contractor and permit coordinator, included walking the entire proposed road development area while surveying for special status plants and habitat, inventorying observed plant and animal species, and photographing existing vegetation zones. Weather conditions were clear and full access to the site allowed for careful site and resource observations. An engineering plan set was provided for review and comment (Ref. Grice Engineering, Improvement Plans-Road Repair, Sheet C-0 through C-5.1, October 6, 2025).

Local maps, consultations with personnel familiar with the project, and a personal familiarity with the local vegetation and historical road conditions from a 20-year history of consulting with various land owners along the Coastlands road were utilized during the preparation of this Biological Assessment. The California Natural Diversity Data Base (CNDDDB) maintained by the State of California Department of Fish and Wildlife (DFW), the Information for Planning and Consultation database (IPaC) maintained by the United States Fish and Wildlife Service, and the California Native Plant Society Rare Plant Inventory (online database), were consulted for the identification of known populations of Federal and State listed rare, threatened and endangered plant species on or in the vicinity of the Coastlands Road project site. Survey methods included utilizing The Jepson Manual (Hickman 1993), Invasive Plants of California's Wildlands (Bossard, Randall, and Hoshovsky 2000), A Manual of California Vegetation (Sawyer and Keeler-Wolf 1995), An Illustrated Field Key to the Flowering Plants of Monterey County (Matthews and Mitchell 2015), Big Sur Land Use Plan (Monterey County and certified by the CA Coastal Commission 1986), The Natural History of Big Sur (Henson and Usner 1993) and Coastal Implementation Plan, Part 3 (Monterey County – Regulations for Development in the Big Sur Coast Land Use Plan 1988).

IV. NATURAL COMMUNITIES

The Coastlands Road area consists of several overlapping diverse plant communities found within the sloped canyon walls west of Highway One. Upon entering the gated road from the highway, Coastal Sagebrush Scrub is found along the sun-exposed, drier, west and south-facing slopes on the upper section of the access road, with mixed Oak Woodland Forest and Redwood Forest as co-dominant forest habitats along the east facing slope adjacent the lower Coastlands Road edge. The two intermixed forest habitats lie within the eastern boundary of the road repair project site. Landscaped residential grounds flank the west side of the road along the project area. East of the lower road section, the Coastlands seasonal tributary flows southward and converges with Mule Canyon Creek and Graves Creek further south (+500-feet) below the southern extent of the Coastlands neighborhood.

The road repair project zone is predominately sited within the existing paved Coastlands Road at the lower end of the housing development and includes a strip of road easement (approximately 4' to 6' in width) containing predominately ruderal, exotic vegetation.



Upper (130-LF) and lower (50-LF) sections of hilfiker road repair area.

The road edges are regularly maintained with seasonal fuel management and tree limbing in order to comply with local fire clearance mandates. Native habitats adjacent the east side of the work zone include a mixed ecotone of Oak Woodland Forest and Redwood Forest. The Oak Woodland consists co-dominant coast live oak (*Quercus agrifolia*), tan oak (*Notholithocarpus densiflorus*), and California bay laurel (*Umbellularia californica*) trees. Redwood Forest containing dominant coast redwoods (*Sequoia sempervirens*) occurs in clustered groupings near the road repair area, becoming increasingly dense along the canyon bottom approximately 200-feet east and south of the southern portion of the Coastlands Road. Coast redwoods and Redwood Forest habitat community are identified in the Big Sur Coast Land Use Plan as Environmentally Sensitive Habitat Area (Ref. Policy 3.3) and also identified as a natural community "rare and worthy of consideration" by the CNDDDB. No coast redwood trees are proposed for removal, though there are several coast

redwoods ranging from 8" DBH to 24" DBH, that are located in close proximity (within 4 to 6 feet) of the eastern limits of disturbance.

The collective shady understory, typical of this habitat type, includes (in order of prominence) a dense bramble of California blackberry (*Rubus ursinus*), Western sword fern (*Polystichum minimum*), hedge nettle (*Stachys bullata*), poison oak (*Toxicodendron diversilobum*), thimbleberry (*Rubus parviflorus*), bracken fern (*Pteridium aquilinum var. pubescens*), Douglas iris (*Iris douglasiana*), Monterey sedge (*Carex harfordii*), snowberry (*Symphoricarpos mollis*) and other less prominent species.

The fuel-managed road edge consists of mostly ruderal, exotic vegetation including veldt grass (*Ehrharta erecta*), Bermuda buttercup (*Oxalis pes-carpe*), mixed exotic annual grasses and the native annual forb cleavers (*Galium aparine*).



Road edge ruderal vegetation with tape measure showing the extent of the limits of grading that will be required for excavation to install the hillfiker system.

No development construction impacts are proposed within native habitat areas, though erosion control and sediment control measures (silt fence and straw wattles) are specified to be installed along the eastern edge of the ruderal zone where vegetation transitions to native understory. Potential impacts may occur to native understory constituents at the interface area during manual trenching activities to install sediment control measures, though impacts are anticipated to be less than significant in scope.

No spring survey was conducted for this report due to the off-seasonal timing requested for the biological survey, though personal consultations along this road over a twenty-year span and

compiled database reveal that no listed spring elements occur within the proposed work zone. The nearest sensitive element (sea cliff buckwheat, *Eriogonum parvifolium*, host plant for the Federal-listed Smith's blue butterfly) occurs along the western and eastern road edges in the exposed sunny areas of the upper Coastlands Road (over 500-feet north and east from the project site).

The staging area for construction materials and excavated soil stockpile is located at the paved 'hair-pin turnout' located along the Coastlands Road approximately 2,000 feet north of the project area. The wide turnout traverses the Coastlands seasonal tributary where clusters of willow and sycamore are present upslope and downslope the culvert that spans the hair-pin turnout, indicating a shallow water table is present in the ravine. No soil disturbance is proposed in the paved staging area, though stockpiled soil materials will require a wattle ring and potential tarping to prevent sedimentation into the adjacent ravine.

V. WILDLIFE

Several bird species were identified (see Observed Animal Species List), though the seasonal timing of the site survey was not completed during nesting season. Mature trees surrounding the work area may provide roosting and nesting habitat for a variety of raptor, resident or migratory bird species with potential forage and cover understory habitat throughout the canyon area. It is highly probable that a variety of mammals and nesting and migratory birds breed, forage, and find cover among the trees and undisturbed habitat of the along the east canyon and adjacent slopes.

Raptors and their nests are protected under the California Department of Fish and Wildlife (CDFW) Code. Nesting seasons of migratory species are overlapping with breeding residents occurring in the Monterey Bay region typically occurring between February and August. Various species of raptors including red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), great horned owl (*Bubo virginianus*), barn owl (*Tyto alba*), turkey vulture (*Cathartes aura*) and others have a potential to nest within any of the large coast redwood trees present near the work area. In addition, avian species identified as species of concern by the CDWF or fully protected species including sharp-shinned hawk (*Accipiter striatus*) have the potential to occur near the subject area as suitable habitat exists within the surrounding tree canopy and scrub habitats.

The Migratory Bird Treaty Act (16 USC 703) prohibits the taking, hunting, killing, selling, purchasing, etc. of migratory birds, parts of migratory birds, and their eggs and nests. As used in the act, the term "take" is defined as meaning, "to pursue, hunt, capture, collect, kill or attempt to pursue, unless the context otherwise requires." Section 3503.5 of the California Fish and Wildlife Code also protects the nests and eggs of birds-of-prey (raptors) and essentially overlaps with the Migratory Bird Treaty Act. Development impacts

VI. RARE, THREATENED, AND ENDANGERED SPECIES AND HABITATS

In addition to field observations, documented occurrence data from the California Department of Fish and Wildlife (which supports the California Natural Diversity Data Base: CNNDDB) and the United States Fish and Wildlife Service (which supports the Information for Planning And Consultation: IPaC) within the project area and surrounding USGS quadrangles were consulted to evaluate the likelihood of special status species to occur within and immediately adjacent the work area. Special status natural communities, plants and animals include habitats and species that have been identified as being biologically rare or noteworthy and thus, deserving of special protection under federal, state or local laws and policies. Special-status species known to occur or determined to have a moderate or high potential to occur within or immediately adjacent the project sites are discussed below. All other species are assumed unlikely to occur or have a low potential to occur based on the lack of supporting habitat or other species-specific related reasons, and are therefore unlikely to be impacted by the project, and are not further included in this discussion. Relevant literature was also reviewed regarding the presence of special-status species in the area. Range maps, locality records and habitat associations were reviewed for all special-status wildlife species to assess their likelihood to inhabit the project site. Biotic spring survey or nesting surveys were not conducted due to the off-season time frame of observations conducted for this report.

State Listing is pursuant to Section 1904 (Native Plant Protection Act of 1977) and Section 2074.2 and 2075.5 (California Endangered Species Act of 1984) of the Fish and Wildlife Code, relating to listing Endangered, Threatened, and Rare species of plants and animals. Federal Listing is pursuant with the Federal Endangered Species Act of 1973. Special Status Species are those listed as *Endangered*, *Threatened*, or *Rare* or as candidates for listing by the U.S. Fish and Wildlife Service (USFWS) and or California Department of Fish and Wildlife (CDFW); or those listed as Rare Plant Rank 1B or 2B species by the California Native plant Society (CNPS). This designation also includes CDFW Species of Special Concern and Fully Protected species. Special Status Species are generally rare, restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring.

The California Environmental Quality Act (CEQA) recognizes plants listed by the California Native Plant Society (CNPS) as Rare Plant Rank 1B (plants rare, threatened or endangered in California as special status species. The CNPS website states that, "Plants with a California Rare Plant Rank of 1B are rare throughout their range with the majority of them endemic to California. Most of the plants that are ranked 1B have declined significantly over the last century. All of the plants constituting California Rare Plant Rank 1B meet the definitions of Sec. 1901, Chapter 10 (Native Plant Protection Act) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Wildlife Code and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA." No listed species were observed during site surveys and none are expected to be present due to the lack of supporting habitat within the construction zone (paved road and ruderal vegetation road edge).

The Migratory Bird Treaty Act (16 USC 703) prohibits the taking, hunting, killing, selling, purchasing, etc. of migratory birds, parts of migratory birds, and their eggs and nests. As used in the act, the term "take" is defined as meaning, "to pursue, hunt, capture, collect, kill or attempt to pursue, unless the context otherwise requires." Section 3503.5 of the California Fish and Wildlife Code also protects the nests and eggs of birds-of-prey (raptors) and essentially overlaps with the Migratory Bird Treaty Act. Raptors and their nests are protected under the California Department of Fish and Wildlife (CDFW) Code. Nesting seasons of migratory species are overlapping with breeding residents occurring in the Monterey Bay region typically occurring between February and August. Various species of raptors including red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), great horned owl (*Bubo virginianus*), barn owl (*Tyto alba*), turkey vulture (*Cathartes aura*) and others have a moderate to high potential to nest within the adjacent forested areas present near the two development areas. In addition, avian species including bats and owls identified as species of concern by the CDWF or fully protected species have the potential to occur within or within 300-feet of the development area as suitable habitat exists within the surrounding forest communities and scrub habitats. No nesting survey was completed during the November/December 2025 field work due to the off-timing for nesting season. There is potential suitable nesting habitat on site to support raptor, resident or migratory protected species and a nesting survey will be required if construction is scheduled to commence within the nesting period.

Several listed herptile species have a low potential to persist in the development area including the below listed special status species. Development impacts are restricted to the existing road and a 4' - 6' wide road edge dominant with seasonally-mowed, ruderal herbaceous vegetation. The lack of aquatic resources, breeding habitat, shelter/cover vegetation or woody ground debris make it unlikely that the below listed elements are likely to persist in the work area.

- California red-legged frog (*Rana draytonii*) is a state CDFW Species of Special Concern and a federally listed Threatened species by the USFWS. The species is well documented as occurring on the Post Ranch pond site and the project site lies within the USFWS mapped critical habitat area, which the frogs may move through during dispersal activities.

- Coast range newt (*Taricha torosa torosa*) is considered a Species of Special Concern by the CDFW. This species breeds in March and April in still or slow moving water with eggs attached to submerged vegetation. When not breeding, they are found in a range of upland habitats, including dry woodland associates, living in moist conditions under woody debris or logs.
- Santa Lucia slender salamander (*Batrachoseps luciae*) is a CNDDDB listed species with no legal or regulatory status but likely persists on site due to favorable habitat conditions. This species is common in moist conditions (under logs, woody debris, etc).
- Foothill yellow-legged frog (*Rana boylei* pop. 6 - south coast distinct population segment) is a state and federally listed Endangered species. This medium sized frog is mostly active during daylight, is found in a wide range of habitats, though is closely associated with streams and is rarely observed far from the water's edge.
- Western spadefoot (*Spea hammondi*) is a species proposed for federal listing as a Threatened species. This small-bodied toad is primarily nocturnal and terrestrial only entering the water to breed. It is rarely seen as it spends the majority of its life buried underground near breeding ponds in earth-filled sandy or gravelly soil burrows and active for only a short period each year typically between October to May depending on rainfall.

Several bumblebee species are new candidate species for listing as an endangered species under the California Endangered Species Act (CESA). Western bumble bee (*Bombus occidentalis*), Crotch's bumble bee (*Bombus crotchii*), and obscure bumblebee (*Bombus caliginosus*) are all candidate species within the coast range and the species may occur in Big Sur, though very little is known regarding nesting and overwintering sites. As a candidate species, they receive the same legal protection afforded to endangered or threatened species (Fish & G. Code §§ 2074.2 & 2085). Bumble bees do not dig their own nests as they utilize pre-existing cavities (mostly underground in abandoned rodent holes) that provide insulation and protection from the elements. The shady conditions are less than ideal for nesting habitat as the bees prefer more sun-exposed terrain and the lack of quality forage habitat make it unlikely the species occur within the project area. The CDFW has no established monitoring protocols during overwintering periods other than avoidance. In the unlikely occurrence that an overwintering queen bumble bee is discovered or exposed during any excavation operations conducted in November through March (hibernating period), the project contractor shall immediately contact the project biologist. The project biologist is then required to contact (preferably within three days) CDFW Central Region (Region 4) staff (wildlifemgt@wildlife.ca.gov), USFWS, to assist in learning more about their habitat and behavior.

Redwood Forest habitat community is identified in the Big Sur Coast Land Use Plan as Environmentally Sensitive Habitat Area (Ref. Policy 3.3) and is also identified as a natural community "rare and worthy of consideration" by the CNDDDB. No direct impacts are anticipated to tree resources, though the southern section of proposed hilfiker installation is located in close proximity (4-feet at the closest point) to two clusters of redwood trees east of the limits of disturbance along the road easement. Trunk protection measures are included in the below section to prevent impacts to redwood trunks. Potential root impacts are anticipated to be less than significant due to the historical impacts associated with the road development including trenching from utilities that has occurred along the road and road edge. The base of the redwoods at the sloped soil profile appears to be at a lower depth along the slope than what is proposed for road excavation (5-feet). It is unlikely that significant structural roots will be encountered while excavating, though there may likely be superficial feeder roots encountered in the compacted base of the road. Site inspections noted the soils upslope the bases of the redwood trees are composed of several feet of duff and fill material and lack significant roots which may indicate the anchoring and supporting root structures predate any fill material and are likely located below the proposed depth of excavation for the hilfiker. Nevertheless, root monitoring and prescriptions (if the project encounters significant root structures) are included in the below section to ensure potential redwood root impacts remain less than significant. All redwood trees (>6" DBH) within range of

excavation equipment will require protection measures in order to comply with LUP Policy 3.3.3.A.8 which mandates that “development shall be sited and designed to have minimum impacts on redwood trees from soil compaction and other disturbances to tree roots.”

VII. IMPACT ASSESSMENT, MITIGATION MEASURES, AND RECOMMENDATIONS

Impact 1: Nesting Survey

Nesting raptors and other protected avian species, including bats, have the potential to occur within or adjacent to the three project sites. If nesting birds protected by state and federal regulations are present during construction activities (including during periods of site preparation, demolition, vegetation management/removal) the proposed project could potentially result in direct mortality of individuals, disturbance of nests, nest abandonment, and loss of habitat that may result in loss of fertile eggs or nestlings. This is a potentially significant impact that can be reduced to a less-than-significant level with implementation of the mitigation measures recommended below.

Mitigation 1:

- a. To avoid potential impacts to nesting raptors and other nesting avian species, construction activities can be timed to avoid the nesting season period from February 1 to September 1. Alternatively, if avoidance of the nesting period is not feasible, a qualified biologist shall be retained to conduct pre-construction surveys for nesting raptors and other protected avian species within 250 feet of proposed construction activities if construction occurs during the nesting period. Pre-construction surveys will be conducted no more than 7 days prior to the start of construction activities.
- b. Bird species nesting is variable through the season with some breeding multiple times in a season. If there is more than a two-week delay of construction activities during the nesting season, additional surveys for nesting birds may be required to continue during construction to address new arrivals or secondary nesting. The necessity and timing of these continued surveys will be determined by the qualified biologist based on the proposed construction scheduling.
- c. If an active bird nest of a native species is detected during the survey, then a plan for bird nest avoidance shall be prepared by the qualified biologist to determine and delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance or construction activities. Protective buffer areas around an active bird nest ranges from 75-250 feet, determined at the discretion of the qualified biologist. To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities shall occur within the protective buffer area(s) until the juvenile birds have fledged, and there is no evidence of reliance upon the nest or parental care for survival or a second attempt at nesting, as determined by the qualified biologist.
- d. Nesting reporting and potential follow up prescriptions to be submitted to the Monterey County Housing and Community Development – Project Planner for approval prior to issuance of grading permits.

Impact 2: Coast Redwood Trees and Native Vegetation Protection

Implementation of the proposed road development improvement plan is limited to the paved road area and a 4 to 6-foot ruderal-vegetated strip adjacent the east side of the road. Installation of the sediment and erosion control devices, replacement culvert outfall, and hillfiker drainage lines will involve limited (less than significant) impact to natural community understory vegetation. Development impacts are specified to be isolated to pre-existing disturbed locations (road bed and buffer strip) and limited to the improvements themselves, the project complies with with LUP ESHA Policy 3.3.2.4., “For developments approved within environmentally sensitive habitats, the removal of indigenous vegetation and land disturbance (grading, excavation, paving, etc.) associated with the development shall be limited to that needed for the structural improvements themselves. The guiding philosophy shall be to limit the area of disturbance, to maximize the maintenance of the natural topography of the site, and to favor structural designs which achieve these goals.” Additionally, no tree removal is proposed, though potential impacts to redwood trees (and to a

lessor degree understory habitat) could potentially occur from disturbance impacts to tree roots from road demolition, excavation, and hilfiker installation. One cluster of redwood trees (8" to 24" DBH) is found adjacent the eastern edge of the lower section of the hilfiker work zone (within 4' feet downslope from the limits of grading).

Mitigation 2:

- a. Sediment and erosion control measures are integrated in the plan sheets to protect adjacent understory habitat from construction and sedimentation impacts (Ref. Erosion Control Plan, Grice Engineering, Sheet C-5.0) with required inspections by County Staff (Housing and Community Development planner/staff) prior to grading, during construction and prior to final inspection. In addition to the specified silt fence and straw wattles for sediment control and habitat protection, the cluster of redwoods closest to the southern end of the project (nearest the utility pole) will require trunk wrapping on the trees along the limits of grading. Prior to grading and road excavation activities, straw wattles or straw bales should be installed on the perimeter redwoods to prevent potential impacts from construction equipment. Documentation shall be submitted to the Project Planner at the County of Monterey Housing and Community Development or site verification by HCD Staff prior to issuance of grading permits.



Redwood trees at lower hilfiker wall location (north view - L, south view - R).

- b. If redwood roots are encountered during road/soil excavation actions, the project biologist shall be immediately notified by the contractor to assess prescriptions to manage root avoidance or potential root pruning. Roots two inch in diameter or larger shall be preserved via excavation under or bridged over to keep these roots intact. Encountered lateral roots (<2") shall be flush-cut using sterilized equipment for all roots greater than one inch in diameter. Cut root wounds, more so than fractured or crushed roots, on coast redwoods are typically compartmentalized rapidly.
- c. Stockpiled soil and disturbance graded areas can become infested with invasive exotic species and no exotic invasive species shall be allowed to become established or produce seed on disturbed soils generated from grading operations. All stockpiled soil generated during site excavation shall be kept free of exotic species and covered (tarping) or mulched if inclement weather shall threaten stored materials (Ref Civil Sheet C-0, ER-2.1) and the circumference of the pile shall be lined with a straw wattle to prevent sediment from migrating offsite. Civil Sheet C-5.1 specifies a silt fence around the stockpile perimeter, though the staging area is asphalt road so a wattle is recommended.
- d. To reduce impacts to surrounding habitat communities, no overburden soil material may be deposited beyond the approved limits of disturbance or road edges.

- e. All disturbed soils resulting from the hillfiker wall installation are recommended to be restored with the specified native grass seed mix on Civil Sheet C-0 (Ref. Erosion Control Planning, ER-3.1.). Any seeding that strays from the specified erosion control mix could negatively impact the extant adjacent habitat through competition, migration, or invasion. Native seeding shall be covered with sterile rice straw, local wood chip mulching, jute netting or other biologist-approved mulching material to prevent erosion of disturbed soils. Not adhering to the guidelines of this impact mitigation could result in adverse impacts to the environmentally sensitive Redwood Forest habitat community adjacent to the project area.
- f. Prior to final inspection, the Owner/Applicant shall submit photos of the redwood tree cluster to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required. Additionally, prior to final inspection, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report the Biological Assessment to the HCD - Planning.

VIII. LIST OF SPECIES ENCOUNTERED

(* indicates exotic species)

Tree Species

Aesculus californica	California buckeye
Notholithocarpus densiflorus	tan oak
Quercus agrifolia	coast live oak
Sequoia sempervirens	coast redwood
Umbellularia californica	California bay

Shrub Species

Genista monspessulana *	French broom
Heteromeles arbutifolia	toyon
Rubus parviflorus	thimbleberry
Rubus ursinus	California blackberry
Toxicodendron diversilobum	poison oak

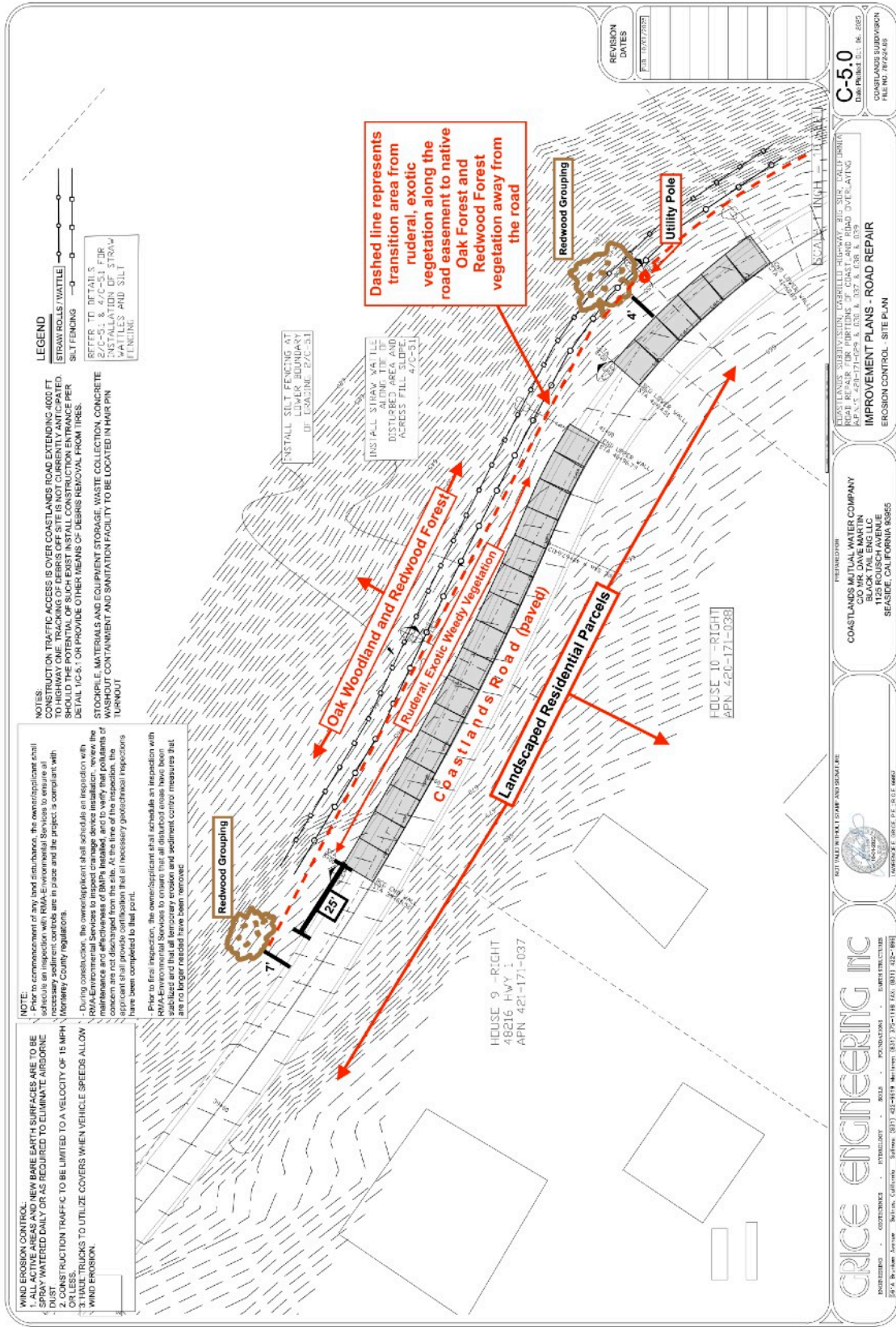
Herbaceous/Forb Species

Achillea millefolium	yarrow
Ageratina adenophora *	sticky eupatorium
Agrostis pallens	bent grass
Aira caryophylla *	silver hairgrass
Avena fatua *	wild oats
Briza maxima *	rattlesnake grass
Bromus carinatus	California brome
Bromus diandrus *	rippgut brome
Calystegia macrostegia ssp. cyclostegia	coast morning glory
Carex harfordii	Monterey sedge
Dryopteris arguta	coastal wood fern
Elymus glaucus	blue wildrye
Erharta erecta *	veldt grass
Fragaria vesca	woodland strawberry
Galium aparine	cleavers
Gastridium phleoides *	nit grass
Hedera helix *	English ivy
Iris douglasiana	Douglas iris
Oxalis oregana	redwood sorrel
Oxalis pes-carpe *	Bermuda buttercup
Polystichum munitum	Western sword fern
Pteridium aquilinum	Western bracken fern
Sanicula crassicaulis	gamleweed
Stachys bullata	California hedgenettle
Symphoricarpos mollis	creeping snowberry
Vinca major *	periwinkle

Wildlife Species

Cathartes aura	turkey vulture
Corvus brachyrhynchos	American crow
Cyanocitta stelleri	Steller's jay
Junco hyemalis	dark-eyed junco
Larus occidentalis	Western gull
Melanerpes formicivorus	acorn woodpecker
Melospiza crissalis	California towhee
Sayornis nigricans	black phoebe
Tachycineta thalassina	violet-green swallow
Thomomys bottae	Botta's pocket gopher

IX. COASTLANDS ROAD IMPROVEMENT PLAN and VEGETATION MAP



X. PROJECT LOCATION





FRED BALLERINI
BIOLOGICAL AND HORTICULTURAL SERVICES

May 1, 2026

To: Coastlands Mutual Water Company (Attn: Kirk Gaffil)
48280 Highway One, Big Sur, CA 93920
C/o Chris Gourlay, Project Consultant

RE: Raptor/Migratory Bird Nesting Survey and Spring Flowering Survey
Coastlands Road, Big Sur

Dear Chris,

Per your request, this five-page report serves to document that a Raptor/Migratory Bird Nesting Survey and Special Status Spring Flowering Survey were conducted on April 23, 2026, along the Coastlands Road in the location of the proposed hillfiker road repair. Results of the nesting survey are considered informational and academic only as the proposed commencement date for the hillfiker repair project is scheduled at the end of nesting season in late August/early September 2026 and no nesting impacts are anticipated if construction is implemented outside the local nesting season as local species are generally fully fledged by early September.

Nesting Survey

Summary:

Forty-nine avian species, mostly passerines including resident and migratory, were tallied within the 2.5 hour survey period. Several listed species were recorded within the observation area (within and extending 250-feet beyond the project boundaries) including three USFWS-listed BCC species (Birds of Conservation Concern): wrentit (*Chamaea fasciata*), oak titmouse (*Baeolophus inornatus*), and olive sided flycatcher (*Contopus cooperi*) and one CDFW-listed SSC (Species of Special Concern) including the yellow warbler (*Setophaga petechia*). A red-shouldered hawk (*Buteo lineatus*) was observed on a flyover moving eastward toward the upper Santa Lucia Mountain elevations. Several resident species were observed nest building and pairing (additional information below in *Findings*).

There were no confirmed nesting occurrences within the perimeter of the proposed work zone, and no confirmed observations of special status resident, migratory, or raptor species nesting or in phased breeding within the 250-foot observation area of the construction envelope.

Findings:

Survey preparation began with a review of existing biological online databases and an assessment of on-site habitat suitability. The birding site visit consisted of 2.5 hours of monitoring from 7:00AM to 9:30AM for the subject project area including areas within a 250 foot(+) proximity of the road repair construction envelope while observing potential tree, understory and ground nesting taxon. Species were documented and the area was meticulously monitored with systematic coverage of the site and surrounding areas. Access was unimpeded and weather conditions were sunny and clear with wind conditions peaked at 6 miles per hour. Visual sightings and audible song and call observations were used to identify the species diversity within and/or flyovers of the parcel. Bird behavioral observations also comprised of analyzing potential breeding ethology indicators; including the courtship phase such as singing, food offering, nudging/preening, or copulation, nest building phase such as nest building, material gathering, territorial displays, alarm calls and mate guarding, incubation phase and nestling phase. Tree canopy surveying for potential upper and canopy nesting

was conducted using high magnification binoculars. Birding surveys also included observations for locally significant birds as noted within the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation database (IPaC) and the California Department of Fish and Game's California Natural Diversity Database (CNDDDB) within the USGS Pfeiffer Point Quadrangle and adjacent quadrangles. Local bird nesting season falls within the months of early February and concluding at the beginning of September with peak nesting activity occurring between March and early July, and with resident breeders starting early and migratory breeders arriving later.

The forested Coastlands canyon provides ample and suitable nesting cover for a variety of species. The canyon east of the project area exhibits a vibrant ecosystem with species-rich and dense protective vegetation cover and significant forage opportunities due to the dimensional structure of vegetation that includes dense groundcover, sub-shrubs, shrubs, and multiple layers of tree canopy ranging from large toyon to mid-canopy coast live oaks to towering coast redwoods. The proximity of a perennial water source at the bottom of the canyon (approximately 250-feet from the project site) contributes to the support of a healthy corridor system teeming with bird activity.

Forty-nine (49) species were recorded within and surrounding (within 250') the project vicinity (ground plane, understory, midstory, canopy, and flyovers) including three USFWS-listed BCC species (Birds of Conservation Concern) including wrentit (*Chamaea fasciata*), oak titmouse (*Baeolophus inornatus*), and olive sided flycatcher (*Contopus cooperi*) and one CDFW-listed SSC (Species of Special Concern) including the yellow warbler (*Setophaga petechia*). Species were observed foraging the mid and upper tree canopies, moving through the canyon corridor in transit, on flyovers or identified from birdcalls from adjacent parcels to the west. Migratory birds have begun entering the Monterey peninsula for the past month and a half and nesting season is at the early stages of development. Migratory passerines were observed moving up the ravine possibly in transit to other destinations as they arrive and move through the peninsula along the shelters and canyons of the coastline.

A pairing of year-round resident dark-eyed junco (*Junco hyemalis*) were observed gathering nesting material and nest building downslope the proposed work zone within 90' of the project area and a pairing of chestnut-backed chickadee (*Poecile rufescens*) were observed foraging in the tree canopy near the project site.

Proposed road construction noise will be partially mitigated by the ongoing years-long residential construction located at the terminal of Coastlands Road and landscape maintenance regimes on adjacent parcels where heavy truck equipment, gas powered blowers, mechanical mowers, and other mechanized equipment is in use during routine weekly landscape maintenance activities. Common resident urban-adapted species found throughout the area and migratory species observed within the canyon do not seem at risk of any adverse threshold shift from potential construction noise disruptions caused by the proposed two-week road repair.

During the site observations no evidence of active nesting for raptors or migratory species or protected local species was recorded within the project area or within the 'sphere of development/construction influence' and none are anticipated to be impacted from the construction project as the project timeline is scheduled to occur at the end of the nesting season. If additional surveys are triggered due to the commencement of the construction timeframe overlapping with nesting season, then another nesting survey would be required within 14 days of the start of construction. If active nests are identified, the biologist shall provide clear, site-specific recommendations. These may include temporary buffers, adjusted work sequences, or monitoring during construction. The emphasis is always on proportionate measures that maintain compliance without unnecessary disruption.

Observation Log (April 23, 2026)

<i>Aphelocoma californica</i>	California scrub jay
<i>Baeolophus inornatus</i>	oak titmouse
<i>Bombycilla cedrorum</i>	cedar waxwing
<i>Buteo lineatus</i>	red-shouldered hawk
<i>Callipepla californica</i>	California quail
<i>Calypte anna</i>	Anna's hummingbird
<i>Cardellina pusilla</i>	Wilson's warbler
<i>Cathartes aura</i>	turkey vulture
<i>Catharus ustulatus</i>	Swainson's thrush
<i>Catherpes mexicanus</i>	canyon wren
<i>Certhia americana</i>	brown creeper
<i>Chaetura vauxi</i>	Vaux's swift
<i>Chamaea fasciata</i>	wren
<i>Colaptes auratus</i>	Northern flicker
<i>Contopus cooperi</i>	olive-sided flycatcher
<i>Corvus corax</i>	common raven
<i>Corvus brachyrhynchos</i>	American crow
<i>Cyanocitta stelleri</i>	Steller's jay
<i>Empidonax difficilis</i>	Western flycatcher
<i>Glaucidium gnoma</i>	Northern pygmy owl
<i>Haemorhous mexicanus</i>	house finch
<i>Haemorhous purpureus</i>	purple finch
<i>Icterus cucullatus</i>	hooded oriole
<i>Junco hyemalis</i>	dark-eyed junco
<i>Leiothlypis celata</i>	orange-crowned warbler
<i>Melanerpes formicivorus</i>	acorn woodpecker
<i>Melospiza melodia</i>	song sparrow
<i>Melospiza crissalis</i>	California towhee
<i>Passer domesticus</i>	House sparrow
<i>Passerina amoena</i>	Lazuli bunting
<i>Pipilo maculatus</i>	spotted towhee
<i>Pinicola enucleator</i>	pine grosbeak
<i>Poecile rufescens</i>	chestnut-backed chickadee
<i>Progne subis</i>	purple martin
<i>Psaltiriparus minimus</i>	bushtit
<i>Sayornis nigricans</i>	black Phoebe
<i>Selasphorus rufus</i>	Rufous hummingbird
<i>Setophaga coronata</i>	yellow-rumped warbler
<i>Setophaga petechia</i>	yellow warbler
<i>Setophaga townsendi</i>	Townsend's warbler

<i>Sitta canadensis</i>	red-breasted nuthatch
<i>Sitta pygmaea</i>	pygmy nuthatch
<i>Spinus pinus</i>	pine siskin
<i>Streptopelia decaocto</i>	Eurasian collard-dove
<i>Sturnus vulgaris</i>	European starling
<i>Thryomanes bewickii</i>	Bewick's wren
<i>Troglodytes pacificus</i>	Pacific wren
<i>Turdus migratorius</i>	American robin
<i>Zenaida macroura</i>	morning dove

Spring Flowering Survey

On April 23, 2026, a spring flowering survey was conducted along the road edge within the limits of the proposed road repair. Survey preparation began with a review of existing local, State and Federal biological online databases and an assessment of on-site habitat suitability. As noted in the Biological Assessment (Ballerini, January 28, 2026), the strip of area adjacent the road edge proposed for impacts during road repair construction is regularly maintained with fuel reduction mowing. During the April 23 site visit, the strip of land had been recently mowed and was barren with exposed soils. The limited vegetation along this strip is dominant with ruderal, weedy, exotic vegetation, common to disturbed soils including veldt grass (*Ehrharta erecta*), Bermuda buttercup (*Oxalis pes-carpe*), ripgut brome (*Bromus diandrus*) and English plantain (*Plantago lanceolata*). No special status species were observed and none are expected to persist as this strip of area is regularly managed with infill soil to maintain the berm along the road edge and with seasonal mowing to comply with local fuel management guidelines.



Upper section of proposed hilfiker road repair (April 23, 2026).

Downslope and outside the proposed road repair area, erosion control and sediment control devices (silt fence and straw wattles) are specified to be installed along the eastern edge (threshold) of the ruderal zone where vegetation transitions to native understory. This location was also surveyed for special status spring flowering elements as the vegetation transitions to native understory habitat containing California blackberry (*Rubus ursinus*), Western sword fern (*Polystichum minimum*), hedge nettle (*Stachys bullata*), poison oak (*Toxicodendron diversilobum*), thimbleberry (*Rubus parviflorus*), bracken fern (*Pteridium aquilinum* var. *pubescens*), Douglas iris (*Iris douglasiana*), Monterey sedge (*Carex harfordii*), and snowberry (*Symphoricarpos mollis*). No special status spring flowering species were observed and none are expected to persist as this shady understory habitat type does not support the numerous special status elements listed by local, state and federal agencies for the regional area.



Lower section of proposed hilfiker road repair (April 23, 2026).

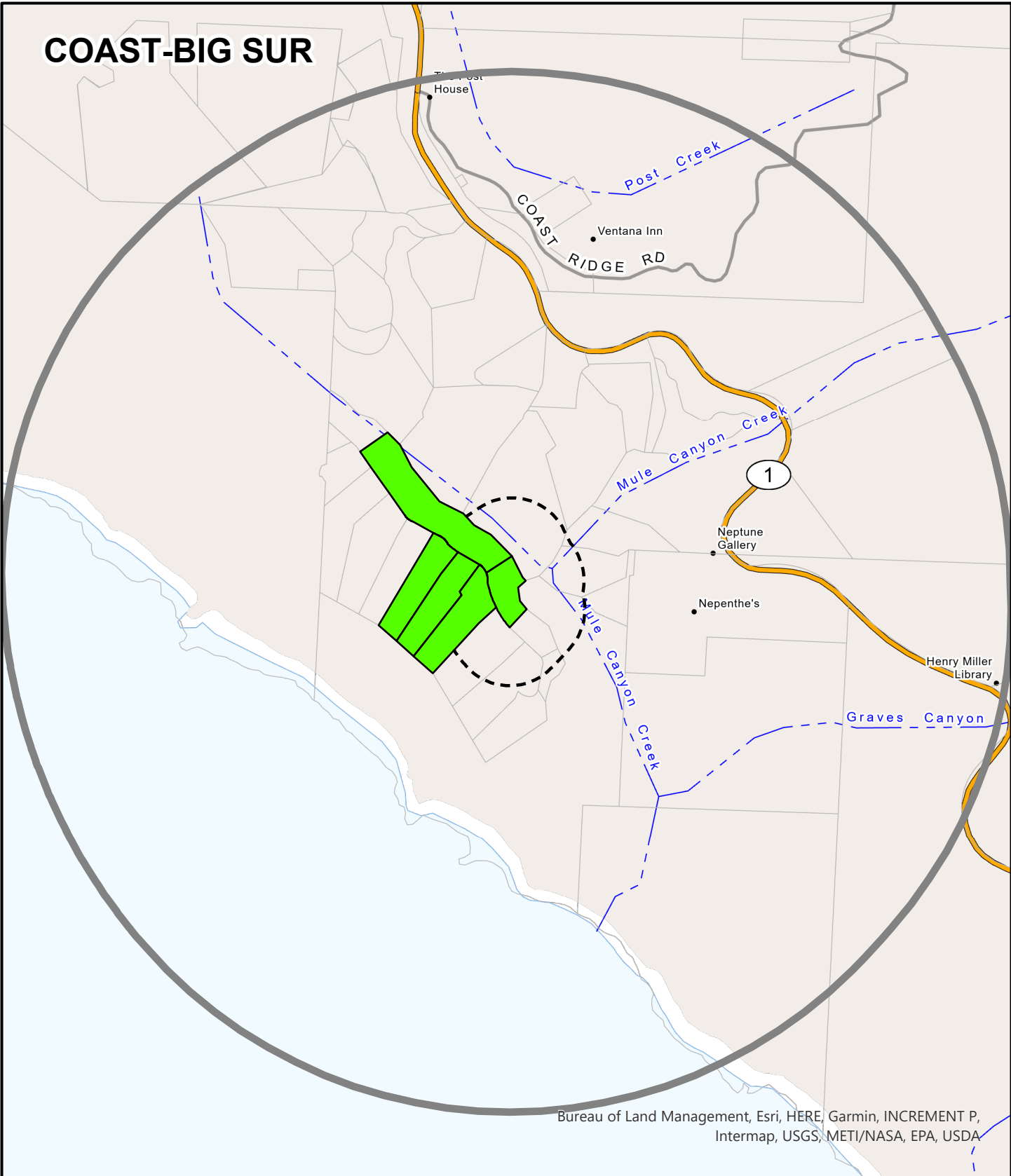
Please phone or contact me with any questions. Thank you.

Fred Ballerini
Consulting Biologist

Exhibit C

This page intentionally left blank.

COAST-BIG SUR

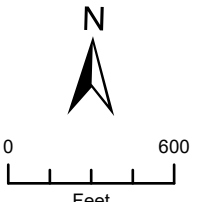


Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

APPLICANT: COASTLANDS MUTAL WATER CO

APN: 420171029000,420171030000, **FILE #** PLN250306

 Project Site  300 FT Buffer  2500 FT Buffer



This page intentionally left blank



County of Monterey

Item No.2

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ZA 26-062

June 11, 2026

Introduced: 6/3/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN240156 - JACOBO-PEREZ JOSE ALBERTO AND PABLO ALICIA PEREZ

Public hearing to consider action on the construction of a 5,000 square foot welding shop and a 1,125 square foot single family dwelling with associated site improvements.

Project Location: 24311 Grant St, Chualar, CA, Central Salinas Valley Area Plan

Proposed CEQA action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATION:

It is recommended that the Zoning Administrator continue the hearing on the project to a date uncertain. Staff requested a complete operational plan to include within the draft resolution; however the applicant was not able to provide the necessary details requested. Accordingly, staff recommends that the Zoning Administrator continue this hearing to a date uncertain. Staff will return once all the information is provided.

PROJECT INFORMATION:

Agent: Kevin Gonzalez

Property Owner: Jose Alberto Jacobo-Perez and Alicia Perez Pablo

APN: 145-043-007-000

Parcel Size: 0.43 acres

Zoning: Light Commercial and High Density Residential with a maximum gross density of ten (10) units per acre or "LC|HDR/10"

Plan Area: Central Salinas Valley Area Plan

Flagged and Staked: No

Planner: Jade Mason, Assistant Planner

masonj@countyofmonterey.gov, (831)755-3759

SUMMARY/DISCUSSION:

The subject property is located at 24311 Grant Street in Chualar, within the Central Salinas Valley Area Plan. The property was previously developed site. The proposed project consists of the construction of a 5,000 square foot welding shop, a 1,125 square foot single family dwelling consisting of 3 bedrooms and 2 bathrooms, a 828 square foot accessory dwelling unit with associated site improvements.

Staff requested that additional information be provided to clarify the project scope. Accordingly, staff recommends that the Zoning Administrator continue this hearing to a date uncertain. Staff will return with a draft resolution reflecting the clarified project.

Prepared by: Jade Mason, Assistant Planner

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

cc: Front Counter Copy; Monterey County Regional Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Jade Mason, Project Planner; Jacquelyn M. Nickerson, Principal Planner; Jose Alberto Jacobo-Perez and Alicia Perez Pablo, Property Owner; Conor O'Toole, Agent; The Open Monterey Project (Molly Erickson); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN240156



County of Monterey

Item No.2

Zoning Administrator

Legistar File Number: ZA 26-062

June 11, 2026

Introduced: 6/3/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN240156 - JACOBO-PEREZ JOSE ALBERTO AND PABLO ALICIA PEREZ

Public hearing to consider action on the construction of a 5,000 square foot welding shop and a 1,125 square foot single family dwelling with associated site improvements.

Project Location: 24311 Grant St, Chualar, CA, Central Salinas Valley Area Plan

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATION:

It is recommended that the Zoning Administrator continue the hearing on the project to a date uncertain. Staff requested a complete operational plan to include within the draft resolution; however the applicant was not able to provide the necessary details requested. Accordingly, staff recommends that the Zoning Administrator continue this hearing to a date uncertain. Staff will return once all the information is provided.

PROJECT INFORMATION:

Agent: Kevin Gonzalez

Property Owner: Jose Alberto Jacobo-Perez and Alicia Perez Pablo

APN: 145-043-007-000

Parcel Size: 0.43 acres

Zoning: Light Commercial and High Density Residential with a maximum gross density of ten (10) units per acre or "LC|HDR/10"

Plan Area: Central Salinas Valley Area Plan

Flagged and Staked: No

Planner: Jade Mason, Assistant Planner

masonj@countyofmonterey.gov, (831)755-3759

SUMMARY/DISCUSSION:

The subject property is located at 24311 Grant Street in Chualar, within the Central Salinas Valley Area Plan. The property was previously developed site. The proposed project consists of the construction of a 5,000 square foot welding shop, a 1,125 square foot single family dwelling consisting of 3 bedrooms and 2 bathrooms, a 828 square foot accessory dwelling unit with associated site improvements.

Staff requested that additional information be provided to clarify the project scope. Accordingly, staff recommends that the Zoning Administrator continue this hearing to a date uncertain. Staff will return with a draft resolution reflecting the clarified project.

Prepared by: Jade Mason, Assistant Planner

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

cc: Front Counter Copy; Monterey County Regional Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Jade Mason, Project Planner; Jacquelyn M. Nickerson, Principal Planner; Jose Alberto Jacobo-Perez and Alicia Perez Pablo, Property Owner; Conor O'Toole, Agent; The Open Monterey Project (Molly Erickson); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN240156



County of Monterey

Item No.3

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ZA 26-063

June 11, 2026

Introduced: 6/3/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN180319 - JAISHIV PROPERTIES LLC

Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

Project Location: 24971 Carmel Hills Drive, Carmel, CA, 93923

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

RECOMMENDATIONS

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

- a. Find the project qualifies for a Class 1 Categorical Exemption from CEQA Guidelines Section 15301, and that none of the exceptions from Section 15300.2 apply to the project; and
- b. Approve an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

The attached draft resolution includes findings and evidence for consideration (Exhibit A). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION

Agent: Paul Minik

Property Owner: Jaishiv Properties LLC

APN: 015-131-004-000

Parcel Size: 0.8 acres

Zoning: Medium Density Residential with a maximum gross density of one unit per acre and a Design Control overlay or "MDR/1-D"

Plan Area: Greater Monterey Peninsula

Flagged and Staked: N/A

Project Planner: Jade Mason, Assistant Planner

masonj@countyofmonterey.gov; 831-755-3759

SUMMARY/DISCUSSION

The project site is located at 24971 Carmel Hills, Carmel, within the Greater Monterey Peninsula Area Plan. The Applicant/Owners submitted an application seeking to use their existing single family dwelling located in a residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed on a flag lot with a two-story single family dwelling that includes decks and an attached two

car garage. The single family dwelling is near Carmel High School (0.4 miles), the Carmel Gate to 17 Mile Drive (1.6 miles), and the Highway 1 gate to 17 Mile Drive (1.7 miles), Downtown Carmel-by-the-Sea (1 mile) and is within the sphere of influence of Carmel-by-the-Sea. Within the immediate neighborhood, there is one other vacation rental operation application for a commercial vacation rental in an incomplete status (Exhibit B).

The existing single dwelling has four bedrooms, three bathrooms, a family room, a kitchen, and an attached garage. The Applicant/Owner is proposing that the residence be occupied by a maximum of 9 people overnight and 13 people during daytime hours at the property at a time. The property will retain its potable water through California American Water, and an onsite septic system will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. If approved, the granting of this Use Permit would allow the establishment of the 28th permitted vacation rental in the Greater Monterey Peninsula Area Plan out of a maximum of 155 commercial vacation rentals uses that may be issued at any given time pursuant to Title 21 Section 21.64.290.F.3.f.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 2010 Monterey County General Plan (General Plan), Greater Monterey Peninsula Area Plan (GMPAP), Monterey County Code Title 7 Chapter 7.120, and applicable sections of the Monterey County Inland zoning ordinance (Title 21).

Land Use

The parcel is zoned Medium Density Residential, 1 unit per acre with a Design Control Overlay, or "MDR/1-D". Title 20 Section 21.12.050.Y allows for the Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.

The property complies with Title 21 Section 21.64.290.F.5, in that it has been demonstrated that the response time for County emergency services for fire and emergency medical are adequate pursuant to the requirements of the 2010 County of Monterey General Plan Safety Element PS-1.1 and Table PS-1; adequate emergency response times for fire and emergency medical. The subject property is considered within a rural center, considered limited area of public services as defined by the General Plan and therefore is subject to an emergency response time of 12 minutes. Cypress Fire Protection District Station 25 is 5-7 minutes away, and the Community Hospital of the Monterey Peninsula is 5-6 minutes away, which provides 24-hour emergency medical and fire response services. The submitted Operations Plan includes contact information for County emergency services for fire and emergency medical. The Vacation Rental Operation License requires that guests be provided with the contact information on the response time for emergency medical and fire services as a part of the informational notice posted within six feet of the front door (Condition No.5).

Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 requires that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The application includes adequate parking spaces (4 guest parking spaces), which exceeds the minimum requirements.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 21 Section 21.64.290.F.7, which allows one Commercial Vacation Rental per legal lot of record. The subject property will be the only Commercial Vacation Rental on the legal lot of record. The owner of the subject property complies with the ownership requirements of Title 21 Section 21.64.290.F.10, wherein the owner of the subject property is allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owners of the property do not have an ownership interest in other already operating Commercial Vacation Rentals in unincorporated Monterey County, and this would be their first and only Commercial Vacation Rental in unincorporated Monterey County.

As detailed in the draft resolution (**Exhibit A**), the Applicant/Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental will be the owner, Paul Minik, who will reside at 10651 Hidden Mesa Place, Monterey, CA, 93940 which is a 19-21 minute drive away. Mr. Minik's contact information will be provided to the guests of the property, and Mr. Minik will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Mr. Minik's contact information will be provided to guests as a part of the informational notice posted within six feet of the front door as required pursuant to Title 7 Section 7.120.040.L.

The property has a maximum occupancy of 9 overnight guests and 13 daytime guests. The proposed occupancy does not exceed the limits set forth in the California Uniform Housing Code and the requirements enumerated in Title 7 Section 7.120.070.C, which limit the maximum overnight occupancy to two persons per bedroom plus one and not counting infants (zero to twelve months), with a not to exceed total maximum overnight occupancy of 10 overnight guests, regardless of the number of bedrooms in the property.

To ensure the proposed use will not affect the residential character of the neighborhood, the following two conditions have been incorporated. Condition No. 3 has been incorporated to ensure that the property will not be rented for the purposes of holding a corporate or private event venue and Condition No. 5 to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 21 section 21.64.290 and the Conditions of Approval. Additionally, the proposed Commercial Vacation Rental 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. In accordance with Title 21 section 21.74.060, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this Use Permit, the permit may be revoked for non-compliance.

Access

This property is accessed through Carmel Hills Drive, a public, County-maintained road within Carmel subject to the Greater Monterey Peninsula Area Plan. Therefore, is not subject to Title 16 Chapter 16.80, which regulates private roads in Monterey County pursuant to Title 20 Section 20.64.290.F.4. No comments or objections have been received and no further documentation or condition is required of the applicant.

Violation

On April 8, 2026, an HCD-Code Compliance Case No. 26CE00235 was opened and created stating that the property may possibly be in violation with Monterey County Code through the operation of a non-permitted vacation rental and that immediate action shall be taken to bring the property into compliance. The applicant submitted a request for a Use Permit for a Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer to abate the violation subject to any remaining enforcement fines and bring the property into compliance with the Monterey County Code on March 14, 2019. At this time, an ordinance was not approved and in effect. Once the ordinance was adopted, the applicant continued to operate a commercial vacation rental without the benefit of an approved discretionary permit nor did the applicant diligently pursue the permit. Therefore, a code enforcement case was issued and pursued. No additional complaints have been received.

CEQA:

The project qualifies as a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the operation of existing private structures, involving negligible or no expansion of an existing use. The Applicant/Owner proposes to use a residential single-family dwelling for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer. This project does not propose or authorize any additional exterior development and/or expansion of the existing structure currently on the project site.

The subject property will be limited to one rental contract at any given time. All facilities, as planned and approved, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Additionally, there will be no significant effect on the environment due to unusual circumstances. Further, there is no evidence that “the cumulative impact of successive projects of the same type in the same place, over time is significant.”

The County prepared a FEIR for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap of 155 on Commercial Vacation Rentals in the Greater Monterey Peninsula Area Plan. It would be the 28th Commercial Vacation Rental in the Greater Monterey Peninsula Area Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

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

- HCD-Planning
- Environmental Health Bureau
- HCD-Engineering Services
- HCD-Environmental Services
- Cypress Fire Protection District

Prepared by: Jade Mason, Assistant Planner

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Operations Plan
- Site Plan

Exhibit B - Aerial Image and Surrounding Neighborhood

Exhibit C - Vicinity Map

Exhibit D - Home Inspection Checklist

cc: Front Counter Copy; HCD-Planning; Jade Mason, Planner; Jacquelyn M. Nickerson, Principal Planner; Jaishiv Properties LLC, Property Owners; Paul Minik, Agent; Interested Parties: The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Planning File PLN180319.



Zoning Administrator

Legistar File Number: ZA 26-063

June 11, 2026

Introduced: 6/3/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN180319 - JAISHIV PROPERTIES LLC

Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

Project Location: 24971 Carmel Hills Drive, Carmel, CA, 93923

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

RECOMMENDATIONS

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

- a. Find the project qualifies for a Class 1 Categorical Exemption from CEQA Guidelines Section 15301, and that none of the exceptions from Section 15300.2 apply to the project; and
- b. Approve an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

The attached draft resolution includes findings and evidence for consideration (Exhibit A). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION

Agent: Paul Minik

Property Owner: Jaishiv Properties LLC

APN: 015-131-004-000

Parcel Size: 0.8 acres

Zoning: Medium Density Residential with a maximum gross density of one unit per acre and a Design Control overlay or "MDR/1-D"

Plan Area: Greater Monterey Peninsula

Flagged and Staked: N/A

Project Planner: Jade Mason, Assistant Planner

masonj@countyofmonterey.gov; 831-755-3759

SUMMARY/DISCUSSION

The project site is located at 24971 Carmel Hills, Carmel, within the Greater Monterey Peninsula Area Plan. The Applicant/Owners submitted an application seeking to use their existing single family dwelling located in a residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed on a flag lot with a two-story single family dwelling that includes decks and an attached two

car garage. The single family dwelling is near Carmel High School (0.4 miles), the Carmel Gate to 17 Mile Drive (1.6 miles), and the Highway 1 gate to 17 Mile Drive (1.7 miles), Downtown Carmel-by-the-Sea (1 mile) and is within the sphere of influence of Carmel-by-the-Sea. Within the immediate neighborhood, there is one other vacation rental operation application for a commercial vacation rental in an incomplete status (Exhibit B).

The existing single dwelling has four bedrooms, three bathrooms, a family room, a kitchen, and an attached garage. The Applicant/Owner is proposing that the residence be occupied by a maximum of 9 people overnight and 13 people during daytime hours at the property at a time. The property will retain its potable water through California American Water, and an onsite septic system will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. If approved, the granting of this Use Permit would allow the establishment of the 28th permitted vacation rental in the Greater Monterey Peninsula Area Plan out of a maximum of 155 commercial vacation rentals uses that may be issued at any given time pursuant to Title 21 Section 21.64.290.F.3.f.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 2010 Monterey County General Plan (General Plan), Greater Monterey Peninsula Area Plan (GMPAP), Monterey County Code Title 7 Chapter 7.120, and applicable sections of the Monterey County Inland zoning ordinance (Title 21).

Land Use

The parcel is zoned Medium Density Residential, 1 unit per acre with a Design Control Overlay, or "MDR/1-D". Title 20 Section 21.12.050.Y allows for the Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.

The property complies with Title 21 Section 21.64.290.F.5, in that it has been demonstrated that the response time for County emergency services for fire and emergency medical are adequate pursuant to the requirements of the 2010 County of Monterey General Plan Safety Element PS-1.1 and Table PS-1; adequate emergency response times for fire and emergency medical. The subject property is considered within a rural center, considered limited area of public services as defined by the General Plan and therefore is subject to an emergency response time of 12 minutes. Cypress Fire Protection District Station 25 is 5-7 minutes away, and the Community Hospital of the Monterey Peninsula is 5-6 minutes away, which provides 24-hour emergency medical and fire response services. The submitted Operations Plan includes contact information for County emergency services for fire and emergency medical. The Vacation Rental Operation License requires that guests be provided with the contact information on the response time for emergency medical and fire services as a part of the informational notice posted within six feet of the front door (Condition No.5).

Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 requires that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The application includes adequate parking spaces (4 guest parking spaces), which exceeds the minimum requirements.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 21 Section 21.64.290.F.7, which allows one Commercial Vacation Rental per legal lot of record. The subject property will be the only Commercial Vacation Rental on the legal lot of record. The owner of the subject property complies with the ownership requirements of Title 21 Section 21.64.290.F.10, wherein the owner of the subject property is allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owners of the property do not have an ownership interest in other already operating Commercial Vacation Rentals in unincorporated Monterey County, and this would be their first and only Commercial Vacation Rental in unincorporated Monterey County.

As detailed in the draft resolution (**Exhibit A**), the Applicant/Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental will be the owner, Paul Minik, who will reside at 10651 Hidden Mesa Place, Monterey, CA, 93940 which is a 19-21 minute drive away. Mr. Minik's contact information will be provided to the guests of the property, and Mr. Minik will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Mr. Minik's contact information will be provided to guests as a part of the informational notice posted within six feet of the front door as required pursuant to Title 7 Section 7.120.040.L.

The property has a maximum occupancy of 9 overnight guests and 13 daytime guests. The proposed occupancy does not exceed the limits set forth in the California Uniform Housing Code and the requirements enumerated in Title 7 Section 7.120.070.C, which limit the maximum overnight occupancy to two persons per bedroom plus one and not counting infants (zero to twelve months), with a not to exceed total maximum overnight occupancy of 10 overnight guests, regardless of the number of bedrooms in the property.

To ensure the proposed use will not affect the residential character of the neighborhood, the following two conditions have been incorporated. Condition No. 3 has been incorporated to ensure that the property will not be rented for the purposes of holding a corporate or private event venue and Condition No. 5 to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 21 section 21.64.290 and the Conditions of Approval. Additionally, the proposed Commercial Vacation Rental 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. In accordance with Title 21 section 21.74.060, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this Use Permit, the permit may be revoked for non-compliance.

Access

This property is accessed through Carmel Hills Drive, a public, County-maintained road within Carmel subject to the Greater Monterey Peninsula Area Plan. Therefore, is not subject to Title 16 Chapter 16.80, which regulates private roads in Monterey County pursuant to Title 20 Section 20.64.290.F.4. No comments or objections have been received and no further documentation or condition is required of the applicant.

Violation

On April 8, 2026, an HCD-Code Compliance Case No. 26CE00235 was opened and created stating that the property may possibly be in violation with Monterey County Code through the operation of a non-permitted vacation rental and that immediate action shall be taken to bring the property into compliance. The applicant submitted a request for a Use Permit for a Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer to abate the violation subject to any remaining enforcement fines and bring the property into compliance with the Monterey County Code on March 14, 2019. At this time, an ordinance was not approved and in effect. Once the ordinance was adopted, the applicant continued to operate a commercial vacation rental without the benefit of an approved discretionary permit nor did the applicant diligently pursue the permit. Therefore, a code enforcement case was issued and pursued. No additional complaints have been received.

CEQA:

The project qualifies as a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the operation of existing private structures, involving negligible or no expansion of an existing use. The Applicant/Owner proposes to use a residential single-family dwelling for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer. This project does not propose or authorize any additional exterior development and/or expansion of the existing structure currently on the project site.

The subject property will be limited to one rental contract at any given time. All facilities, as planned and approved, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Additionally, there will be no significant effect on the environment due to unusual circumstances. Further, there is no evidence that “the cumulative impact of successive projects of the same type in the same place, over time is significant.”

The County prepared a FEIR for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap of 155 on Commercial Vacation Rentals in the Greater Monterey Peninsula Area Plan. It would be the 28th Commercial Vacation Rental in the Greater Monterey Peninsula Area Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

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

- HCD-Planning
- Environmental Health Bureau
- HCD-Engineering Services
- HCD-Environmental Services
- Cypress Fire Protection District

Prepared by: Jade Mason, Assistant Planner

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Operations Plan
- Site Plan

Exhibit B - Aerial Image and Surrounding Neighborhood

Exhibit C - Vicinity Map

Exhibit D - Home Inspection Checklist

cc: Front Counter Copy; HCD-Planning; Jade Mason, Planner; Jacquelyn M. Nickerson, Principal Planner; Jaishiv Properties LLC, Property Owners; Paul Minik, Agent; Interested Parties: The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Planning File PLN180319.

Exhibit A

This page intentionally left blank.

DRAFT RESOLUTION

Before the Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

JAISHIV PROPERTIES LLC (PLN180319)

RESOLUTION NO. ----

Resolution by the County of Monterey Zoning
Administrator:

- 1) Finding that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301, and there are no exceptions pursuant to Section 15300.2; and
- 2) Approving an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

[PLN180319, JAISHIV PROPERTIES LLC, 24971
CARMEL HILLS DR, CARMEL, (APN: 015-131-
004-000)]

The JAISHIV PROPERTIES LLC application (PLN180319) came on for a public hearing before the County of Monterey Zoning Administrator on June 11, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
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 1982 Monterey County General Plan (General Plan);
 - Greater Monterey Peninsula Area Plan (GMPAP);
 - Monterey County Code Chapter 7.120; and
 - Monterey County Zoning Ordinance (Title 21).No conflicts were found to exist. No communication was received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) Project Scope. The project is located at 24971 Carmel Hills Drive, in Carmel subject to the Greater Monterey Peninsula Area Plan (GMPAP). The site is developed with an existing 2,790 square foot single-family dwelling with an attached garage. The single family dwelling is near

Carmel High School (0.4 miles), the Carmel Gate to 17 Mile Drive (1.6 miles), and the Highway 1 gate to 17 Mile Drive (1.7 miles), Downtown Carmel-by-the-Sea (1 mile) and is within the sphere of influence of Carmel-by-the-Sea. The applicant submitted an application seeking to use their single family dwelling located in a residentially developed neighborhood as a Commercial Vacation Rental. The Applicant/Owner is proposing that the residence be occupied by a maximum of 9 people overnight and 13 people during daytime hours at the property at a time.

- c) Allowed Use. The property is located at 24971 Carmel Hills Drive in Carmel, Greater Monterey Peninsula Area Plan (Assessor's Parcel Number: 015-131-004-000). The subject parcel is zoned Medium Density Residential, 1 unit per acre with a Design Control, or "MDR/1-D". Title 20 Section 21.12.050.Y allows for the Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer. Therefore, the proposed use is allowable.
- d) Lot Legality. The subject property (0.8 acres in size), APN: 015-131-004-000, is identified as Lot 5 in Block 1 on a Cities & Towns Map of Tract No. 158, Carmel Hills No. 1 in Volume 5, Page 10 recorded to recognize a portion of Rancho Canada de la Segunda Subdivision, recorded on March 3, 1948. Therefore, the County recognizes this lot as a legal lot of record.
- e) Land Use Advisory Committee (LUAC). This project was not referred to the Carmel Highlands LUAC for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 15-043, this application did not warrant referral to the LUAC as it does not fall within the LUAC review guidelines.
- f) Vacation Rental Operation License. Condition No. 5 requires that the applicant obtain a Vacation Rental Operation License and provide documentation to prove that they comply with all of the requirements of the Vacation Rental Operation License pursuant to Title 7 Chapter 7.120. The subject property is required as conditioned to ensure that they always have an active Vacation Rental Operation License.
- g) Business License. The applicant must obtain a Business License and provide documentation to prove that they comply with all of the requirements of the Business License pursuant to Title 7 Section 7.02.060. The subject property is required to comply with the regulation as part of the issuance of a Vacation Rental Operation License.
- h) Transient Occupancy Tax. The applicant must register with the County of Monterey Treasurer-Tax Collector to pay Transient Occupancy Tax pursuant to Title 5 Chapter 5.40 and must pay Transient Occupancy Tax on all applicable rent received from transient occupancy of their residential property as a Commercial Vacation Rental. As part of the issuance of a Vacation Rental Operation License (Condition No. 5), the subject property is required as conditioned to ensure payment of Transient Occupancy Tax to the County of Monterey Treasurer-Tax Collector is made pursuant to Title 5 Chapter 5.40.

- i) Adequate Emergency Response Time. The subject property complies with Title 21 Section 21.64.290.F.5, in that it has been demonstrated that the response time for County emergency services for fire and emergency medical are adequate pursuant to the requirements of the 2010 County of Monterey General Plan Safety Element PS-1.1 and Table PS-1; adequate emergency response times for fire and emergency medical. The subject property is considered within a rural center, considered limited area of public services as defined by the General Plan and therefore is subject to an emergency response time of 12 minutes. Cypress Fire Protection District Station 25 is 5-7 minutes away, and the Community Hospital of the Monterey Peninsula is 5-6 minutes away, which provides 24-hour emergency medical and fire response services. The subject property complies with the requirement to provide contact information for County emergency services for fire and emergency medical. The designated Property Manager for the Commercial Vacation Rental will be the owner, Paul Minik, who will reside at 10651 Hidden Mesa Place, Monterey, CA, 93940 which is a 19-21 minute drive away. Mr. Minik will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. The contact information is required to be posted on an outdoor sign in a visible place and in the informational signage that must be posted within the unit, six feet of the front door. The Vacation Rental Operation License requires that guests be provided with this information as a part of the informational notice posted within six feet of the front door.
- j) Parking. Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 require that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The application includes adequate parking spaces (4 guest parking spaces), which exceeds the minimum requirements as illustrated in the attached plans.
- k) One Commercial Vacation Rental Per Legal Lot of Record. The subject legal lot of record complies with Title 21 Section 21.64.290.F.7 as this is the only Commercial Vacation Rental on the legal lot of record (APN: 015-131-004-000).
- l) Ownership Interest in One Commercial Vacation Rental in the Unincorporated Monterey County. The trustees of the legal lot of record comply with Title 21 Section 21.64.290.F.10 and do not have any ownership interest in any other Commercial Vacation Rentals in the unincorporated Monterey County. This application before the Zoning Administrator would be the first and only ownership interest the applicants would have in a Commercial Vacation Rental in the unincorporated Monterey County.
- m) Permit Expiration. Condition No. 4 applies a 7-year expiration to the granting of this Use Permit, pursuant to Title 21 Sub-Section 21.64.290.F.12.a. The purpose of this expiration is to provide adequate ongoing review of the approved use of the residential property as a Commercial Vacation Rental. Prior to its expiration, the owner/applicant shall file an extension in accordance with Title 21 Section 21.74.110, which requires submittal of the request at least 30

days prior to the expiration date. The appropriate authority to consider this extension shall be the Zoning Administrator. This subsequent review will ensure: 1) the use continues to meet the standards of Title 20, and 2) an opportunity for Planning staff's review for ongoing compliance with the conditions of approval.

- n) Access. This property is accessed through Carmel Hills Drive, a public, County-maintained road within Carmel subject to the Greater Monterey Peninsula Area Plan. Therefore, is not subject to Title 16 Chapter 16.80, which regulates private roads in Monterey County pursuant to Title 20 Section 20.64.290.F.4. No comments or objections have been received and no further documentation or condition is required of the applicant.
- o) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN180319.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD- Planning, Cypress Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, and Environmental Health Bureau. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
 - b) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN180319.

3. 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, Cypress Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, and 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) Necessary infrastructure is in place to serve the use, as discussed in the evidence below.
 - c) The property has road access to Carmel Hills Drive, a County-maintained road, through an existing driveway. No alterations to this driveway or access are required for the use (see evidence “n” in Finding 1).
 - d) Potable water will continue be provided to the parcel by California American Water through the Monterey Peninsula Water Management

District (MPWMD). An onsite septic system will also be sufficient in its continuance in providing sewer for the dwelling.

- e) Solid waste (garbage) collection service is and will continue to be provided by Waste Management.
- f) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN180319.

4. FINDING: VIOLATIONS – The subject property is not 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 County of Monterey HCD-Planning and HCD-Building Services records and is aware of one current violation existing on the subject property for a commercial vacation rental violation existing on subject property. Code Enforcement Case No. 26CE00235 cites the property for unpermitted short term rental usage. On April 8, 2026, an HCD-Code Compliance Case No. 26CE00235 was opened and created stating that the property may possibly be in violation with Monterey County Code through the operation of a non-permitted vacation rental and that immediate action shall be taken to bring the property into compliance. The applicant submitted a request for a Use Permit for a Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer to abate the violation subject to any remaining enforcement fines and bring the property into compliance with the Monterey County Code on March 14, 2019. At this time, an ordinance was not approved and in effect. Once the ordinance was adopted, the applicant continued to operate a commercial vacation rental without the benefit of an approved discretionary permit, nor did the applicant diligently pursue the permit. Therefore, a code enforcement case was issued and pursued. No additional complaints have been received.
 - b) The violation (26CE00235) will be abated upon granting of this Use Permit subject to any remaining enforcement fines. Upon issuance of the permit, this property will come into compliance with applicable Monterey County Code.
 - c) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN180319.

5. 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 the leasing of existing private structures, involving negligible or no expansion of existing or former use.
 - b) The project proposed to allow the use of an existing residential property for transient lodging for a period of 30 calendar days or fewer. The project would not expand the residence nor would it allow any

additional occupancy beyond what is allowed for the existing residence. Therefore, the project fits the criteria of the exemption.

- c) None of the exceptions under CEQA Guidelines section 15300.2 apply to this project, as discussed in subsequent Evidence “d” through “i”.
- d) Class 1 exemptions are not qualified for an exception by their location.
- e) The County’s regulatory process of Use Permits for the use of an existing residential property for transient lodging allows the County to regulate such uses in a way that would prevent adverse cumulative impacts to the surrounding environment. Consistent with the Findings and Purpose in Monterey County Ordinance Number 5439 Section 1.F, the requirement for a Use Permit for Commercial Vacation Rental activities ensures that the impact of such leasing activities can be appropriately evaluated. Further, Title 21 Section 21.64.290 establishes caps on the maximum amount of Use Permits for Commercial Vacation Rentals to ensure that the potential cumulative effects of Commercial Vacation Rentals are minimized. The maximum allowed for the Greater Monterey Peninsula Area Plan is 155. This application is the 28th approved. The project is consistent with all the criteria in Title 21 section 21.64.290 and, therefore, would not contribute to a cumulative effect.
- f) The County prepared a Final Environmental Impact Report (FEIR) for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Greater Monterey Peninsula Area Plan. It would be the 28th Commercial Vacation Rental in the Greater Monterey Peninsula Area Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.
- g) There are no unusual circumstances related to the project that would create the reasonable possibility of a significant effect.
- h) The project would not result in damage to scenic resources within view of the State Scenic Highway. The nearest designated State Scenic Highway is Highway 1, which is approximately a 0.2 mile drive from the property, and runs parallel to Carmel Hills Drive. However, the property is not visible from Highway 1 due to distance and intervening vegetation and structures. The project also does not propose any physical changes that would damage scenic resources: no construction,

exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.

- i) The project is not located on a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.
- j) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN180319.

6. FINDING: **APPEALABILITY** – The decision on this project may be appealed to the Planning Commission.

EVIDENCE: a) Planning Commission. Pursuant to Title 21 Section 21.80.040.B, an appeal of the Zoning Administrator’s decision for this project may be made to the Planning Commission by any public agency or person aggrieved by their decision.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301, and there are no exceptions pursuant to Section 15300.2;
2. Approve an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00235.

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of June 2026.

Mike Novo, AICP
Zoning Administrator

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. This permit does not authorize any development and only authorizes the use of the residential property as transient lodging.

County of Monterey HCD Planning

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

PLN180319

1. PD001(B) - SPECIFIC COMMERCIAL VACATION RENTAL USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Use Permit (PLN180319) allows the use, by any person, of residential property [single family dwelling, manufactured home, or mobile home on a permanent foundation] for transient lodging for a period of 30 consecutive calendar days or fewer, counting portions of calendar days as full days. This property is located at 24971 Carmel Hills, Carmel (Assessor's Parcel Number 015-131-004-000), Greater Monterey Peninsula Area Plan. This rental allows an unlimited number of transient lodging rentals of up to 30 calendar days per 12-month period. 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 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. Any use 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 other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (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:
"A Use Permit (Resolution Number _____) was approved by the Zoning Administrator for Assessor's Parcel Number 015-131-004-000 on June 11, 2026. The permit was granted subject to 5 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. PD008 - NO EVENTS ALLOWED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Title 21 Section 21.64.290.A, to protect the residential character of the neighborhood on an ongoing basis, the property shall be rented for only transient residential-related use. The property shall not be rented to either 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 on-going basis, the property shall only be rented for transient residential-related use.

4. PD009 - PERMIT LIMITATION OF THE USE OF THE RESIDENTIAL PROPERTY AS A COMMERCIAL VACATION RENTAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This permit shall be valid for 7 years from the date of permit approval which is June 11, 2026, unless an extension is filed with County of Monterey HCD – Planning at least 30 days prior to the expiration of the permit. Approval of this Use Permit is limited to 7 years to provide an adequate, on-going review of the approved use of the Residential Property as a Commercial Vacation Rental.

The owner/operator shall file an application for extension of the permit in accordance with the Monterey County Code Title 21 Sections 21.74.110 and 21.64.290.F.12.b.

Compliance or Monitoring Action to be Performed: The applicant shall commence and operate the authorized use in accordance with County codes and State regulations and to the satisfaction of the HCD-Chief of Planning. Any request for a Use Permit extension must be received by HCD-Planning at least 30 days prior to the expiration date.

5. PD031 - VACATION RENTAL OPERATION LICENSE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Title 7 Chapter 7.120, applicants are required to obtain a Vacation Rental Operation License from the County of Monterey HCD. This Vacation Rental Operation License shall be active and renewed annually for the term of this Use Permit.

Compliance or Monitoring Action to be Performed: Prior to the commencement of use, HCD will issue the applicant a Vacation Rental Operation License.

Application Summary Sheet

Record Number: VR260069
Record Type: Planning/VacationRental/NA/NA
Record Type Alias: Vacation Rental
Record Status: Applied
Application Date: 5/19/2026
Parcel Number: 015-131-004-000
Project Name: JAISHIV PROPERTIES LLC
Assigned To: Stacy Giles
Initiated by Product: AV360

Description of Work

Commercial Vacation Rental Operation License to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer. This Vacation Rental is a Commercial Vacation Rental and therefore has an associated PLN180319. The property is located at 24971 Carmel Hills Drive, Carmel (Assessor's Parcel Number 015-131-004-000), Greater Monterey Peninsula Area Plan.

Address Information

Primary	Address Type	Street #	Pre Direction	Street Name	Street Type	Post Direction	Unit/Suite	Level	Building	City	State	Zip Code	Plat #
Y		24971		CARMEL HILLS	DR					CARMEL	CA	93923	

Owner

First Name	Last Name	Full Name	Address 1	Address 2	City	State	Zip	Primary
		JAISHIV PROPERTIES LLC	2413 E TENNYSON PL	FRESNO CA 93730				Y

Licensed Professional

License #	License Type	Business Name	Address 1, City, State, Zip Code	Address 2	Last Name, First Name	Mobile Phone	Email
-----------	--------------	---------------	----------------------------------	-----------	-----------------------	--------------	-------

Contact

Contact Type	Last Name, First Name	Organization Name	Recipient	Email	Primary Phone	Address 1	Address 2	City	State	Zip Code
Applicant	MINIK, PAUL			pauljminik@gmail.com		1246 BUENA VISTA AVE	PACIFIC GROVE CA 93950			
Operator	MINIK, PAUL			pauljminik@gmail.com		1246 BUENA VISTA AVE	PACIFIC GROVE CA 93950			
Property Manager	MINIK, PAUL			pauljminik@gmail.com		1246 BUENA VISTA AVE	PACIFIC GROVE CA 93950			

Custom Fields

Field Name	Field Value
# of bathrooms	4
# of bedrooms	4
Is there an active Agricultural Operation on the property?	No
Maximum Daytime Occupancy	13
Maximum Overnight Occupancy	9
Nearest 24-hour clinic Address	23625 Holman Highway Monterey, CA 93940
Nearest 24-hour clinic Name	Community Hospital of the Monterey Peninsula
Nearest 24-hour clinic Phone	831-624-5311
Nearest Fire Station Address	26 Via Contenta, Carmel Valley, CA 93924
Nearest Fire Station Name	Carmel Fire Department
Nearest Fire Station Phone	(831) 659-2021
Nearest Hospital Emergency Room Address	23625 Holman Highway Monterey, CA 93940
Nearest Hospital Emergency Room Name	Community Hospital of the Monterey Peninsula
Nearest Hospital Emergency Room Phone	831-624-5311
Nearest Police Station Address	Junipero Ave & 4th Ave, Carmel-By-The-Sea, CA 93923

Nearest Police Station Name Carmel Police Department
 Nearest Police Station Phone 831-624-6403
 Number of employees who will maintain the Vacation Rental (landscape services, housekeeping) 0
 Number of Non-hosted Rentals Per Year 100
 Owner is an Individual or Trustee No
 Proposed VR is in a Single Family Dwelling? Yes
 Transient Occupancy Tax (TOT) Number 23171
 VR is on a private road or a shared driveway No
 VR on a public sewer Yes
 VR on a public water system Yes
 VR Type Commercial
 I agree that the Bedrooms of my dwelling unit satisfy all of the requirements as set forth in Monterey County Code Sub-Section 7.120.020.C. CHECKED
 I agree to maintain my Vacation Rental in compliance with California Public Resources Code Section 4291, also known as defensible space regulations. CHECKED
 Resources for Defensible Space can be found here: <https://www.fire.ca.gov/dspace>.

Custom Tables

Documents

<u>Category</u>	<u>Name</u>	<u>Entity Type</u>	<u>Source</u>	<u>Group</u>
Evacuation Maps	EMERGENCY_ROUTES_VR260069	CAP	ADS	VACATION RENTAL
Evacuation Maps	EVAC_MAP_VR260069	CAP	ADS	VACATION RENTAL
Evacuation Maps	HWY_ROUTES_VR260069	CAP	ADS	VACATION RENTAL
License Documents	VROL_APP_VR260069_051926	CAP	ADS	VACATION RENTAL
Most recent water bill	CAL-AM_VR260069	CAP	ADS	VACATION RENTAL
Operation Plan	OP_PLAN_VR260069	CAP	ADS	VACATION RENTAL
Proof of solid waste collection (garbage collection bill)	WM_BILL_VR260069	CAP	ADS	VACATION RENTAL
Site Plan/Floor Plan	FLOOR_PLAN_VR260069	CAP	ADS	VACATION RENTAL
Site Plan/Floor Plan	SITE_PLAN_VR260069	CAP	ADS	VACATION RENTAL
Vacation Rental Home Inspection Form	HOME_INSP_CHECKLIST_VR260069	CAP	ADS	VACATION RENTAL

Fees

<u>Fee Item</u>	<u>Assessed Amount</u>	<u>Assessed Date</u>	<u>Invoiced Amount</u>	<u>Invoice Number</u>	<u>Balance</u>	<u>Account Code</u>	<u>Allocation</u>	<u>Allo. Type</u>
General Plan Management Fee	144.75	05/19/2026	144.75	226029	0.00	001-3100-8543-4260-GPU		NONE
Technology Fee	72.28	05/19/2026	72.28	226029	0.00	001-3100-8543-4230-TEC		NONE
Vacation Rental Operator's License	965.00	05/19/2026	965.00	226028	0.00	001-3100-8543-4260		NONE
Totals:	1,182.03		1,182.03		0.00			

Payments

<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Status</u>	<u>Fee Item</u>	<u>Fee Amount</u>	<u>Tran Amount</u>	<u>Tran Date</u>	<u>Invoice Number</u>	<u>Account Code</u>	<u>Allocation</u>	<u>Allo. Type</u>
05/20/2026	1,182.03	Paid	VROL1	965.00	965.00	05/20/2026	226028	001-3100-8543-4260		NONE
05/20/2026	1,182.03	Paid	TECH	72.28	72.28	05/20/2026	226029	001-3100-8543-4230-TEC		NONE
05/20/2026	1,182.03	Paid	GPU1	144.75	144.75	05/20/2026	226029	001-3100-8543-4260-GPU		NONE
Totals:				1,182.03	1,182.03					

Workflow

<u>Workflow Task</u>	<u>Status Date</u>	<u>Task Status</u>	<u>Action By</u>	<u>Assigned To</u>
Application Review and Routing	5/27/2026	Accepted	Stacy Giles	Stacy Giles
Planning Review		Comment	Stacy Giles	Stacy Giles
Health Review		Plan Review Start		Connor Cappi
Fire Review				
Code Enforcement Review				
Completeness Review				
Treasurer/Tax Collector Review				Jaqueline Morales
Compliance				

Inspections

<u>Inspection Type</u>	<u>Scheduled Date</u>	<u>Completed Date</u>	<u>Status</u>	<u>Inspector</u>
------------------------	-----------------------	-----------------------	---------------	------------------

Inspection Guidesheets

<u>Inspection Date</u>	<u>Inspection Type</u>	<u>Guidesheet Type</u>	<u>Comment</u>	<u>Status</u>	<u>Visible</u>
<u>Order</u>	<u>Text</u>				

Comments

<u>Comment Date</u>	<u>Comment Type</u>	<u>Comment Text</u>
---------------------	---------------------	---------------------

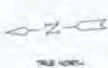
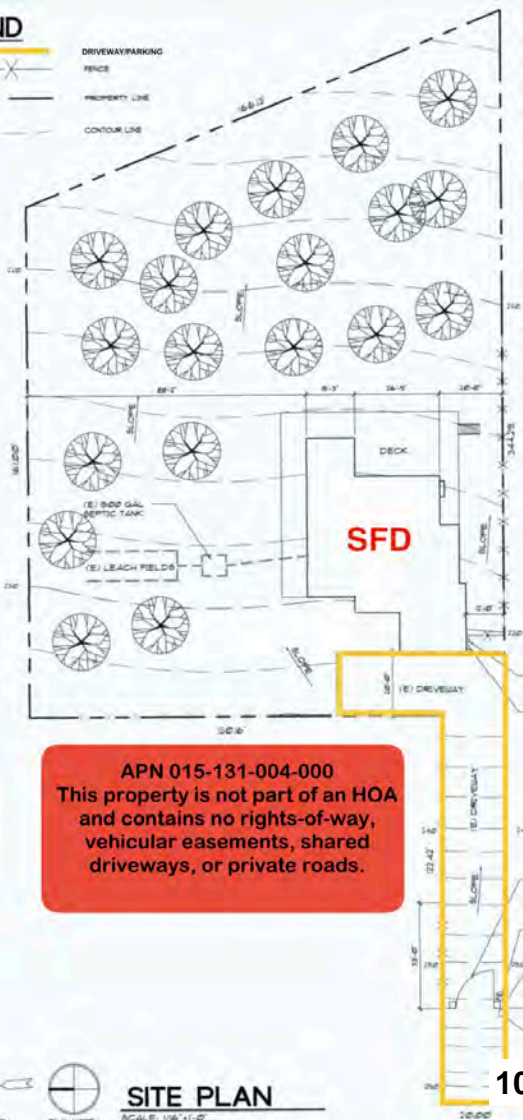
Conditions

<u>Description</u>	<u>Type</u>	<u>Condition Comment</u>	<u>Effective Date</u>	<u>Issued By</u>	<u>Status</u>	<u>Status Date</u>
Approved Land Use Permit	Planning	Approved Land Use Permit	5/19/2026	Stacy Giles	Not Met	5/19/2026

This page intentionally left blank

LEGEND

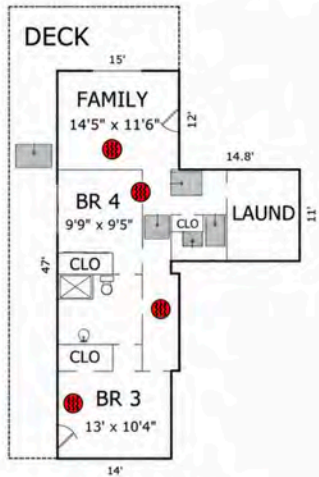
- DRIVEWAY/PARKING FENCE
- PROPERTY LINE
- CONTOUR LINE



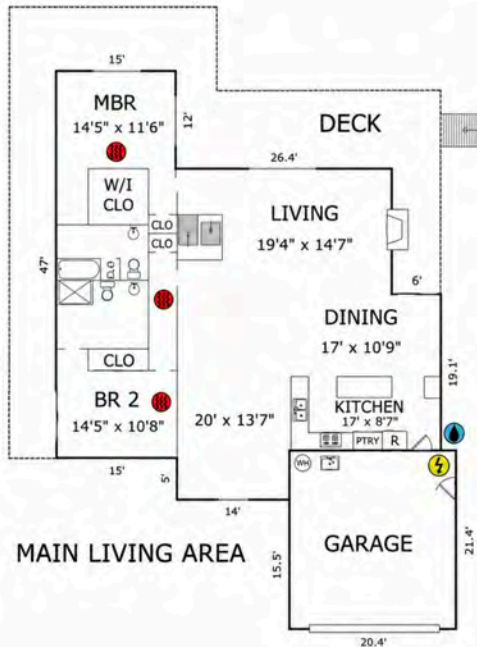
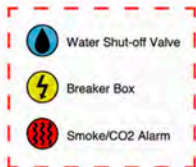
SITE PLAN

SCALE: 1/8" = 1'-0"

This page intentionally left blank



GROUND FLOOR



MAIN LIVING AREA

This page intentionally left blank

Exhibit B

This page intentionally left blank.



Sugar Science

24971 N Carmel Hills Dr

Valley Rest Residential Care

Ruler

Line Path Polygon **Circle** 3D path 3D polygon

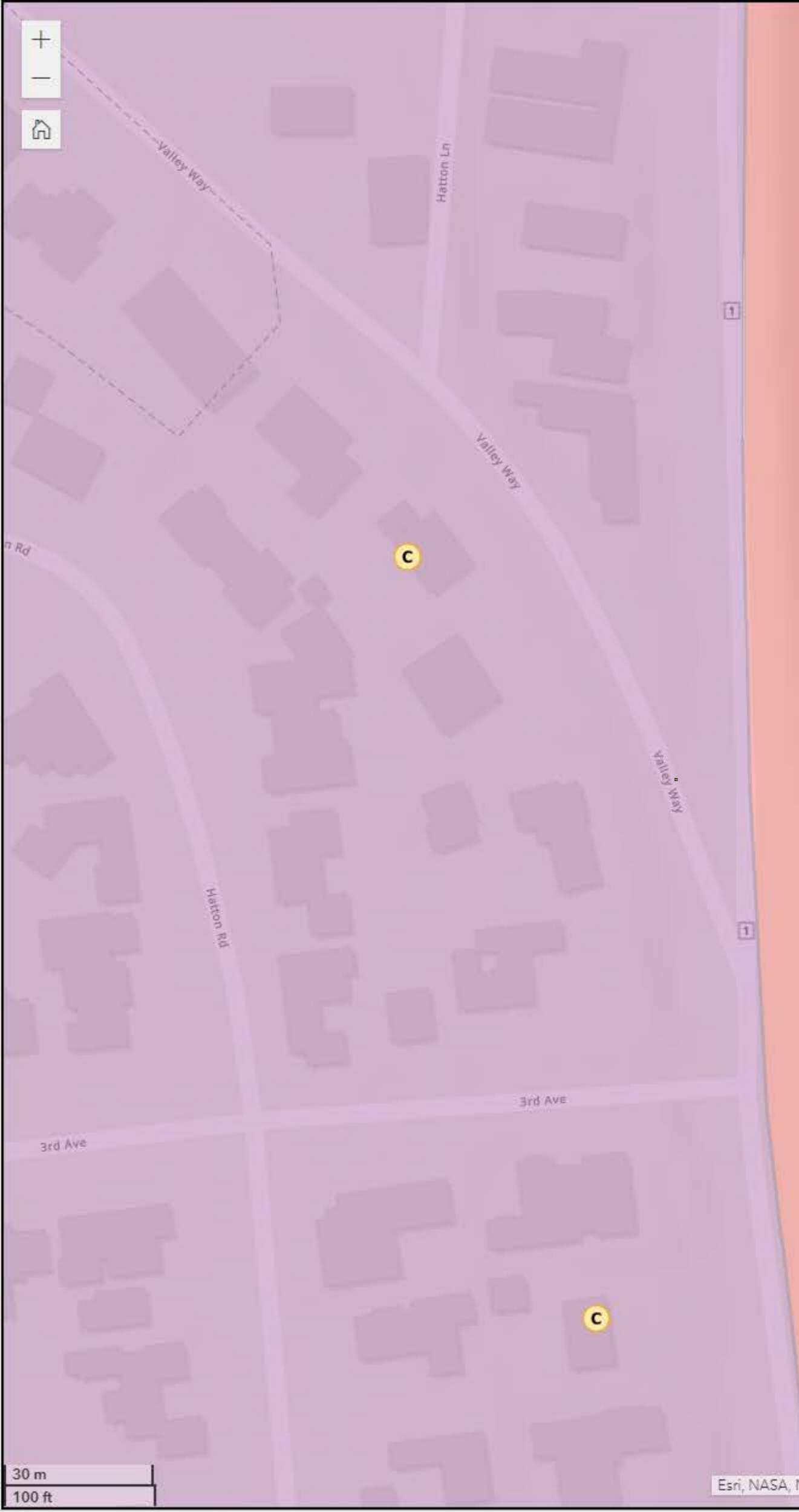
Measure the circumference or area of a circle on the ground

Radius: 500.02 Feet

Area: 787,475.38 Square Feet

Circumference: 3,147.20 Feet

Mouse Navigation Save Clear



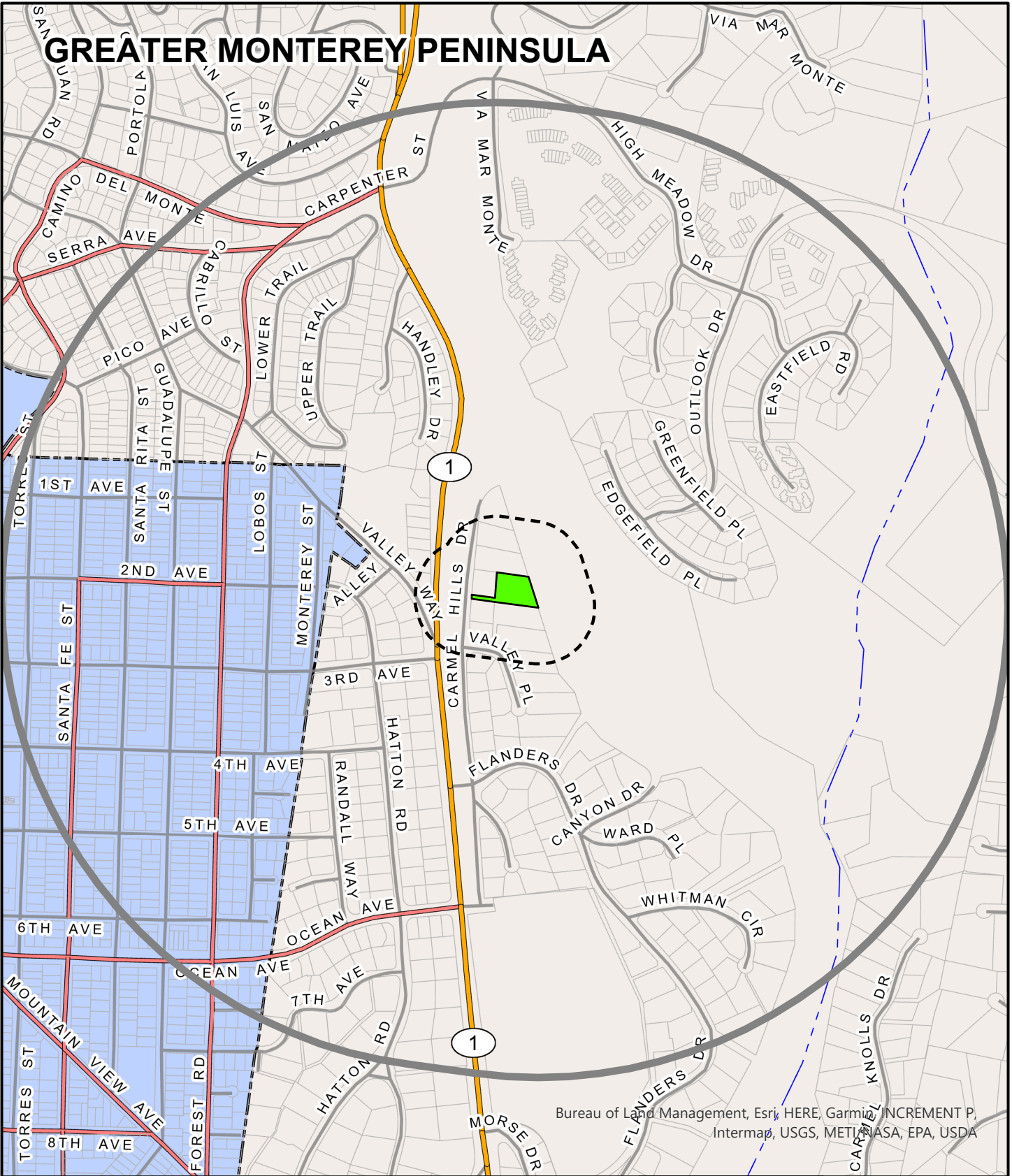
30 m
100 ft



Exhibit C

This page intentionally left blank.

GREATER MONTEREY PENINSULA




Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI, NASA, EPA, USDA


APPLICANT: JAISHIV PROPERTIES LLC

APN: 015131004000

FILE # PLN180319

 Project Site

 300 FT Buffer

 2500 FT Buffer



This page intentionally left blank

Exhibit D

This page intentionally left blank.



HOUSING AND COMMUNITY DEVELOPMENT

Announcements

Development Services

Planning
Services

Permit Center

GIS / Maps

About Us



Vacation Rental Home Inspection Checklist

Property Information

- Vacation Rental Address and Unit/Suite/Apt # **24971 N. Carmel Hills Dr.
Carmel, CA 93923**
- Total number of bedrooms **4**
- Total number of onsite parking spaces (e.g. garage, driveway) **6**

Interior Inspection

Beds are located in approved Bedrooms, in compliance with the Building Code at the time of construction, with appropriate ingress and egress.

- Every sleeping room has a functional smoke alarm.
- Every hallway with a sleeping room has a functional smoke alarm. Every floor has a functional carbon monoxide alarm.
- All built-in kitchen appliances operate properly and space for food storage, preparation, and serving are in good and safe condition. All electrical outlets in kitchen and bathrooms are Ground Fault Circuit Interrupter (GFCI) protected.
- Water heater is properly strapped, adequately vented, and temperature and pressure relief valves are drained to outside.
- Other heating equipment is in safe operating condition and placed in an approved location.
- There is at least one readily accessible class A fire extinguisher located in the home that has been serviced annually by a certified fire extinguisher company.
- The building conforms to the applicable state building and fire codes at the time the building was constructed.

Exterior Inspection

- There is no evidence of infestation, garbage, and debris at the site.
 - The property has active garbage pick-up service.
- If a garage is present, it is only used as a garage and only non-combustible flooring exists. Driveway, if present, is open and accessible to vehicles.
- Property is in an overall safe and sanitary condition.
 - Water heater is properly strapped, adequately vented, and temperature and valves are drained to outside. Other heating equipment is in safe operating condition and placed in an approved location.

Home Inspection Results



County of Monterey

Item No.4

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ZA 26-061

June 11, 2026

Introduced: 5/29/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN260065 - ZACK JAMES WILLIAM & LISA STEPHANI DE VITO TRS

Public hearing to consider action on Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.

Project Location: 24760 Lower Trail, Carmel, CA 93923

Proposed CEQA Action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made.

RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a Resolution:

- a. Finding the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made; and
- b. Approving a Coastal Development Permit for a Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION

Property Owner/Applicant: James William Zack & Lisa Stephani De Vito Trs

APN: 009-073-009-000

Parcel Size: approximately 0.09 acre

Zoning: Medium Density Residential with a maximum gross density of 2 units per acre with a Design Control Overlay, within the Coastal Zone or "MDR/2-D (CZ)"

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Not Applicable

Project Planner: Imani Harrigan, Assistant Planner

harrigani@countyofmonterey.gov; 831-755-5845

SUMMARY/DISCUSSION:

The project is located at 24760 Lower Trail, within the Carmel Area Land Use Plan, on a County-maintained road, in Carmel. The applicant submitted an application seeking to use their existing single-family dwelling located in a residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with a single-family dwelling, a junior accessory dwelling unit, an attached garage, and a patio. The surrounding area is developed with single-family dwellings, a Monterey-Salinas Transit bus stop, and a hotel (**Exhibit D**).

The existing single-family dwelling is approximately 1,438 square feet with two bedrooms, one bathroom, a kitchen, an attached garage, and an attached 490 square foot junior accessory dwelling unit (JADU) on the lower level (**Exhibit C**). The JADU is accessed through its own entrance and is excluded from the application for a commercial vacation rental. The applicant is proposing that the residence, located on the main level, be occupied by a maximum of 5 people overnight and 7 people during daytime hours at the property at a time. The property will retain its potable water through California American Water, and Carmel Area Wastewater District will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. Within the immediate neighborhood, there are a total of ten Commercial Vacation rentals, with one approved, one submitted, four applied, and four incomplete (**Exhibit D**). If approved, the granting of this Coastal Development Permit would allow the establishment of the 27th commercial vacation rental in the Carmel Area Land Use Plan out of 118 Coastal Development Permits permitted pursuant to Title 20 Section 20.64.290.F.3.b.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 1982 County of Monterey General Plan (General Plan), Carmel Area Land Use Plan (CAR LUP), Monterey County Coastal Implementation Plan, Part 4 (CIP), Monterey County Code Title 7 Chapter 7.120, and the Monterey County Coastal Zoning Ordinance (Title 20).

Land Use

The parcel is zoned Medium Density Residential with a maximum gross density of 2 units per acre with a Design Control Overlay, within the Coastal Zone or "MDR/2-D (CZ)." Title 20 Section 20.12.050.DD allows for the Commercial Vacation Rental single-family subject to the granting of a Coastal Development Permit. Title 20 Section 20.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.

The property complies with Title 20 Section 20.64.290.F.5, adequate emergency response times for fire and emergency medical. The submitted Operations Plan includes contact information for County emergency services for fire and medical. Adequate is defined as 5-8 minutes within Community Areas, Community Plans, and Sphere of Influence, 12 minutes within Rural centers, and 45 minutes for all other areas. The subject property is within the Sphere of Influence for Carmel-by-the-Sea; therefore, it is subject to the 5-8 minutes response time. The Cypress Fire Protection District Station 25 is 7 minutes away, which provides emergency fire and emergency paramedic services including advanced life support 24 hours a day. Additionally, the nearest hospital, Community Hospital of Monterey Peninsula, is 5 minutes away. The Vacation Rental Operation License requires that guests be provided with the contact information on the response time for emergency medical and fire services as a part of the informational notice posted within six feet of the front door (Condition No. 5).

Parking requirements outlined in Title 20 Sections 20.64.290.F.6 and 20.58.040 require that a Single-Family Detached residential dwelling unit have 2 spaces/unit, which this application does not comply with. In the attached plans there are a total of one on-site space in the attached garage. The development was built in 1946 and conformed to the zoning regulation from the time the house was

built which required one parking space, thus making it legal nonconforming.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 20 Section 20.64.290.F.7, which allows one Commercial Vacation Rental per legal lot of record. The subject property will be the only Commercial Vacation Rental on the legal lot of record. The owner of the subject property complies with the ownership requirements of Title 20 Section 20.64.290.F.10, wherein the owner of the subject property is allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owners of the property do not have an ownership interest in other already operating Commercial Vacation Rentals in unincorporated Monterey County, and this would be their first and only Commercial Vacation Rental in unincorporated Monterey County.

As detailed in the draft resolution (**Exhibit A**), the Applicant/Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental, Sanctuary Vacation Rentals, is located at the Northwest corner of Mission and 8th Avenue, approximately 5 minutes (1.2 miles) from the subject parcel. Contact information for Sanctuary Vacation Rentals will be provided to the guests of the property and they will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Sanctuary Vacation Rental's contact information will be provided to guests as a part of the informational notice posted within six feet of the front door as required pursuant to Title 7 Section 7.120.040.L.

The property has a maximum occupancy of 5 overnight guests and 7 daytime guests. The proposed occupancy does not exceed the limits set forth in the California Uniform Housing Code and the requirements enumerated in Title 7 Section 7.120.070.C, which limit the maximum overnight occupancy to two persons per bedroom plus one and not counting infants (zero to twelve months), with a not to exceed total maximum overnight occupancy of 10 overnight guests, regardless of the number of bedrooms in the property.

To ensure the proposed use will not affect the residential character of the neighborhood, the following two conditions have been incorporated. Condition No. 3 has been incorporated to ensure that the property will not be an event venue, and Condition No. 5 to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 20 Section 20.64.290, and the Conditions of Approval. Additionally, the proposed Commercial Vacation Rental 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. In accordance with Title 20 Section 20.70.060, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this Coastal Development Permit, the permit may be revoked for non-compliance.

Access

The property is accessed through Lower Trail a County-maintained road. Lower Trail is accessible from Highway 1 through several other public County-maintained roads. Therefore, policies and regulations pertaining to the use of private roads in Monterey County Code Title 16 Chapter 16.80 are not applicable.

Violation

There are no open violations attributed to the subject property.

CEQA:

The project qualifies as a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the operation of existing private structures, involving negligible or no expansion of an existing use. The Applicant/Owner proposes to use a residential single-family dwelling for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer. This project does not propose or authorize any additional exterior development and/or expansion of the existing structure currently on the project site.

The subject property will be limited to one rental contract at any given time. All facilities, as planned and approved, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Additionally, there will be no significant effect on the environment due to unusual circumstances. Further, there is no evidence that “the cumulative impact of successive projects of the same type in the same place, over time is significant.”

The County prepared a FEIR for the Vacation Rental Ordinances project, which was certified by the Board on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Carmel Area Land Use Plan. It would be the 27th Commercial Vacation Rental out of a maximum of 118 in the Carmel Area Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations take together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

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

HCD-Planning

Prepared by: Imani Harrigan, Assistant Planner

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval

- Operations Plan
- Site Plans and Floor Plans
- Exhibit B - Home Inspection Checklist
- Exhibit C - Vicinity Map
- Exhibit D - Aerial Image & Surrounding Neighborhood
- Exhibit E - Public Comments

cc: Front Counter Copy; HCD-Planning; Imani Harrigan, Assistant Planner, Jacquelyn M. Nickerson, Principal Planner, James William Zack & Lisa Stephanie De Vito Trs, Property Owners; Tiffany Edwards, Agent; Interested Party List: The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); LandWatch (Executive Director); Christina McGinnis, Keep Big Sur Wild; Planning File PLN260065.



Zoning Administrator

Legistar File Number: ZA 26-061

June 11, 2026

Introduced: 5/29/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN260065 - ZACK JAMES WILLIAM & LISA STEPHANI DE VITO TRS

Public hearing to consider action on Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.

Project Location: 24760 Lower Trail, Carmel, CA 93923

Proposed CEQA Action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made.

RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a Resolution:

- a. Finding the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made; and
- b. Approving a Coastal Development Permit for a Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION

Property Owner/Applicant: James William Zack & Lisa Stephani De Vito Trs

APN: 009-073-009-000

Parcel Size: approximately 0.09 acre

Zoning: Medium Density Residential with a maximum gross density of 2 units per acre with a Design Control Overlay, within the Coastal Zone or "MDR/2-D (CZ)"

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Not Applicable

Project Planner: Imani Harrigan, Assistant Planner

harrigani@countyofmonterey.gov; 831-755-5845

SUMMARY/DISCUSSION:

The project is located at 24760 Lower Trail, within the Carmel Area Land Use Plan, on a County-maintained road, in Carmel. The applicant submitted an application seeking to use their existing single-family dwelling located in a residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with a single-family dwelling, a junior accessory dwelling unit, an attached garage, and a patio. The surrounding area is developed with single-family dwellings, a Monterey-Salinas Transit bus stop, and a hotel (**Exhibit D**).

The existing single-family dwelling is approximately 1,438 square feet with two bedrooms, one bathroom, a kitchen, an attached garage, and an attached 490 square foot junior accessory dwelling unit (JADU) on the lower level (**Exhibit C**). The JADU is accessed through its own entrance and is excluded from the application for a commercial vacation rental. The applicant is proposing that the residence, located on the main level, be occupied by a maximum of 5 people overnight and 7 people during daytime hours at the property at a time. The property will retain its potable water through California American Water, and Carmel Area Wastewater District will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. Within the immediate neighborhood, there are a total of ten Commercial Vacation rentals, with one approved, one submitted, four applied, and four incomplete (**Exhibit D**). If approved, the granting of this Coastal Development Permit would allow the establishment of the 27th commercial vacation rental in the Carmel Area Land Use Plan out of 118 Coastal Development Permits permitted pursuant to Title 20 Section 20.64.290.F.3.b.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 1982 County of Monterey General Plan (General Plan), Carmel Area Land Use Plan (CAR LUP), Monterey County Coastal Implementation Plan, Part 4 (CIP), Monterey County Code Title 7 Chapter 7.120, and the Monterey County Coastal Zoning Ordinance (Title 20).

Land Use

The parcel is zoned Medium Density Residential with a maximum gross density of 2 units per acre with a Design Control Overlay, within the Coastal Zone or "MDR/2-D (CZ)." Title 20 Section 20.12.050.DD allows for the Commercial Vacation Rental single-family subject to the granting of a Coastal Development Permit. Title 20 Section 20.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.

The property complies with Title 20 Section 20.64.290.F.5, adequate emergency response times for fire and emergency medical. The submitted Operations Plan includes contact information for County emergency services for fire and medical. Adequate is defined as 5-8 minutes within Community Areas, Community Plans, and Sphere of Influence, 12 minutes within Rural centers, and 45 minutes for all other areas. The subject property is within the Sphere of Influence for Carmel-by-the-Sea; therefore, it is subject to the 5-8 minutes response time. The Cypress Fire Protection District Station 25 is 7 minutes away, which provides emergency fire and emergency paramedic services including advanced life support 24 hours a day. Additionally, the nearest hospital, Community Hospital of Monterey Peninsula, is 5 minutes away. The Vacation Rental Operation License requires that guests be provided with the contact information on the response time for emergency medical and fire services as a part of the informational notice posted within six feet of the front door (Condition No. 5).

Parking requirements outlined in Title 20 Sections 20.64.290.F.6 and 20.58.040 require that a Single-Family Detached residential dwelling unit have 2 spaces/unit, which this application does not comply with. In the attached plans there are a total of one on-site space in the attached garage. The development was built in 1946 and conformed to the zoning regulation from the time the house was

built which required one parking space, thus making it legal nonconforming.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 20 Section 20.64.290.F.7, which allows one Commercial Vacation Rental per legal lot of record. The subject property will be the only Commercial Vacation Rental on the legal lot of record. The owner of the subject property complies with the ownership requirements of Title 20 Section 20.64.290.F.10, wherein the owner of the subject property is allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owners of the property do not have an ownership interest in other already operating Commercial Vacation Rentals in unincorporated Monterey County, and this would be their first and only Commercial Vacation Rental in unincorporated Monterey County.

As detailed in the draft resolution (**Exhibit A**), the Applicant/Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental, Sanctuary Vacation Rentals, is located at the Northwest corner of Mission and 8th Avenue, approximately 5 minutes (1.2 miles) from the subject parcel. Contact information for Sanctuary Vacation Rentals will be provided to the guests of the property and they will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Sanctuary Vacation Rental's contact information will be provided to guests as a part of the informational notice posted within six feet of the front door as required pursuant to Title 7 Section 7.120.040.L.

The property has a maximum occupancy of 5 overnight guests and 7 daytime guests. The proposed occupancy does not exceed the limits set forth in the California Uniform Housing Code and the requirements enumerated in Title 7 Section 7.120.070.C, which limit the maximum overnight occupancy to two persons per bedroom plus one and not counting infants (zero to twelve months), with a not to exceed total maximum overnight occupancy of 10 overnight guests, regardless of the number of bedrooms in the property.

To ensure the proposed use will not affect the residential character of the neighborhood, the following two conditions have been incorporated. Condition No. 3 has been incorporated to ensure that the property will not be an event venue, and Condition No. 5 to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 20 Section 20.64.290, and the Conditions of Approval. Additionally, the proposed Commercial Vacation Rental 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. In accordance with Title 20 Section 20.70.060, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this Coastal Development Permit, the permit may be revoked for non-compliance.

Access

The property is accessed through Lower Trail a County-maintained road. Lower Trail is accessible from Highway 1 through several other public County-maintained roads. Therefore, policies and regulations pertaining to the use of private roads in Monterey County Code Title 16 Chapter 16.80 are not applicable.

Violation

There are no open violations attributed to the subject property.

CEQA:

The project qualifies as a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the operation of existing private structures, involving negligible or no expansion of an existing use. The Applicant/Owner proposes to use a residential single-family dwelling for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer. This project does not propose or authorize any additional exterior development and/or expansion of the existing structure currently on the project site.

The subject property will be limited to one rental contract at any given time. All facilities, as planned and approved, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Additionally, there will be no significant effect on the environment due to unusual circumstances. Further, there is no evidence that “the cumulative impact of successive projects of the same type in the same place, over time is significant.”

The County prepared a FEIR for the Vacation Rental Ordinances project, which was certified by the Board on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Carmel Area Land Use Plan. It would be the 27th Commercial Vacation Rental out of a maximum of 118 in the Carmel Area Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations take together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

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

HCD-Planning

Prepared by: Imani Harrigan, Assistant Planner

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval

- Operations Plan
- Site Plans and Floor Plans
- Exhibit B - Home Inspection Checklist
- Exhibit C - Vicinity Map
- Exhibit D - Aerial Image & Surrounding Neighborhood
- Exhibit E - Public Comments

cc: Front Counter Copy; HCD-Planning; Imani Harrigan, Assistant Planner, Jacquelyn M. Nickerson, Principal Planner, James William Zack & Lisa Stephanie De Vito Trs, Property Owners; Tiffany Edwards, Agent; Interested Party List: The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); LandWatch (Executive Director); Christina McGinnis, Keep Big Sur Wild; Planning File PLN260065.

Exhibit A

This page intentionally left blank.

DRAFT RESOLUTION

Before the Housing and Community Development Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

ZACK JAMES WILLIAM & LISA STEPHANIE DE VITO TRS (PLN260065)

RESOLUTION NO. 26-

Resolution by the County of Monterey Zoning
Administrator:

- 1) Finding that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301 and no exceptions under section 15300.2 apply; and
- 2) Approving a Coastal Development Permit for a Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.

[PLN260065 ZACH JAMES WILLIAM & LISA STEPHANIE DE VITO TRS, 24760 Lower Trail, Carmel (Assessor's Parcel Number 009-073-009-000), Carmel Area Land Use Plan, Coastal Zone]

The **ZACH JAMES WILLIAM & LISA STEPHANIE DE VITO TRS application (PLN260065)** came on for a public hearing before the County of Monterey Zoning Administrator on June 11, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
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 1982 County of Monterey General Plan (General Plan);
 - Carmel Area Land Use Plan (CAR LUP);
 - Carmel Area Coastal Implementation Plan (CAR CIP);
 - Monterey County Code Chapter 7.120; and
 - Monterey County Coastal Zoning Ordinance (Title 20).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) Project Scope. The project is located at 24760 Lower Trail, a County-maintained Road, in Carmel subject to the Carmel Area Land Use Plan,

ZACK JAMES WILLIAM & LISA STEPHANIE DE VITO TRS (PLN260065)

Coastal Zone. The applicant submitted an application seeking to use their existing single-family dwelling located in a residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with a single-family dwelling, a junior accessory dwelling unit (JADU), an attached garage, and a patio. The surrounding area is developed with single-family dwellings, a Monterey-Salinas Transit bus stop, and a hotel. The (JADU) is accessed through its own entrance and is excluded from the application for a commercial vacation rental. The applicant is proposing that the residence, located on the main level, be occupied by a maximum of 5 people overnight and 7 people during daytime hours at the property at a time.

- c) Allowed Use. The property is located at 24760 Lower Trail, Carmel, Carmel Area Land Use Plan, Coastal Zone (Assessor's Parcel Number: 009-073-009-000). The subject parcel is zoned Medium Density Residential with a maximum gross density of 2 units/acre with a Design Control Overlay, within the Coastal Zone or "MDR/2-D(CZ)." Title 20 Section 20.12.050.DD allows for the Commercial Vacation Rental use, subject to the granting of a Coastal Development Permit. Title 20 Section 20.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.
- d) Lot Legality. The subject property (0.09 acre in size), APN:009-073-009-000, is identified in its current configuration as Lot 5 in Block 167 as shown on Map of La Loma Terrace, Being the Eleventh Addition to Carmel-by-the-Sea, Monterey County, California, in Cities & Towns Map in Book 3 Page 25. Therefore, the County recognizes the property as a legal lot of record.
- e) Land Use Advisory Committee (LUAC). This project was not referred to the Carmel Highlands LUAC for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 15-043, this application did not warrant referral to the LUAC as it does not fall within the LUAC review guidelines.
- f) Vacation Rental Operation License. Condition No. 5 requires that the applicant obtain a Vacation Rental Operation License and provide documentation to prove that they comply with all of the requirements of the Vacation Rental Operation License pursuant to Title 7 Chapter 7.120. The subject property is required as conditioned to ensure that they always have an active Vacation Rental Operation License.
- g) Business License. The applicant must obtain a Business License and provide to prove that they comply with all of the requirements of the Business License pursuant to Title 7 Section 7.02.060. The subject property is required to comply with the regulation as part of the issuance of a Vacation Rental Operation License.
- h) Transient Occupancy Tax. The applicant must register with the County of Monterey Treasurer-Tax Collector to pay Transient Occupancy Tax pursuant to Title 5 Chapter 5.40 and must pay Transient Occupancy Tax on all applicable rent received from transient occupancy of their residence as a Commercial Vacation Rental. As part of the issuance of

a Vacation Rental Operation License (Condition No. 5), the subject property is required to ensure payment of Transient Occupancy Tax to the County of Monterey Treasurer-Tax Collector is made pursuant to Title 5 Chapter 5.40.

- i) Adequate Emergency Response Time. The property complies with Title 20 Section 20.64.290.F.5, adequate emergency response times for fire and emergency medical. The submitted Operations Plan includes contact information for County emergency services for fire and emergency medical. Adequate is defined as 5-8 minutes within Community Areas, Community Plans, and Sphere of Influence, 12 minutes within Rural centers, and 45 minutes for all other areas. The subject property is within the Sphere of Influence for Carmel-by-the-Sea; therefore, it is subject to the 5-8 minutes response time. The Cypress Fire Protection District Station 25 is 7 minutes away, which provides emergency fire and emergency paramedic services including advanced life support 24 hours a day. Additionally, the nearest hospital, Community Hospital of Monterey Peninsula, is 5 minutes away. The subject property complies with the requirement to provide contact information for County emergency services for fire and emergency medical. The designated Property Manager for the Commercial Vacation Rental, Sanctuary Vacation Rentals, is located at the Northwest corner of Mission and 8th Avenue, approximately 5 minutes (1.2 miles) from the subject parcel. Contact information for Sanctuary Vacation Rentals will be provided to the guests of the property and will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within thirty minutes. The contact information is required to be posted on an outdoor sign in a visible place and in the informational signage that must be posted within the unit, six feet of the front door. The Vacation Rental Operation License requires that guests be provided with this information as a part of the informational notice posted within six feet of the front door.
- j) Parking. Parking requirements outlined in Title 20 Sections 20.64.290.F.6 and 20.58.040 require that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The applicant includes a total of 1 parking space, which does not comply with parking requirements. The single-family dwelling was built in 1946 and conformed to the zoning regulations from the time the house was built thus making it legal nonconforming.
- k) One Commercial Vacation Rental Per Legal Lot of Record. The subject legal lot of record complies with Title 20 Section 20.64.290.F.7, as this is the only Commercial Vacation Rental on the legal lot of record (APN: 009-073-009-000).
- l) Ownership Interest in One Commercial Vacation Rental in the Unincorporated Monterey County. The trustees of the legal lot of record comply with Title 20 Section 20.64.290.F.10 and do not have any ownership interest in any other Commercial Vacation Rentals in the unincorporated Monterey County. This application, before the Zoning Administrator, would be the first and only ownership interest

the applicants would have in a Commercial Vacation Rental in the unincorporated Monterey County.

- m) Permit Expiration. Condition No. 4 applies a 7-year expiration to the granting of this Coastal Development Permit, pursuant to Title 20 Sub-Section 20.64.290.F.12.a. The purpose of this expiration is to provide adequate ongoing review of the approved use of the residence as a Commercial Vacation Rental. Prior to its expiration, the owner/applicant shall file an extension in accordance with Title 20 Section 20.70.110, which requires submittal of the request at least 30 days prior to the expiration date. The appropriate authority to consider this extension shall be the Zoning Administrator. This subsequent review will ensure: 1) the use continues to meet the standards of Title 20, and 2) an opportunity for Planning staff's review for ongoing compliance with the conditions of approval.
- n) Access. The property is accessed through Lower Trail, a County maintained road. Therefore, the subject property is not subject to the regulations in Title 16 Chapter 16.80. No comments or objections have been received and no further documentation or condition is required of the applicant.
- o) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN260065.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
 - b) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN260065.

3. 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 respective agency has 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) Necessary infrastructure is in place to serve the use, as discussed in the evidence below.

- c) The property has road access from Lower Trail, a County maintained road. No alterations to this driveway or access are required for the use (see evidence “n”) in Finding 1.
- d) Potable water will continue to be provided to the parcel by California American Water through the Monterey Peninsula Water Management District (MPWMD). Sewer service will continue to be provided by Carmel Area Wastewater District.
- e) Solid waste (garbage) collection service is and will continue to be provided by Waste Management.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN260065.

4. 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 current violations existing on subject property.
 - b) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN260065.

5. 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 the leasing of existing private structures, involving negligible or no expansion of existing or former use.
 - b) The project proposed to allow the use of an existing residence for transient lodging for a period of 30 calendar days or fewer. The project would not expand the residence, nor would it allow any additional occupancy beyond what is allowed for the existing residence. Therefore, the project fits the criteria of the exemption.
 - c) None of the exceptions under CEQA Guidelines section 15300.2 apply to this project, as discussed in subsequent Evidence “d” through “i”.
 - d) Class 1 exemptions are not qualified for an exception by their location.
 - e) The County’s regulatory process of Coastal Development Permits for the use of an existing residential property for transient lodging allows the County to regulate such uses in a way that would prevent adverse cumulative impacts to the surrounding environment. Consistent with the Findings and Purpose in Monterey County Ordinance Number 5439 Section 1.F, the requirement for a Coastal Development Permit for Commercial Vacation Rental activities ensures that the impact of such leasing activities can be appropriately evaluated. Further, Title 20 Section 20.64.290 establishes caps on the maximum amount of Coastal Development Permits for Commercial Vacation Rentals to ensure that the potential cumulative effects of Commercial Vacation Rentals are

minimized. The project is consistent with all the criteria in Title 20 Section 20.64.290 and, therefore, would not contribute to a cumulative effect.

- f) The County prepared a FEIR for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Carmel Area Land Use Plan. It would be the 27th Commercial Vacation Rental in the Carmel Area Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.
- g) There are no unusual circumstances related to the project that would create a reasonable possibility of a significant effect.
- h) The project would not result in damage to scenic resources within view of the State Scenic Highway. The nearest designated State Scenic Highway is Highway 1, which is approximately 0.4 miles north of the property. However, the property is not visible from Highway 1 due to distance and intervening vegetation and structures. The project also does not propose any physical changes that would damage scenic resources: no construction, exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.
- i) The project is not located on a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.
- j) See supporting Findings Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN260065.

6. FINDING: PUBLIC ACCESS- The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.146.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

- c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access (Carmel Area, Figure 3, Local Coastal Program Public Access).
- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN260065.

7. FINDING: APPEALABILITY – The decision on this project may be appealed to the Board of Supervisors and California Coastal Commission.

- EVIDENCE:**
- a) Board of Supervisors. Pursuant to Title 20 Section 20.86.030.A, an appeal of the Zoning Administrator’s decision for this project may be made to the Board of Supervisors by any public agency or person aggrieved by their decision.
 - b) Coastal Commission. Pursuant to Title 20 section 20.86.080.A, the project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted in the underlying zone as a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- 1) Find that the project, allowing the use of an existing residence for transient lodging, qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301, and no exceptions under section 15300.2 apply; and
- 2) Approve a Coastal Development Permit for a Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 calendar days or fewer.

The said decision is to be in substantial conformance with the attached plan and subject to the attached conditions, which are incorporated herein for reference.

PASSED AND ADOPTED this 11th day of June 2026,

Mike Novo, AICP
Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 DATE.

ZACK JAMES WILLIAM & LISA STEPHANIE DE VITO TRS (PLN260065)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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. This permit does not authorize any development and only authorizes the use of the residential property as transient lodging.

County of Monterey HCD Planning

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

PLN260065

1. PD001(B) - SPECIFIC COMMERCIAL VACATION RENTAL USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Coastal Development Permit (PLN260065) for a Commercial Vacation Rental to allow the use of a single family dwelling for transient lodging for a period of 30 consecutive calendar days or fewer, counting portions of calendar days as full days. This property is located at 24760 Lower Trail, Carmel (Assessor's Parcel Number 009-073-009-000), Carmel Area Land Use Plan, Coastal Zone. This rental allows an unlimited number of transient lodging rentals of up to 30 calendar days per 12-month period. 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 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. Any use 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 other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (HCD - Planning).

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

2. PD002(B) - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state: "A Coastal Development Permit (Resolution Number XX-XXX) was approved by the Zoning Administrator for Assessor's Parcel Number 009-073-009-000 on June 11, 2026. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with County of Monterey HCD." Proof of recordation of this notice shall be furnished to the Director of HCD 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 commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD008 - NO EVENTS ALLOWED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Title 20 Section 20.64.290.A, to protect the residential character of the neighborhood on an ongoing basis, the property shall be rented for only transient residential-related use. The property shall not be rented to either 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 on-going basis, the property shall only be rented for transient residential-related use.

4. PD009 - PERMIT LIMITATION OF THE USE OF THE RESIDENTIAL PROPERTY AS A COMMERCIAL VACATION RENTAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This permit shall be valid for 7 years from the date of permit approval which is June 11, 2026, unless an extension is filed with County of Monterey HCD – Planning at least 30 days prior to the expiration of the permit. Approval of this Coastal Development Permit is limited to 7 years to provide an adequate, on-going review of the approved use of the Residential Property as a Commercial Vacation Rental.

The owner/operator shall file an application for extension of the permit in accordance with the Monterey County Code Title 20 Sections 20.70.110 and 20.64.290.F.12.d.

Compliance or Monitoring Action to be Performed: The applicant shall commence and operate the authorized use in accordance with County codes and State regulations and to the satisfaction of the HCD-Chief of Planning. Any request for a Coastal Development Permit extension must be received by HCD-Planning at least 30 days prior to the expiration date.

5. PD031 - VACATION RENTAL OPERATION LICENSE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Title 7 Chapter 7.120, applicants are required to obtain a Vacation Rental Operation License from the County of Monterey HCD. This Vacation Rental Operation License shall be active and renewed annually for the term of this Coastal Development Permit.

Compliance or Monitoring Action to be Performed: Prior to the commencement of use, HCD will issue the applicant a Vacation Rental Operation License.

Application Summary Sheet

Record Number: VR250141
Record Type: Planning/VacationRental/NA/NA
Record Type Alias: Vacation Rental
Record Status: Applied
Application Date: 10/24/2025
Parcel Number: 009-073-009-000
Project Name: ZACK JAMES WILLIAM & LISA STEPHANI DE VITO TRS
Assigned To: Stacy Giles
Initiated by Product: ACA

Description of Work

Commercial Vacation Rental Operation License to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer. The property is located at 24760 Lower Trail, Carmel (Assessor's Parcel Number 009-073-009-000), Carmel Land Use Plan, Coastal Zone.

Address Information

Primary	Address Type	Street #	Pre Direction	Street Name	Street Type	Post Direction	Unit/Suite	Level	Building	City	State	Zip Code	Plat #
Y		24760		LOWER TRAIL						CARMEL	CA	93923	

Owner

First Name	Last Name	Full Name	Address 1	Address 2	City	State	Zip	Primary
		ZACK JAMES WILLIAM & LISA STEPHANI DE VITO TRS	1672 15TH ST	SAN FRANCISCO CA 94103				Y

Licensed Professional

License #	License Type	Business Name	Address 1, City, State, Zip Code	Address 2	Last Name, First Name	Mobile Phone	Email
-----------	--------------	---------------	----------------------------------	-----------	-----------------------	--------------	-------

Contact

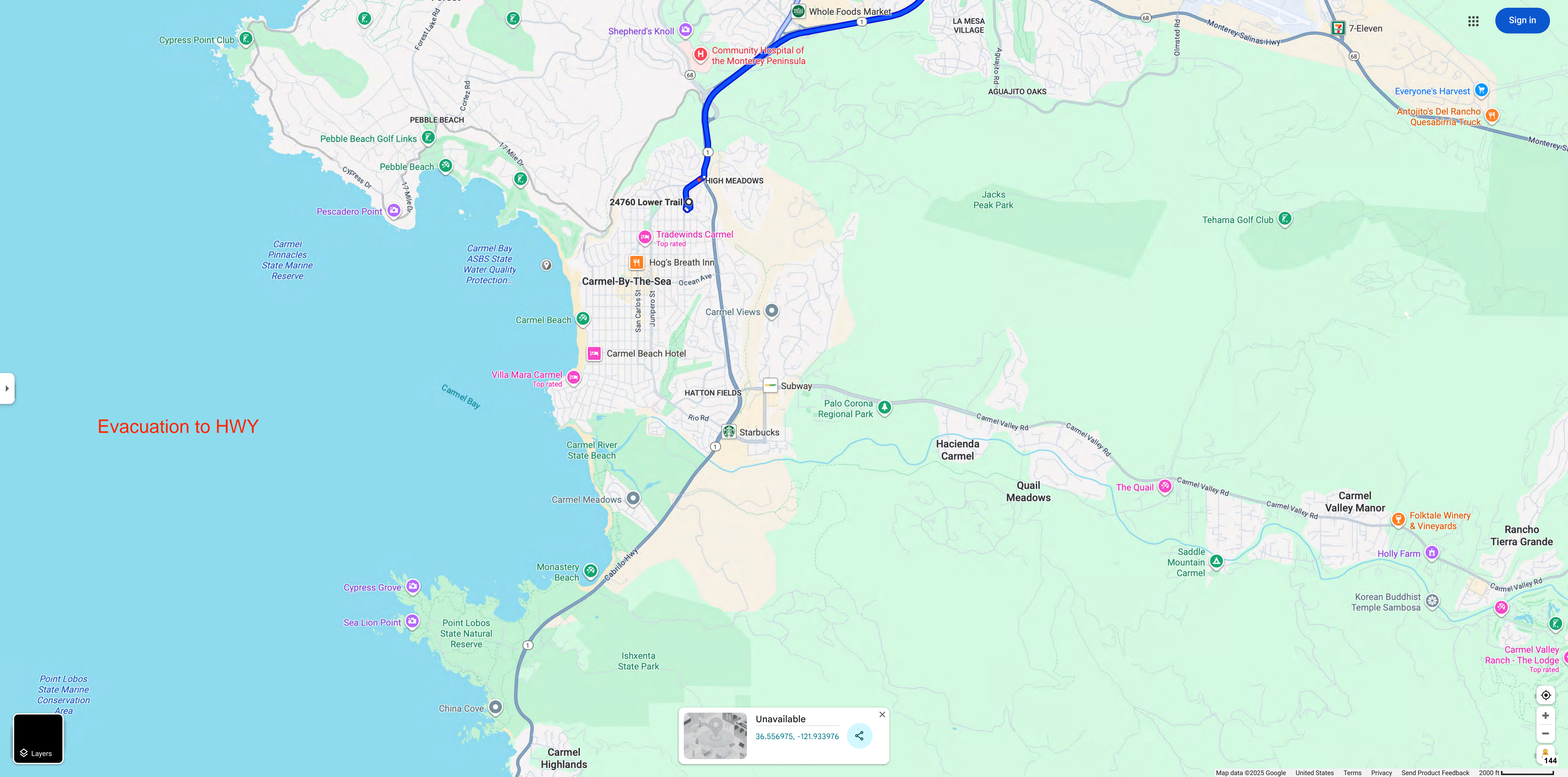
Contact Type	Last Name, First Name	Organization Name	Recipient	Email	Primary Phone	Address 1	Address 2	City	State	Zip Code
Property Manager	OHANIAN, JOSH			josh@sanctuaryvacationrentals.com		PO BOX X	CARMEL BY THE SEA CA 93921			
Operator	OHANIAN, JOSH			josh@sanctuaryvacationrentals.com		PO BOX X	CARMEL BY THE SEA CA 93921			
Applicant	ZACH, JAMES			tiffany@weatherbyconsulting.com		24760 LOWER TRAIL	CARMEL CA 93923			

Custom Fields

Field Name	Field Value
# of bathrooms	1
# of bedrooms	2
HOA	No
Is there an active Agricultural Operation on the property?	No
Maximum Daytime Occupancy	7
Maximum Overnight Occupancy	5
Nearest 24-hour clinic Address	23625 Holman Highway Monterey, CA 93940
Nearest 24-hour clinic Name	Community Hospital of the Monterey Peninsula
Nearest 24-hour clinic Phone	831-624-5311
Nearest Fire Station Address	6th Avenue, Carmel, CA 93923
Nearest Fire Station Name	Carmel Fire Department
Nearest Fire Station Phone	8316202030

Nearest Hospital Emergency Room Address	23625 Holman Highway Monterey, CA 93940
Nearest Hospital Emergency Room Name	Community Hospital of the Monterey Peninsula
Nearest Hospital Emergency Room Phone	831-624-5311
Nearest Police Station Address	Junipero Avenue & 4th Ave, Carmel, CA 93923
Nearest Police Station Name	Carmel Police Department
Nearest Police Station Phone	8316246403
Number of employees who will maintain the Vacation Rental (landscape services, housekeeping)	2
Number of Non-hosted Rentals Per Year	
Owner is an Individual or Trustee	Yes
Proposed VR is in a Single Family Dwelling?	Yes
Shared driveway	No
Transient Occupancy Tax (TOT) Number	2158
VR on a public sewer	Yes
VR on a public water system	Yes
VR Type	Commercial
I agree that I will have only one rental contract per seven day period.	UNCHECKED
I agree that I live in my Residential Property for at least 183 days per calendar year.	UNCHECKED
I agree that I will occupy at least one Bedroom within the Homestay while it is being rented.	UNCHECKED
For applicants that reside within the Del Monte Forest, it is the applicant's responsibility at the	CHECKED
I agree that all online rental contracts, advertisements, and listings for my Vacation Rental will,	CHECKED
I agree that I will have only one rental contract at any given time.	CHECKED
I agree that I will obtain a business license from the County of Monterey Treasurer-Tax Collector be	CHECKED
I agree that my septic system will comply with Monterey County Code Chapter 15.20 for regulation of	CHECKED
I agree that my Vacation Rental will comply with Monterey County Code Chapter 10.41, which requires	CHECKED
I agree that my Vacation Rental will comply with Monterey County Code Chapter 10.60, which prohibits	CHECKED
I agree that my Vacation Rental will comply with Monterey County Code Chapter 8.36, which prohibits	CHECKED
I agree that outdoor fire areas, including approved recreational fire containers and portable firepl	CHECKED
I agree that the Bedrooms of my dwelling unit satisfy all of the requirements	CHECKED
I agree that the Operator and Occupant will sign a written rental contract. The rental contract shal	CHECKED
I agree that upon receipt of an approved License, the Operator shall mail an informational letter us	CHECKED
I agree to maintain my Vacation Rental in compliance with California Public Resources Code	CHECKED
I agree to maintain precise records and documentation, including the names, phone numbers, home addr	CHECKED
I agree to notify the County at least 30 calendar days before the Vacation Rental Operation License	CHECKED

Evacuation to HWY



Unavailable

36.556975, -121.933976

Share icon

Layers

Map navigation controls: compass, zoom in (+), zoom out (-), street view, and scale (144).

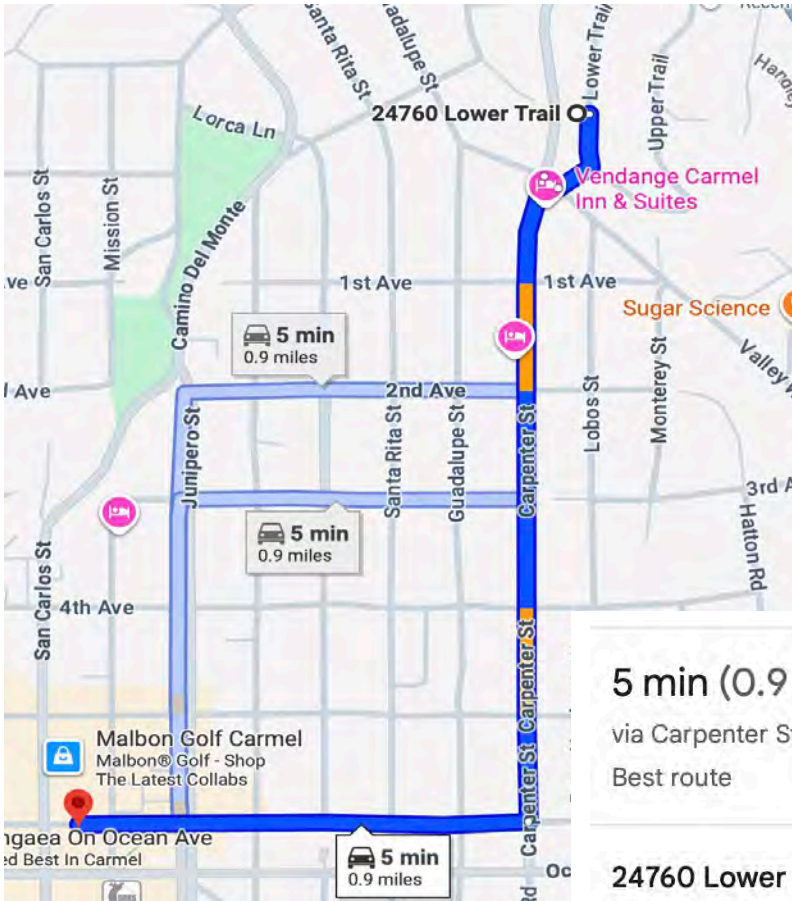
24760 Lower Trail, Carmel

MAP TO NEAREST EMERGENCY ROOM AND 24-HR CLINIC



24760 Lower Trail, Carmel

MAP TO NEAREST FIRE STATION



5 min (0.9 mile)

via Carpenter St and 6th Ave

Best route

24760 Lower Trail

Carmel-By-The-Sea, CA 93923

↑ Head south on Lower Trail toward Upper Trail

374 ft

↘ Turn right onto Valley Way

72 ft

↙ Turn left onto Carpenter St

0.5 mi

↘ Turn right onto 6th Ave

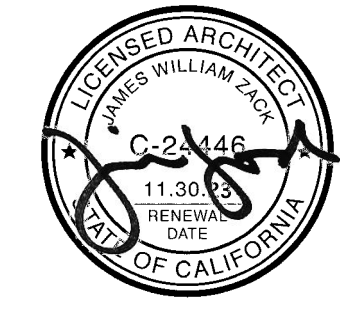
📍 Destination will be on the left

0.3 mi

Carmel Fire Department

6th Ave, Carmel, CA 93923

This page intentionally left blank



Zack de Vito ARCHITECTURE
 1672 15th St. San Francisco, California 94103 T. 415.495.7889 F. 415.495.7869 www.zackdevito.com

LOWER TRAIL RESIDENCE
 24760 LOWER TRAIL, CARMEL, CA 93923

(E) & (N) SITE PLANS

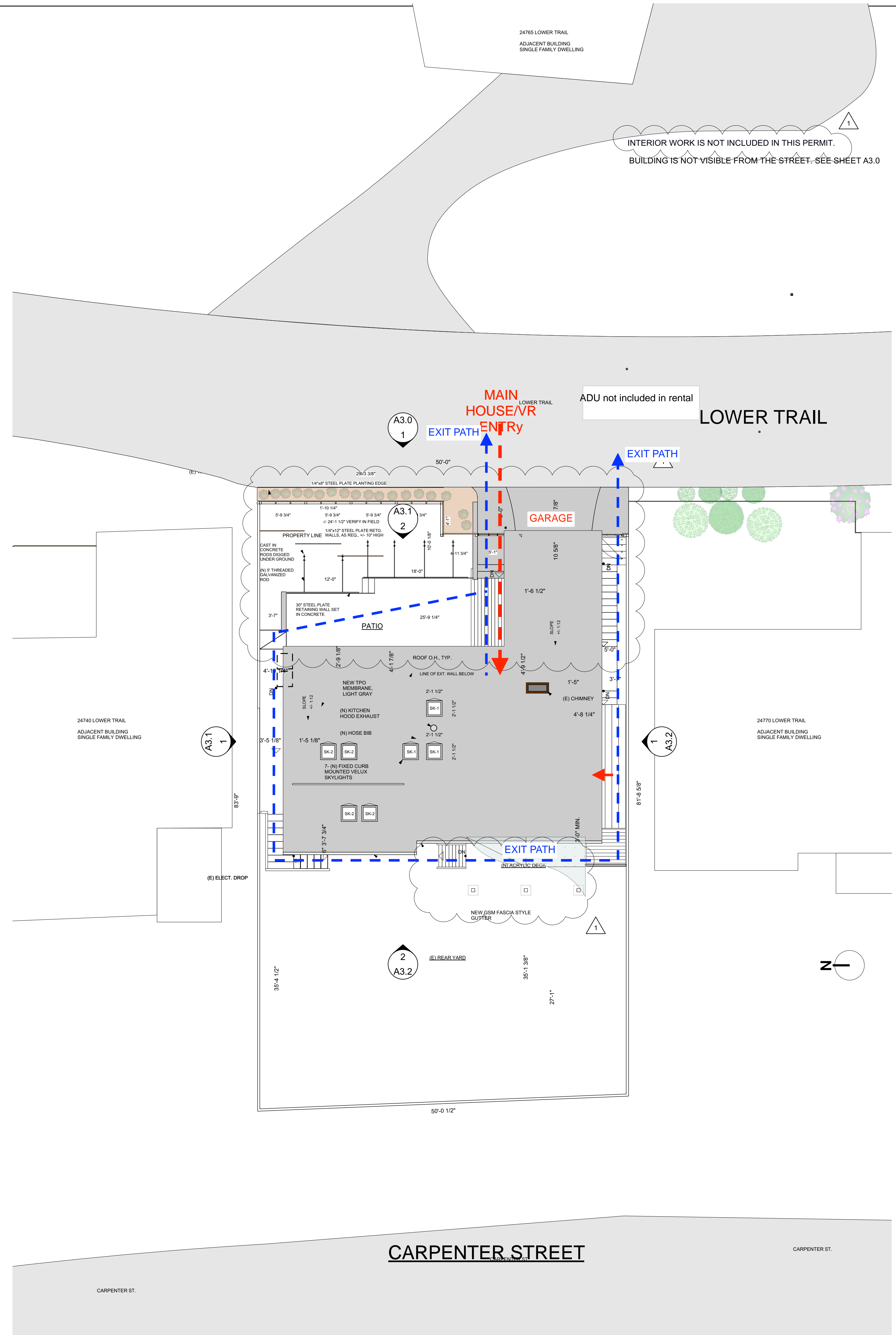
All drawings and written material appearing herein constitute original and unpublished work of the Architect and may not be duplicated, used, or disclosed without the written consent of the Architect.

SCALE: 1/8" = 1'-0"

DRAWN BY: AS

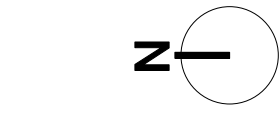
A1.0

PLOT DATE: 1/31/23



INTERIOR WORK IS NOT INCLUDED IN THIS PERMIT.
 BUILDING IS NOT VISIBLE FROM THE STREET. SEE SHEET A3.0

ADU not included in rental

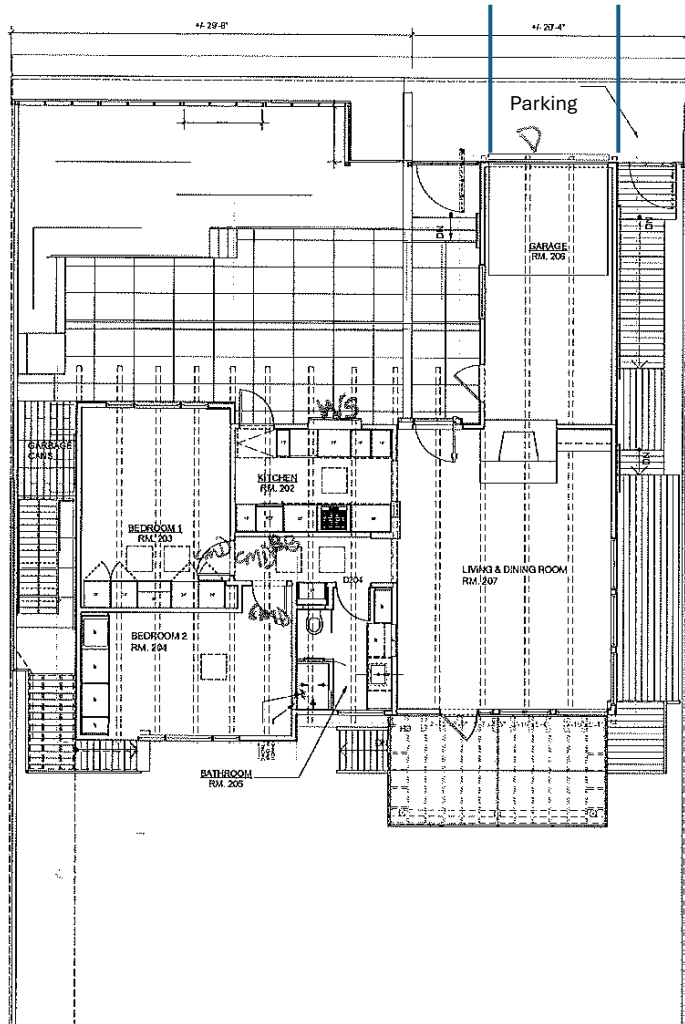


CARPENTER ST.

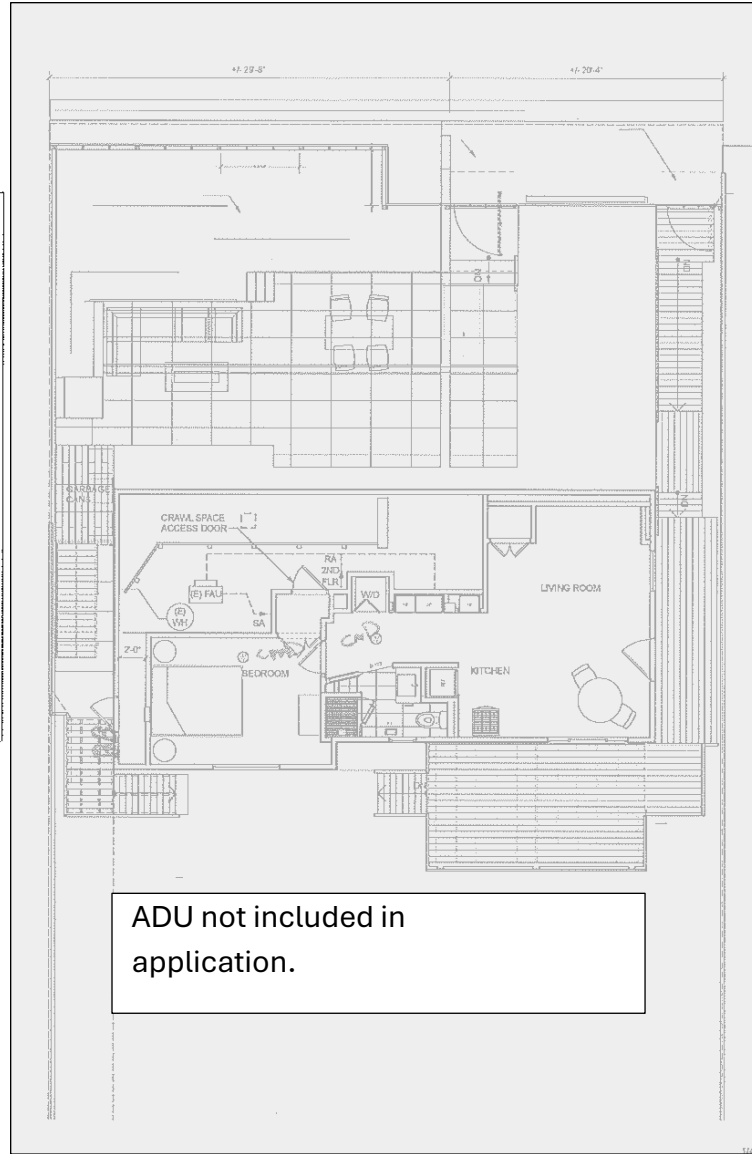
NEW SITE PLAN
 1/8" = 1'-0"

Floor Plan
24760 Lower Trail

Keys
 D - Driveway
 BB - Breaker Box
 WS - Water Shutoff
 CMD - Carbon M. Detector



1/4" = 1'-0"
 SECOND FLOOR PLAN 2



ADU not included in application.

1/4" = 1'-0"
 NEW FIRST FLOOR PLAN 1

REVISION	DATE	BY



Zack de Vito
 1977 LON ST. San Francisco, California 94103 T. 415.455.7869 F. 415.455.7868 www.zackdevito.com
LOWER TRAIL RESIDENCE
 24760 LOWER TRAIL, CARMEL, CA 95023
 PERMIT NO. 22CP02444

(E) & (N) 1ST FLR PLANS

SCALE: NOT TO SCALE
 DRAWN BY: AS

A2.0

PLOT DATE: 02/25/25

Exhibit B

This page intentionally left blank.



HOUSING AND COMMUNITY DEVELOPMENT

[Announcements](#)
[Development Services](#)
[Planning
Services](#)
[Permit Center](#)
[GIS / Maps](#)
[About Us](#)


Vacation Rental Home Inspection Checklist

Property Information

- Have your Vacation Rental Operation Application number ready.
- Vacation Rental Address and Unit/Suite/Apt # 24760 Lower trail Cuime 1
- Total number of bedrooms 3
- Total number of onsite parking spaces (e.g. garage, driveway) 2

Interior Inspection

- Beds are located in approved Bedrooms, in compliance with the Building Code at the time of construction, with appropriate ingress and egress.
- Every sleeping room has a functional smoke alarm.
- Every hallway with a sleeping room has a functional smoke alarm. Every floor has a functional carbon monoxide alarm.
- All built-in kitchen appliances operate properly and space for food storage, preparation, and serving are in good and safe condition. All electrical outlets in kitchen and bathrooms are Ground Fault Circuit Interrupter (GFCI) protected.
- Water heater is properly strapped, adequately vented, and temperature and pressure relief valves are drained to outside.
- Other heating equipment is in safe operating condition and placed in an approved location..
- There is at least one readily accessible class A fire extinguisher located in the home that has been serviced annually by a certified fire extinguisher company.
- The building conforms to the applicable state building and fire codes at the time the building was constructed.

Exterior Inspection

- There is no evidence of infestation, garbage, and debris at the site.
- The property has active garbage pick-up service.
- If a garage is present, it is only used as a garage and only non-combustible flooring exists. Driveway, if present, is open and accessible to vehicles.
- Property is in an overall safe and sanitary condition.
- Water heater is properly strapped, adequately vented, and temperature and valves are drained to outside. Other heating equipment is in safe operating condition and placed in an approved location.

Home Inspection Results

 Passed

 Failed

Remarks/Observations:

Home Inspector Certification

Under penalty of perjury, the undersigned certifies that the information on this form is based on an actual site inspection of the property and is complete and accurate.

Home Inspector or General Contractor Name & Acknowledgement:

Pillar to Post Home Inspectors

California Contractors State License Board License Classification Type B

California Contractors State License Board License Classification Type B-2

California Contractors State License Board License Classification Type C-47

California Real Estate Inspection Association

American Society of Home Inspectors 523274 Sebastian Avones

International Code Council

International Association of Certified Home Inspectors

Please check the relevant certification agency and write your License/Certification number below:

Date: 10/1/25

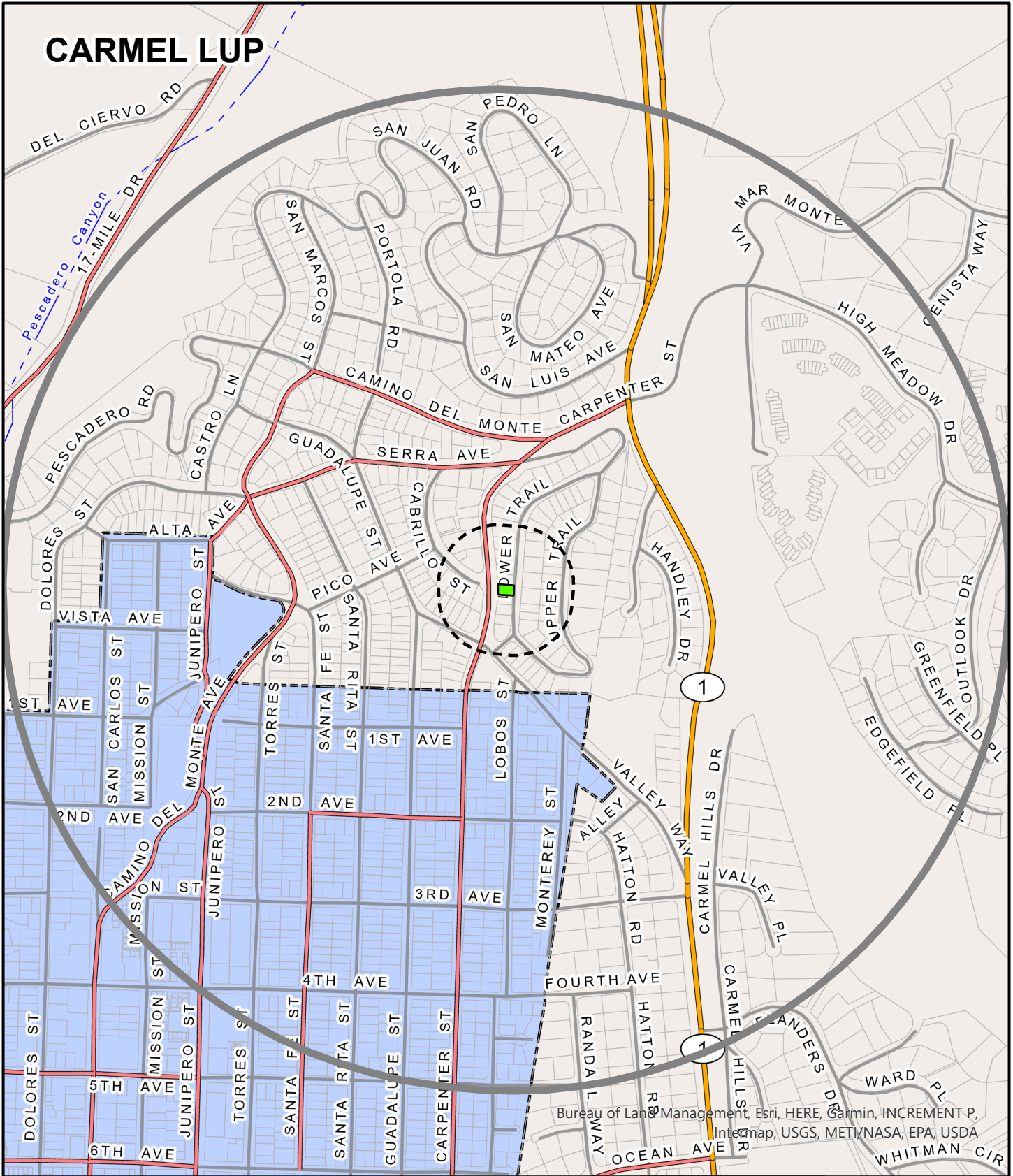
Click 'Print' at the top of this page and save as a PDF.



Exhibit C

This page intentionally left blank.

CARMEL LUP



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

APPLICANT: ZACK JAMES WILLIAM & LISA STEPHANI DE VITO TRS

APN: 009073009000

FILE # PLN260065



Project Site



300 FT Buffer



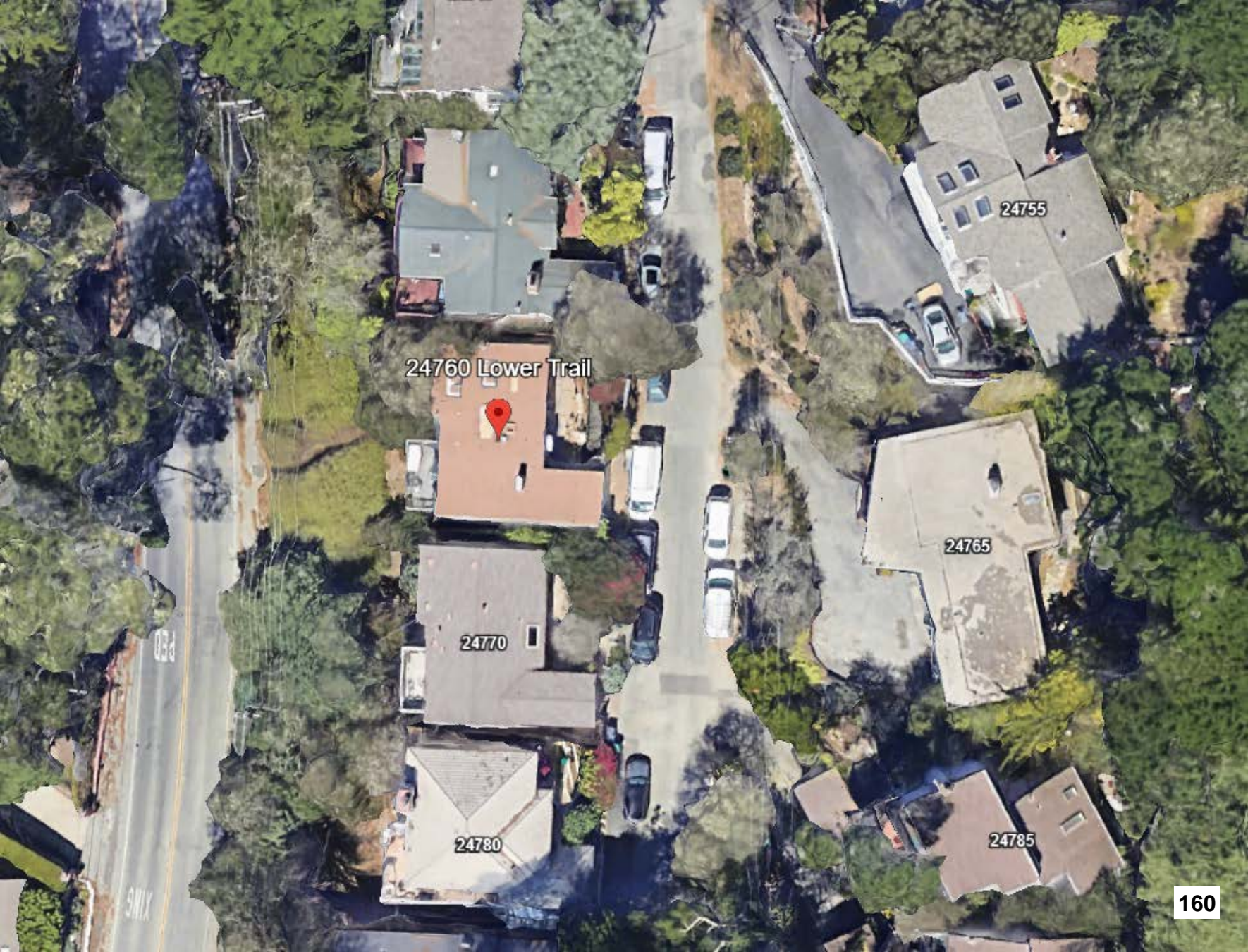
2500 FT Buffer



This page intentionally left blank

Exhibit D

This page intentionally left blank.



24760 Lower Trail

24755

24765

24770

24780

24785



24760 Lower Trail

24800

24808

24816

24824

24832

24832

3251

24815

24815

24833

24832

24805

24783

24773

24763

24758

24743

24739

24728

4802

4801

2

4803



This page intentionally left blank

Exhibit E

This page intentionally left blank.

To: Monterey County Housing & Community Development / Permit Center

Re: Letter of Support for Short-Term Rental Permit at 24760 Lower Trail

To Whom It May Concern:

We are Hsin-I and Jerry and we reside at 24790 Lower Trail, which is located a few houses down from Jim Zack & Lise de Vito's property at 24760 Lower Trail. I am writing to formally express my support for the owners in their application for a Short-Term Vacation Rental permit.

Jim and Lise are fantastic neighbors who are respectful, friendly, and considerate of those living around them. We have never had any issues with their property or their guests. We are confident that they are responsible homeowners who make sure their guests respect the quiet and harmony of our street.

I have zero objections to their permit being granted. Please let me know if you have any questions.

Sincerely,

Hsin-I Hsu and Jerry Chang

(512)925-4585
hsinihsu@hihllc.co

From: [Joel Jacobson](#)
To: [Harrigan, Imani](#)
Cc: [293-zahearingcomments](#)
Subject: regarding 24760 Lower Trail rental
Date: Saturday, May 16, 2026 8:53:20 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Dear Imani Harrigan

I wanted to write in support of my neighbors Jim Zack and Lise de Vito, in their request to continue renting their house on Lower Trail in Carmel. I own the house just downhill from them, at 24770 Lower Trail, and have been there since 2016. We have never had any issues with them renting out their house next door. They have always been helpful to us and I fully support them being able to rent their house. Please let me know if you have any questions.

Joel Jacobson
646 957 6000

From: [Fred Faltersack](#)
To: [293-zahearingcomments](#); [Harrigan, Imani](#)
Subject: Approval Support: Jim Zack & Lise de Vito, PLN 260065
Date: Saturday, May 16, 2026 9:06:32 AM

This Message Is From an External Sender

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Dear Zoning Administrator,

I would like to express my support for the approval of Jim & Lise deVitos permit PLN260065.

I am a big fan of Short Term Rentals both as a traveler and as the current owner of a home in the Monterey County which is used as a STR when not in use by my family or friends. There are so many benefits for the traveler, the owners, and the County when these types of opportunities are available to all.

Regards,
Fred Faltersack
408-666-1234 cell
fred@faltersack.com

NOTES:

Applicants: Jim Zack & Lise de Vito
Address: 24760 Lower Trail
Application No: PLN260065
Zoning Administrator Hearing Date: June 11, 2026

Imani Harrigan

Assistant Planner
Housing & Community Development
1441 Schilling Place, 2nd Floor, Salinas, CA 93901
Direct Line: (831)755-5845
HarriganI@countyofmonterey.gov

From: [Hsin-I Hsu](#)
To: [Harrigan, Imani](#)
Cc: [293-zahearingcomments](#)
Subject: STR Permit Support Letter for Jim Zack & Lise de Vito at 24760 Lower Trail
Date: Thursday, May 14, 2026 10:05:58 AM
Attachments: [Neighbor Letter for Jim - 5_14_26_10_00AM.pdf](#)

This Message Is From an External Sender

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Good morning Imani!

I'm writing to support Jim and Lise for their STR application.

Please find the attached letter.

Best,
Hsin-I

To: Monterey County Housing & Community Development / Permit Center

Re: Letter of Support for Short-Term Rental Permit at 24760 Lower Trail

To Whom It May Concern:

We are Hsin-I and Jerry and we reside at 24790 Lower Trail, which is located a few houses down from Jim Zack & Lise de Vito's property at 24760 Lower Trail. I am writing to formally express my support for the owners in their application for a Short-Term Vacation Rental permit.

Jim and Lise are fantastic neighbors who are respectful, friendly, and considerate of those living around them. We have never had any issues with their property or their guests. We are confident that they are responsible homeowners who make sure their guests respect the quiet and harmony of our street.

I have zero objections to their permit being granted. Please let me know if you have any questions.

Sincerely,

Hsin-I Hsu and Jerry Chang

(512)925-4585
hsinihsu@hihllc.co

This page intentionally left blank



County of Monterey

Item No.5

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ZA 26-060

June 11, 2026

Introduced: 5/29/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN240358 - CLAY DOUGLAS A. & HEATHER R. TRS

Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement violation 26CE00194.

Project Location: 2924 Congress Road, Pebble Beach, CA 93953

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

RECOMMENDATIONS

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

- a. Find the project qualifies for a Class 1 Categorical Exemption from CEQA Guidelines Section 15301, and that none of the exceptions from Section 15300.2 apply to the project; and
- b. Approve an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement violation 26CE00194.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

PROJECT INFORMATION

Agent: Josh Ohanian

Property Owner: Douglas A. and Heather R. Clay Trust

APN: 007-541-008-000

Parcel Size: 0.21 AC

Zoning: Medium Density Residential with a maximum gross density of 4 units/acre with Building Site District 6, Design Control, and Recreational Equipment Storage in Seaward Zone Overlays or "MDR/B-6-D-RES"

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: N/A

Project Planner: Kyle Benalcazar, Assistant Planner

benalcazark@countyofmonterey.gov; 831-784-5716

SUMMARY/DISCUSSION

The project site is located at 2924 Congress Road, a privately maintained road, in the Greater Monterey Peninsula Area of the unincorporated area of the County of Monterey. The Applicant, Josh Ohanian, submitted an application seeking to use the existing single-family dwelling located in a

residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with an existing single-family dwelling and attached garage. The proposed commercial vacation rental is within the existing 1,821 square foot single-family dwelling with an attached garage, and consists of three bedrooms, two and half bathrooms, a living room, a dining room, a kitchen, and a patio. The applicant is proposing that the residence be occupied by a maximum of seven people overnight, 10 people during the daytime hours at the property at a time, and a maximum of three contractors on site at any time consisting of the cleaning crew. The property will retain its domestic water connections to California American Water Company, a public water provider, through the Monterey Peninsula Water Management District, and Pebble Beach Community Services District will continue to provide sewer service. The property will retain its solid waste services to GreenWaste Recovery, LLC., a waste management company. Within the immediate neighborhood, excluding this application, there is one incomplete application for a Homestay and one applied application for a Commercial Vacation Rental, with an approved discretionary permit. If approved, the granting of this Use Permit would allow the establishment of the 29th permitted vacation rental in the Greater Monterey Peninsula Area Land Use Plan out of 155 Use Permits permitted pursuant to Title 21 Section 21.64.290.F.3.f.

DISCUSSION:

Based on staff's review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable the 2010 County of Monterey General Plan (General Plan), Greater Monterey Peninsula Area Plan (GMPAP), Monterey County Code Title 7 Chapter 7.120 (Title 7), Monterey County Code Title 16 Chapter 16.80 (Title 16), and the Monterey County Inland Zoning Ordinance (Title 21).

Land Use

The parcel is zoned Medium Density Residential with a Building Site District-6, Design Control overlay, and Parking and Use of Major Recreational Equipment Storage District overlay or "MDR/B-6-D-RES". Title 21 Section 21.12.050.Y allows for the Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.

The parcel is located on Congress Road with a Design District overlay in the Greater Monterey Peninsula Area Plan. However, the project does not propose any physical changes that would have any potential to impact scenic/visual resources. No construction, exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.

The property complies with Title 21, Section 21.64.290.F.5 in that it has been demonstrated that the response time for County emergency services for fire and emergency medical services is adequate pursuant to the requirements of the 2010 County of Monterey General Plan Safety Element PS-1.1 and Table PS-1. The subject property is considered within an urban center, considered a full array of public services as defined by the General Plan, and therefore is subject to an emergency response time between 5-8 minutes. The subject property is within a 4-minute drive from Pebble Beach Fire Station 22, which provides fire response services, and a 6-minute drive from the Community Hospital of Monterey Peninsula, which provides 24-hour emergency medical services. The Vacation Rental Operation License requires that guests be provided with the contact information on the response time

for emergency medical and fire services as a part of the informational notice posted within six feet of the front door and within a visible location outside of the structure (Condition No. 5).

Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 requires that a Single-Family Detached residential dwelling unit have two spaces/unit. The application includes adequate parking spaces (4 guest parking spaces), which exceeds the minimum requirements by 2.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 21 Section 21.64.290.F.7, which allows one Commercial Vacation Rental per legal lot of record. The subject property will be the only Commercial Vacation Rental on the legal lot of record. The owner of the subject property complies with the ownership requirements of Title 21 Section 21.64.290.F.10, wherein the owner of the subject property is allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owners of the property do not have an ownership interest in other already operating Commercial Vacation Rentals in unincorporated Monterey County, and this would be their first and only Commercial Vacation Rental in unincorporated Monterey County.

As detailed in the draft resolution (**Exhibit A**), the Applicant/Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental, Josh Ohanian of Sanctuary Vacation Rentals, resides at NW Corner of Mission & 8th, Carmel-by-the-Sea, CA 93921, approximately 5 miles (12 minutes) from the subject property. Mr. Ohanian's contact information will be provided to the guests of the property, and Mr. Ohanian will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Mr. Ohanian's contact information will be provided to guests as a part of the informational notice posted within six feet of the front door as required pursuant to Title 7 Section 7.120.040.L and within a visible location outside of the structure.

The property has a maximum occupancy of seven overnight guests, 10 daytime guests, and three contractors. The proposed occupancy does not exceed the limits set forth in the California Uniform Housing Code and the requirements enumerated in Title 7 Section 7.120.070.C, which limit the maximum overnight occupancy to two persons per bedroom plus one and not counting infants (zero to twelve months), with a not to exceed total maximum overnight occupancy of 15 overnight guests, regardless of the number of bedrooms in the property. Title 7 Section 7.120.070.C also limits the maximum daytime occupancy of occupants and visitors to not exceed a count of 1.5 times the maximum overnight occupancy and shall not exceed a total count of 15 persons per unit, no matter how many bedrooms.

To ensure the proposed use will not affect the residential character of the neighborhood, the following two conditions have been incorporated. Condition No. 3 has been incorporated to ensure that the property will not be rented for the purposes of holding a corporate or private event venue and Condition No. 4 to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 21 Section 21.64.290 and the Conditions of Approval. Additionally, the proposed Commercial Vacation Rental 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. In accordance with Title 21 Section 21.74.060, if the property is found to be in violation

of the approved operations plan or conditions of approval attached to this Use Permit, the permit may be revoked for non-compliance.

Private Road Access

The property is within the Pebble Beach area and is currently managed by the Pebble Beach Company, which is the legally established governing structure for the private roads used to access the subject parcel. Pebble Beach Company is authorized to make determinations regarding the use, maintenance, and related matters regarding the private road. Pursuant to Title 21 section 21.64.290.F.4, the subject property must comply with Title 16 Chapter 16.80, which regulates private roads in Monterey County. The private road accessing the property is subject to a private road agreement and a private road maintenance agreement, which is recorded as a deed restriction for the subject property. The deed restriction for the subject property was recorded as Deed Number 1551 (Reel 727, Page 72 of Official Records).

The deed contains language related to the “Use of Roads and Bridle Paths” and related to “Covenants and Conditions” (CCs). Under the “Use of Roads and Bridle Paths,” the deed states that the *“Grantee, subject to the provisions hereof, is hereby granted license for the use, by himself, his family, servants, tenants and guests occupying or visiting said premises, of all roads and bridle paths now or hereafter owned by Grantor in Del Monte Forest, and to free access to Del Monte Forest; in consideration of which the owner of said premises shall be obligated to pay Grantor the sum of One Hundred Dollars (\$100.00) on each January 1st hereafter, the payment of which sum is and shall be secured by a lien and charge on said premises. Grantor, however, reserves the right to change, abandon or close any of said roads and paths, provided that (so far as within the control of Grantor) there shall always be left open a road by means of which and/or of connecting roads access may be had to said premises from the nearest public highway”*. The plain language of this deed gives the property owner access to their property as long as they pay \$100 each January 1st. The other language is identified under the CCs as the first deed restriction states that *“No trade, business or profession of any description shall be conducted on said premises. Said premises shall not be used for any purpose whatever except solely and exclusively for the purpose of construction and maintenance of not more than one private single family residence...”*. Therefore, the project is classified as a Tier 4 category pursuant to Title 16 Chapter 16.80, which means this deed restriction language constitutes a private road agreement and maintenance.

The Pebble Beach Company received notification of the proposed project on May 26, 2026. The Pebble Beach Company submitted a letter to the County stating that they have a blanket objection to the use of residential property in Pebble Beach as commercial vacation rentals. This letter further stated that Pebble Beach Company believes that *“...the plain meaning of the CC&R language bans short-term vacation rentals in the Del Monte Forest [Pebble Beach Company managed portion of the Greater Monterey Peninsula].” (Exhibit D)*

The applicant is aware of the objections and restrictions outlined within the CC&R’s and believes they have the right to continue the use of the property for the proposed application of a Commercial Vacation Rental.

The County of Monterey's regulations for private roads, pursuant to Title 16 section 16.80.060.A, state that if the Appropriate Authority finds, based on substantial evidence in the record, that a substantive dispute exists regarding the use of a private road for a project, the Appropriate Authority "may approve the project but shall require as a condition of project approval that the applicant provide the County with proof of access demonstrating that the dispute has been satisfactorily resolved". Therefore, staff recommends that Condition of Approval No. 6 to ensure that the substantial dispute regarding the plain language of the private road agreement is resolved prior to the applicant commencing the use of their property as a commercial vacation rental. This Condition requires that the applicant provides the County of Monterey Housing and Community Development (HCD) staff with adequate documentation that the private road dispute has been satisfactorily resolved and the use of the property as a commercial vacation rental is allowed and does not violate the plain language of any deed restrictions and/or private road agreement.

Violations

The Commercial Vacation Rental Ordinance for the inland area of the County of Monterey became effective on October 14, 2024. On November 22, 2024, the Applicant applied for a Use Permit for a Commercial Vacation Rental Operation to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer. The applicant failed to diligently pursue compliance with Commercial Vacation Rental permitting. Staff notified the Applicant on November 13, 2025 and January 14, 2026 that operations that are not being diligently pursued and are still in operation may be subject to code enforcement fines. On March 23, 2026, an administrative citation from HCD-Code Compliance was issued pursuant to an inspection conducted on March 23, 2026 which identified continued use of the unpermitted short-term rental. On March 31, 2026, the Applicant paid the remaining permit fees to continue the permitting process and to abate Code Enforcement Violation No. 26CE00194, subject to any remaining enforcement fines, to bring their property into compliance with the Monterey County Code. With the approval of this permit, the violations would be fully abated and would bring the property into compliance subject to any remaining enforcement fines. No additional complaints have been received.

CEQA:

The project qualifies as a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the operation of existing private structures, involving negligible or no expansion of an existing use. The Applicant/Owner proposes to use a residential single-family dwelling for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer. This project does not propose or authorize any additional exterior development and/or expansion of the existing structure currently on the project site.

The subject property will be limited to one rental contract at any given time. All facilities, as planned and approved, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Additionally, there will be no significant effect on the environment due to unusual circumstances. Further, there is no evidence that "the cumulative impact of successive projects of the same type in the same place, over time is significant."

The County prepared a Final Environmental Impact Report (FEIR) for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Greater Monterey Peninsula Land Use Plan. It would be the 29th Commercial Vacation Rental in the Greater Monterey Peninsula Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

None

Prepared by: Kyle Benalcazar, Assistant Planner

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Operations Plan
- Site and Floor Plan

Exhibit B - Aerial Image and Surrounding Neighborhood

Exhibit C - Vicinity Map

Exhibit D - Home Inspection Checklist

Exhibit E - Public Comment

cc: Front Counter Copy; Kyle Benalcazar, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Douglas A. and Heather R. Clay, Property Owners; Josh Ohanian, Agent; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN240358.



County of Monterey

Item No.5

Zoning Administrator

Legistar File Number: ZA 26-060

June 11, 2026

Introduced: 5/29/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN240358 - CLAY DOUGLAS A. & HEATHER R. TRS

Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement violation 26CE00194.

Project Location: 2924 Congress Road, Pebble Beach, CA 93953

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

RECOMMENDATIONS

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

- a. Find the project qualifies for a Class 1 Categorical Exemption from CEQA Guidelines Section 15301, and that none of the exceptions from Section 15300.2 apply to the project; and
- b. Approve an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement violation 26CE00194.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**).

Staff recommends approval subject to 6 conditions of approval.

PROJECT INFORMATION

Agent: Josh Ohanian

Property Owner: Douglas A. and Heather R. Clay Trust

APN: 007-541-008-000

Parcel Size: 0.21 AC

Zoning: Medium Density Residential with a maximum gross density of 4 units/acre with Building Site District 6, Design Control, and Recreational Equipment Storage in Seaward Zone Overlays or "MDR/B-6-D-RES"

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: N/A

Project Planner: Kyle Benalcazar, Assistant Planner

benalcazark@countyofmonterey.gov; 831-784-5716

SUMMARY/DISCUSSION

The project site is located at 2924 Congress Road, a privately maintained road, in the Greater Monterey Peninsula Area of the unincorporated area of the County of Monterey. The Applicant, Josh Ohanian, submitted an application seeking to use the existing single-family dwelling

located in a residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with an existing single-family dwelling and attached garage. The proposed commercial vacation rental is within the existing 1,821 square foot single-family dwelling with an attached garage, and consists of three bedrooms, two and half bathrooms, a living room, a dining room, a kitchen, and a patio. The applicant is proposing that the residence be occupied by a maximum of seven people overnight, 10 people during the daytime hours at the property at a time, and a maximum of three contractors on site at any time consisting of the cleaning crew. The property will retain its domestic water connections to California American Water Company, a public water provider, through the Monterey Peninsula Water Management District, and Pebble Beach Community Services District will continue to provide sewer service. The property will retain its solid waste services to GreenWaste Recovery, LLC., a waste management company. Within the immediate neighborhood, excluding this application, there is one incomplete application for a Homestay and one applied application for a Commercial Vacation Rental, with an approved discretionary permit. If approved, the granting of this Use Permit would allow the establishment of the 29th permitted vacation rental in the Greater Monterey Peninsula Area Land Use Plan out of 155 Use Permits permitted pursuant to Title 21 Section 21.64.290.F.3.f.

DISCUSSION:

Based on staff's review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable the 2010 County of Monterey General Plan (General Plan), Greater Monterey Peninsula Area Plan (GMPAP), Monterey County Code Title 7 Chapter 7.120 (Title 7), Monterey County Code Title 16 Chapter 16.80 (Title 16), and the Monterey County Inland Zoning Ordinance (Title 21).

Land Use

The parcel is zoned Medium Density Residential with a Building Site District-6, Design Control overlay, and Parking and Use of Major Recreational Equipment Storage District overlay or "MDR/B-6-D-RES". Title 21 Section 21.12.050.Y allows for the Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer.

The parcel is located on Congress Road with a Design District overlay in the Greater Monterey Peninsula Area Plan. However, the project does not propose any physical changes that would have any potential to impact scenic/visual resources. No construction, exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.

The property complies with Title 21, Section 21.64.290.F.5 in that it has been demonstrated that the response time for County emergency services for fire and emergency medical services is adequate pursuant to the requirements of the 2010 County of Monterey General Plan Safety Element PS-1.1 and Table PS-1. The subject property is considered within an urban center, considered a full array of public services as defined by the General Plan, and therefore is subject to an emergency response time between 5-8 minutes. The subject property is within a 4-minute drive from Pebble Beach Fire Station 22, which provides fire response services, and a 6-minute drive from the Community Hospital of Monterey Peninsula, which provides 24-hour emergency medical services. The Vacation Rental Operation License requires that guests be provided with

the contact information on the response time for emergency medical and fire services as a part of the informational notice posted within six feet of the front door and within a visible location outside of the structure (Condition No. 5).

Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 requires that a Single-Family Detached residential dwelling unit have two spaces/unit. The application includes adequate parking spaces (4 guest parking spaces), which exceeds the minimum requirements by 2.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 21 Section 21.64.290.F.7, which allows one Commercial Vacation Rental per legal lot of record. The subject property will be the only Commercial Vacation Rental on the legal lot of record. The owner of the subject property complies with the ownership requirements of Title 21 Section 21.64.290.F.10, wherein the owner of the subject property is allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owners of the property do not have an ownership interest in other already operating Commercial Vacation Rentals in unincorporated Monterey County, and this would be their first and only Commercial Vacation Rental in unincorporated Monterey County.

As detailed in the draft resolution (**Exhibit A**), the Applicant/Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental, Josh Ohanian of Sanctuary Vacation Rentals, resides at NW Corner of Mission & 8th, Carmel-by-the-Sea, CA 93921, approximately 5 miles (12 minutes) from the subject property. Mr. Ohanian's contact information will be provided to the guests of the property, and Mr. Ohanian will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Mr. Ohanian's contact information will be provided to guests as a part of the informational notice posted within six feet of the front door as required pursuant to Title 7 Section 7.120.040.L and within a visible location outside of the structure.

The property has a maximum occupancy of seven overnight guests, 10 daytime guests, and three contractors. The proposed occupancy does not exceed the limits set forth in the California Uniform Housing Code and the requirements enumerated in Title 7 Section 7.120.070.C, which limit the maximum overnight occupancy to two persons per bedroom plus one and not counting infants (zero to twelve months), with a not to exceed total maximum overnight occupancy of 15 overnight guests, regardless of the number of bedrooms in the property. Title 7 Section 7.120.070.C also limits the maximum daytime occupancy of occupants and visitors to not exceed a count of 1.5 times the maximum overnight occupancy and shall not exceed a total count of 15 persons per unit, no matter how many bedrooms.

To ensure the proposed use will not affect the residential character of the neighborhood, the following two conditions have been incorporated. Condition No. 3 has been incorporated to ensure that the property will not be rented for the purposes of holding a corporate or private event venue and Condition No. 4 to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 21 Section 21.64.290 and the Conditions of Approval. Additionally, the proposed Commercial Vacation Rental 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. In accordance with Title 21 Section 21.74.060, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this Use Permit, the permit may be revoked for non-compliance.

Private Road Access

The property is within the Pebble Beach area and is currently managed by the Pebble Beach Company, which is the legally established governing structure for the private roads used to access the subject parcel. Pebble Beach Company is authorized to make determinations regarding the use, maintenance, and related matters regarding the private road. Pursuant to Title 21 section 21.64.290.F.4, the subject property must comply with Title 16 Chapter 16.80, which regulates private roads in Monterey County. The private road accessing the property is subject to a private road agreement and a private road maintenance agreement, which is recorded as a deed restriction for the subject property. The deed restriction for the subject property was recorded as Deed Number 1551 (Reel 727, Page 72 of Official Records).

The deed contains language related to the "Use of Roads and Bridle Paths" and related to "Covenants and Conditions" (CCs). Under the "Use of Roads and Bridle Paths," the deed states that the *"Grantee, subject to the provisions hereof, is hereby granted license for the use, by himself, his family, servants, tenants and guests occupying or visiting said premises, of all roads and bridle paths now or hereafter owned by Grantor in Del Monte Forest, and to free access to Del Monte Forest; in consideration of which the owner of said premises shall be obligated to pay Grantor the sum of One Hundred Dollars (\$100.00) on each January 1st hereafter, the payment of which sum is and shall be secured by a lien and charge on said premises. Grantor, however, reserves the right to change, abandon or close any of said roads and paths, provided that (so far as within the control of Grantor) there shall always be left open a road by means of which and/or of connecting roads access may be had to said premises from the nearest public highway"*. The plain language of this deed gives the property owner access to their property as long as they pay \$100 each January 1st. The other language is identified under the CCs as the first deed restriction states that *"No trade, business or profession of any description shall be conducted on said premises. Said premises shall not be used for any purpose whatever except solely and exclusively for the purpose of construction and maintenance of not more than one private single family residence..."*. Therefore, the project is classified as a Tier 4 category pursuant to Title 16 Chapter 16.80, which means this deed restriction language constitutes a private road agreement and maintenance.

The Pebble Beach Company received notification of the proposed project on May 26, 2026. The Pebble Beach Company submitted a letter to the County stating that they have a blanket objection to the use of residential property in Pebble Beach as commercial vacation rentals. This letter further stated that Pebble Beach Company believes that *"...the plain meaning of the CC&R language bans short-term vacation rentals in the Del Monte Forest [Pebble Beach Company managed portion of the Greater Monterey Peninsula]."* (**Exhibit D**)

The applicant is aware of the objections and restrictions outlined within the CC&R's and believes they have the right to continue the use of the property for the proposed application of a Commercial Vacation Rental.

The County of Monterey's regulations for private roads, pursuant to Title 16 section 16.80.060.A, state that if the Appropriate Authority finds, based on substantial evidence in the record, that a substantive dispute exists regarding the use of a private road for a project, the Appropriate Authority "may approve the project but shall require as a condition of project approval that the applicant provide the County with proof of access demonstrating that the dispute has been satisfactorily resolved". Therefore, staff recommends that Condition of Approval No. 6 to ensure that the substantial dispute regarding the plain language of the private road agreement is resolved prior to the applicant commencing the use of their property as a commercial vacation rental. This Condition requires that the applicant provides the County of Monterey Housing and Community Development (HCD) staff with adequate documentation that the private road dispute has been satisfactorily resolved and the use of the property as a commercial vacation rental is allowed and does not violate the plain language of any deed restrictions and/or private road agreement.

Violations

The Commercial Vacation Rental Ordinance for the inland area of the County of Monterey became effective on October 14, 2024. On November 22, 2024, the Applicant applied for a Use Permit for a Commercial Vacation Rental Operation to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer. The applicant failed to diligently pursue compliance with Commercial Vacation Rental permitting. Staff notified the Applicant on November 13, 2025 and January 14, 2026 that operations that are not being diligently pursued and are still in operation may be subject to code enforcement fines. On March 23, 2026, an administrative citation from HCD-Code Compliance was issued pursuant to an inspection conducted on March 23, 2026 which identified continued use of the unpermitted short-term rental. On March 31, 2026, the Applicant paid the remaining permit fees to continue the permitting process and to abate Code Enforcement Violation No. 26CE00194, subject to any remaining enforcement fines, to bring their property into compliance with the Monterey County Code. With the approval of this permit, the violations would be fully abated and would bring the property into compliance subject to any remaining enforcement fines. No additional complaints have been received.

CEQA:

The project qualifies as a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the operation of existing private structures, involving negligible or no expansion of an existing use. The Applicant/Owner proposes to use a residential single-family dwelling for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer. This project does not propose or authorize any additional exterior development and/or expansion of the existing structure currently on the project site.

The subject property will be limited to one rental contract at any given time. All facilities, as planned and approved, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Additionally, there will be no significant effect on the environment due to unusual circumstances. Further,

there is no evidence that “the cumulative impact of successive projects of the same type in the same place, over time is significant.”

The County prepared a Final Environmental Impact Report (FEIR) for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Greater Monterey Peninsula Land Use Plan. It would be the 29th Commercial Vacation Rental in the Greater Monterey Peninsula Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

None

Prepared by: Kyle Benalcazar, Assistant Planner

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

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Operations Plan
- Site and Floor Plan

Exhibit B - Aerial Image and Surrounding Neighborhood

Exhibit C - Vicinity Map

Exhibit D - Home Inspection Checklist

Exhibit E - Public Comment

cc: Front Counter Copy; Kyle Benalcazar, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Douglas A. and Heather R. Clay, Property Owners; Josh Ohanian, Agent; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN240358.

Exhibit A

This page intentionally left blank.

DRAFT RESOLUTION

Before the Housing and Community Development Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

CLAY DOUGLAS A. & HEATHER R. TRS (PLN240358)

RESOLUTION NO. ----

Resolution by the County of Monterey Zoning
Administrator:

- 1) Finding that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301 and no exceptions under section 15300.2 apply; and
- 2) Approving an after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00194.

[CLAY DOUGLAS A. & HEATHER R. TRS, 2924 Congress Road, Pebble Beach (Assessor's Parcel Number 007-541-008-000), Greater Monterey Peninsula Area Plan]

The CLAY DOUGLAS A. & HEATHER R. TRS application (PLN240358) came on for a public hearing before the County of Monterey Zoning Administrator on June 11, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
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 (General Plan);
 - Greater Monterey Peninsula Area Plan (GMPAP);
 - Monterey County Code Chapter 7.120 (Title 7);
 - Monterey County Code Chapter 16.80 (Title 16);
 - Monterey County Zoning Ordinance (Title 21).No conflicts were found to exist. No communication was received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) Project Scope. The project site is located at 2924 Congress Road (Assessor's Parcel Number: 007-541-008-000), a privately maintained road, in Pebble Beach subject to the Greater Monterey Peninsula Area of

the unincorporated area of the County of Monterey. The proposed commercial vacation rental is within the existing 1,821 square foot single-family dwelling with an attached garage, and consists of three bedrooms, two and half bathrooms, a living room, a dining room, a kitchen, and a patio. Within the immediate neighborhood, excluding this application, there is one incomplete application for a Homestay and one applied application for a Commercial Vacation Rental, with an approved discretionary permit. The applicant is proposing that the residence be occupied by a maximum of seven people overnight, 10 people during the daytime hours at the property at a time, and a maximum of three contractors on site at any time consisting of the cleaning crew.

- c) Allowed Use. The property is located at 2924 Congress Road, Greater Monterey Peninsula Area Land Use Plan (Assessor's Parcel Number: 007-541-008-000). The subject parcel is zoned Medium Density Residential with a maximum gross density of 4 units/acre with Building Site District 6, Design Control, and Recreational Equipment Storage in Seaward Zone Overlays, or "MDR/B-6-D-RES". Title 21 Section 21.12.050.Y allows for the Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.F establishes the regulations for a property operating as a Commercial Vacation Rental on such property for transient lodging for a period of 30 calendar days or fewer. Therefore, the proposed use is allowable.
- d) Lot Legality. The subject property (0.21 acres in size), APN: 007-541-008-000, is identified as Parcel 8 in Block 43 on a Cities & Towns Map of M.P.C.C. Sub. No. 1 in Book 7 Page 54. Therefore, the County recognizes this lot as a legal lot of record.
- e) Land Use Advisory Committee (LUAC). This project was not referred to the Del Monte Forest LUAC for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 15-043, this application did not warrant referral to the LUAC as it does not fall within the LUAC review guidelines.
- f) Vacation Rental Operation License. Condition No. 5 requires that the applicant obtain a Vacation Rental Operation License and provide documentation to prove that they comply with all of the requirements of the Vacation Rental Operation License pursuant to Title 7 Chapter 7.120. The subject property is required as conditioned to ensure that they always have an active Vacation Rental Operation License.
- g) Business License. The applicant must obtain a Business License and provide documentation to prove that they comply with all of the requirements of the Business License pursuant to Title 7 Section 7.02.060. The subject property is required to comply with the regulation as part of the issuance of a Vacation Rental Operation License.
- h) Transient Occupancy Tax. The applicant must register with the County of Monterey Treasurer-Tax Collector to pay Transient Occupancy Tax pursuant to Title 5 Chapter 5.40 and must pay Transient Occupancy Tax on all applicable rent received from transient occupancy of their residential property as a Commercial Vacation Rental. As part of the issuance of a Vacation Rental Operation License (Condition No. 5), the subject property is required as conditioned to ensure payment of

Transient Occupancy Tax to the County of Monterey Treasurer-Tax Collector is made pursuant to Title 5 Chapter 5.40.

- i) Adequate Emergency Response Time. The subject property complies with Title 21 Section 21.64.290.F.5, adequate emergency response times for fire and emergency medical. The property complies with adequate public facilities and services requirements pursuant to the 2010 County of Monterey General Plan Safety Element Policy PS-1.1 and Table PS-1. The subject property is considered within a Community Area, considered full array of public services as defined by the General Plan and therefore is subject to an emergency response time of 5-8 minutes. The Pebble Beach Fire Station 22 is 4 minutes away, which provides fire response services, and the Community Hospital of Monterey Peninsula is 6 minutes away, which provides 24-hour emergency medical services. The subject property complies with the requirement to provide contact information for County emergency services for fire and emergency medical. The designated Property Manager for the Commercial Vacation Rental will be a Josh Ohanian of Sanctuary Vacation Rentals, who will reside at NW Corner of Mission & 8th, Carmel-by-the-Sea, CA 93921, which is a 12 minute drive away. Mr. Ohanian will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. The contact information is included as required in the informational signage that must be posted within six feet of the front door and within visible location outside of the structure. The Vacation Rental Operation License requires that guests be provided with this information as a part of the informational notice posted within six feet of the front door.
- j) Parking. Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 require that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The application includes adequate parking spaces (4 guest parking spaces), which exceeds the minimum requirements as illustrated in the attached plans.
- k) One Commercial Vacation Rental Per Legal Lot of Record. The subject legal lot of record complies with Title 21 Section 21.64.290.F.7 as this is the only Commercial Vacation Rental on the legal lot of record (APN: 007-541-008-000).
- l) Ownership Interest in One Commercial Vacation Rental in the Unincorporated Monterey County. The trustees of the legal lot of record comply with Title 21 Section 21.64.290.F.10 and do not have any ownership interest in any other Commercial Vacation Rentals in the unincorporated Monterey County. This application before the Zoning Administrator would be the first and only ownership interest the applicants would have in a Commercial Vacation Rental in the unincorporated Monterey County.
- m) Permit Expiration. Condition No. 4 applies a 7-year expiration to the granting of this Use Permit, pursuant to Title 21 Sub-Section 21.64.290.F.12.a. The purpose of this expiration is to provide adequate ongoing review of the approved use of the residential property as a Commercial Vacation Rental. Prior to its expiration, the

owner/applicant shall file an extension in accordance with Title 21 Section 21.74.110, which requires submittal of the request at least 30 days prior to the expiration date. The appropriate authority to consider this extension shall be the Zoning Administrator. This subsequent review will ensure: 1) the use continues to meet the standards of Title 20, and 2) an opportunity for Planning staff's review for ongoing compliance with the conditions of approval.

- n) Access. The property is within the Pebble Beach area and is currently managed by the Pebble Beach Company, which is the legally established governing structure for the private roads used to access the subject parcel. Pebble Beach Company is authorized to make determinations regarding the use, maintenance, and related matters regarding the private road. Pursuant to Title 21 section 21.64.290.F.4, the subject property must comply with Title 16 Chapter 16.80, which regulates private roads in Monterey County. The private road accessing the property is subject to a private road agreement and a private road maintenance agreement, which is recorded as a deed restriction for the subject property. The deed restriction for the subject property was recorded as Deed Number 1551 (Reel 727, Page 72 of Official Records).

The deed contains language related to the "Use of Roads and Bridle Paths" and related to "Covenants and Conditions" (CCs). Under the "Use of Roads and Bridle Paths," the deed states that the "*Grantee, subject to the provisions hereof, is hereby granted license for the use, by himself, his family, servants, tenants and guests occupying or visiting said premises, of all roads and bridle paths now or hereafter owned by Grantor in Del Monte Forest, and to free access to Del Monte Forest; in consideration of which the owner of said premises shall be obligated to pay Grantor the sum of One Hundred Dollars (\$100.00) on each January 1st hereafter, the payment of which sum is and shall be secured by a lien and charge on said premises. Grantor, however, reserves the right to change, abandon or close any of said roads and paths, provided that (so far as within the control of Grantor) there shall always be left open a road by means of which and/or of connecting roads access may be had to said premises from the nearest public highway*". The plain language of this deed gives the property owner access to their property as long as they pay \$100 each January 1st. The other language is identified under the CCs as the first deed restriction states that "*No trade, business or profession of any description shall be conducted on said premises. Said premises shall not be used for any purpose whatever except solely and exclusively for the purpose of construction and maintenance of not more than one private single family residence...*". Therefore, the project is classified as a Tier 4 category pursuant to Title 16 Chapter 16.80, which means this deed restriction language constitutes a private road agreement and maintenance.

The Pebble Beach Company received notification of the proposed project on May 26, 2026. The Pebble Beach Company submitted a letter to the County stating that they have a blanket objection to the use of residential property in Pebble Beach as commercial vacation rentals. This letter further stated that Pebble Beach Company believes that "...the plain

meaning of the CC&R language bans short-term vacation rentals in the Del Monte Forest [Pebble Beach Company managed portion of the Greater Monterey Peninsula].”

The applicant is aware of the objections and restrictions outlined within the CC&R’s and believes they have the right to continue the use of the property for the proposed application of a Commercial Vacation Rental. The County of Monterey’s regulations for private roads, pursuant to Title 16 section 16.80.060.A, state that if the Appropriate Authority finds, based on substantial evidence in the record, that a substantive dispute exists regarding the use of a private road for a project, the Appropriate Authority “*may approve the project but shall require as a condition of project approval that the applicant provide the County with proof of access demonstrating that the dispute has been satisfactorily resolved*”. Therefore, staff recommends that Condition of Approval No. 6 to ensure that the substantial dispute regarding the plain language of the private road agreement is resolved prior to the applicant commencing the use of their property as a commercial vacation rental. This Condition requires that the applicant provides the County of Monterey Housing and Community Development (HCD) staff with adequate documentation that the private road dispute has been satisfactorily resolved and the use of the property as a commercial vacation rental is allowed and does not violate the plain language of any deed restrictions and/or private road agreement.

- o) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN240358.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
 - b) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN240358.

3. 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 respective agency has 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) Necessary infrastructure is in place to serve the use, as discussed in the evidence below.
- c) The property has road access to Congress Road, a private road. No alterations to this driveway or access are required for the use (see evidence “n” in Finding 1).
- d) Potable water will continue be provided to the parcel by California American Water through the Monterey Peninsula Water Management District (MPWMD). Sewer service will continue to be provided by Pebble Beach Community Services District.
- e) Solid waste (garbage) collection service is and will continue to be provided by GreenWaste Recovery, LLC.
- f) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN240358.

4. FINDING: **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 County of Monterey HCD-Planning and HCD-Building Services records and is aware of one violation existing on subject property. The Commercial Vacation Rental Ordinance for the inland area of the County of Monterey became effective on October 14, 2024. On November 22, 2024, the Applicant applied for a Use Permit for a Commercial Vacation Rental Operation to allow the use of a single-family dwelling for transient lodging for a period of 30 calendar days or fewer. The applicant failed to diligently pursue compliance with Commercial Vacation Rental permitting. Staff notified the Applicant on November 13, 2025 and January 14, 2026 that operations that are not being diligently pursued and are still in operation may be subject to code enforcement fines. On March 23, 2026, an administrative citation from HCD-Code Compliance was issued pursuant to an inspection conducted on March 23, 2026 which identified continued use of the unpermitted short-term rental. On March 31, 2026, the Applicant paid the remaining permit fees to continue the permitting process and to abate Code Enforcement Violation No. 26CE00194, subject to any remaining enforcement fines, to bring the property into compliance with the Monterey County Code. With the approval of this permit, the violations would be fully abated and would bring the subject property into compliance. No additional complaints have been received.
- b) The violations (Code Enforcement Case 26CE00194) will be abated upon granting of this permit and brings the property into compliance, subject to any remaining enforcement fines.
- c) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN240358.

5. 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 the leasing of existing private structures, involving negligible or no expansion of existing or former use.
 - b) The project proposed to allow the use of an existing residential property for transient lodging for a period of 30 calendar days or fewer. The project would not expand the residence nor would it allow any additional occupancy beyond what is allowed for the existing residence. Therefore, the project fits the criteria of the exemption.
 - c) None of the exceptions under CEQA Guidelines section 15300.2 apply to this project, as discussed in subsequent Evidence “d” through “i”.
 - d) Class 1 exemptions are not qualified for an exception by their location.
 - e) The County’s regulatory process of Use Permits for the use of an existing residential property for transient lodging allows the County to regulate such uses in a way that would prevent adverse cumulative impacts to the surrounding environment. Consistent with the Findings and Purpose in Monterey County Ordinance Number 5439 Section 1.F, the requirement for a Use Permit for Commercial Vacation Rental activities ensures that the impact of such leasing activities can be appropriately evaluated. Further, Title 21 Section 21.64.290 establishes caps on the maximum amount of Use Permits for Commercial Vacation Rentals to ensure that the potential cumulative effects of Commercial Vacation Rentals are minimized. The maximum allowed for the Greater Monterey Peninsula Area Land Use Plan is 155. This application is the 29th approved. The project is consistent with all the criteria in Title 21 Section 21.64.290 and, therefore, would not contribute to a cumulative effect.
 - f) The County prepared a FEIR for the Vacation Rental Ordinances project, which was certified by the Board of Supervisors on August 27, 2024 (SCH# 2022080643). The FEIR analyzed the project for environmental impacts and did not identify any significant impacts of Commercial Vacation Rentals up to the Commercial Vacation Rental cap set for each County of Monterey Planning Area. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Greater Monterey Peninsula Area Plan. It would be the 29th Commercial Vacation Rental in the Greater Monterey Peninsula Area Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.
 - g) There are no unusual circumstances related to the project that would create the reasonable possibility of a significant effect.

- h) The project does not propose any physical changes that would damage scenic resources: no construction, exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.
- i) The project is not located on a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.
- j) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN240358.

6. FINDING: APPEALABILITY – The decision on this project may be appealed to the Planning Commission.

EVIDENCE: a) Planning Commission. Pursuant to Title 21 section 21.80.040.B, an appeal of the Zoning Administrator’s decision for this project may be made to the Planning Commission by any public agency or person aggrieved by their decision.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301, and there are no exceptions pursuant to Section 15300.2;
2. Approve the after-the-fact Use Permit for a Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 26CE00194.

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of June 2026.

Mike Novo, AICP
Zoning Administrator

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 CLERK TO 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.

NOTES

1. This permit does not authorize any development and only authorizes the use of the residential property as transient lodging.

This page intentionally left blank

County of Monterey HCD Planning

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

PLN240358

1. PD001(B) - SPECIFIC COMMERCIAL VACATION RENTAL USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Use Permit (PLN240358) allows the use, by any person, of residential property [single family dwelling] for transient lodging for a period of 30 consecutive calendar days or fewer, counting portions of calendar days as full days. This property is located at 2924 Congress Road, Pebble Beach (Assessor's Parcel Number 007-541-008-000), Greater Monterey Peninsula Area Plan. This rental allows an unlimited number of transient lodging rentals of up to 30 calendar days per 12-month period. 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 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. Any use 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 other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (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(B) - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state: "A Use Permit (Resolution Number XX-XXX) was approved by the Zoning Administrator for Assessor's Parcel Number 007-541-008-000 on June 11, 2026. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with County of Monterey HCD." Proof of recordation of this notice shall be furnished to the Director of HCD 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 commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD008 - NO EVENTS ALLOWED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Title 21 Section 21.64.290.A, to protect the residential character of the neighborhood on an ongoing basis, the property shall be rented for only transient residential-related use. The property shall not be rented to either 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 on-going basis, the property shall only be rented for transient residential-related use.

4. PD009 - PERMIT LIMITATION OF THE USE OF THE RESIDENTIAL PROPERTY AS A COMMERCIAL VACATION RENTAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This permit shall be valid for 7 years from the date of permit approval which is June 11, 2026, unless an extension is filed with County of Monterey HCD – Planning at least 30 days prior to the expiration of the permit. Approval of this Use Permit is limited to 7 years to provide an adequate, on-going review of the approved use of the Residential Property as a Commercial Vacation Rental.

The owner/operator shall file an application for extension of the permit in accordance with the Monterey County Code Title 21 Sections 21.74.110 and 21.64.290.F.12.b.

Compliance or Monitoring Action to be Performed: The applicant shall commence and operate the authorized use in accordance with County codes and State regulations and to the satisfaction of the HCD-Chief of Planning. Any request for a Use Permit extension must be received by HCD-Planning at least 30 days prior to the expiration date.

5. PD031 - VACATION RENTAL OPERATION LICENSE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to Monterey County Code Title 7 Chapter 7.120, applicants are required to obtain a Vacation Rental Operation License from the County of Monterey HCD. This Vacation Rental Operation License shall be active and renewed annually for the term of this Use Permit.

Compliance or Monitoring Action to be Performed: Prior to the commencement of use, HCD will issue the applicant a Vacation Rental Operation License.

6. PDSP001 – USE OF PRIVATE ROAD

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The project requires use of a private road, as defined by Monterey County Code (MCC) Chapter 16.80, which is owned by the Pebble Beach Company. There is a deed restriction on the subject property that meets the definition of a private road agreement and private road maintenance agreement under MCC Chapter 16.80. There is substantial evidence that a substantive dispute exists over the use of the private road for the project. The applicant/Owner/Operator shall provide HCD-Planning with proof of access and adequate documentation demonstrating that the private road dispute has been satisfactorily resolved. Adequate documentation may include: written withdrawal of objections; a final settlement or final judicial determination; or written permission from the legally established private road governing structure such as a homeowners' association or similar organization where said governing structure is authorized to make determinations regarding the use, maintenance, and related matters regarding the private road.

Compliance or Monitoring Action to be Performed: Prior to the commencement of use, the Applicant/Owner/Operator shall provide adequate documentation to HCD-Planning for review and approval satisfying the requirements of this condition.

This page intentionally left blank

County of Monterey

Housing and Community Development



Planning - Building - Housing
1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
(831) 755-5025

Vacation Rental Operations Plan

Vacation Rental Type

Commercial Vacation Rental

Number of Non-hosted Rentals Per Year:

45

200 characters

Fire Station Name and Address

Pebble Beach Fire Station, 3101 Forest Lake Road

Street Number and Name

Pebble Beach

City

California

State/Province/Region

93953

Postal/ZIP Code

Fire Station Phone

831-375-4204

Police Station Name and Address

Monterey County Sheriff's Office, 1414 Natividad Road

Street Number and Name

Salinas

City

California

State/Province/Region

93906

Postal/ZIP Code

Police Station Phone

831-647-7700

Hospital Emergency Room Name and Address

Community Hospital of Monterey Peninsula (CHOMP) 23625 Holman Hwy

Street Number and Name

Monterey

City

California

State/Province/Region

93940

Postal/ZIP Code

Hospital Phone

831-624-5311

24-hour Clinic Name and Address

(CHOMP) Emergency Department, 23625 Holman Hwy

Street Number and Name

Monterey,

City

California

State/Province/Region

93940

Postal/ZIP Code

24-hour Clinic Phone

831-624-5311

Number of employees who will maintain the Vacation Rental (such as landscape services, housekeeping services, management services, etc.):

3

200 characters

Submit the following documents:

- Evacuation Maps.
- Most recent bill for waste services.
- Most recent bill for public sewer services.
- Most recent water bill or water test.
- On-site Parking Plan (if not included as a part of the Site Plan or Floor Plan).


NOTE: Upon completion, please click the "Print Form" button and save this form to your computer as a PDF and upload it into your Accela Citizen Access account. Upon entering your email address and clicking "Submit", you will receive an emailed confirmation of your form.

Completion of this form does not start the application process, all necessary forms must be uploaded to your Accela account.

If you chose another language, completed this form, and would like to save a copy of this form in that language, please click the "Print Form" button and save this form as a PDF before clicking "Submit".

To receive a copy of your submission, please fill out your email address below and submit.

Email Address josh@sanctuaryvacationrentals.com

 I'm not a robot

reCAPTCHA
Privacy - Terms

Print Form

[Review](#)

Submit



Best 6 min 1h 8m 1hr 1 25 min —

2924 Congress Rd, Pebble Beach, CA 930
Community Hospital of the Monterey Pen

Depart at Options

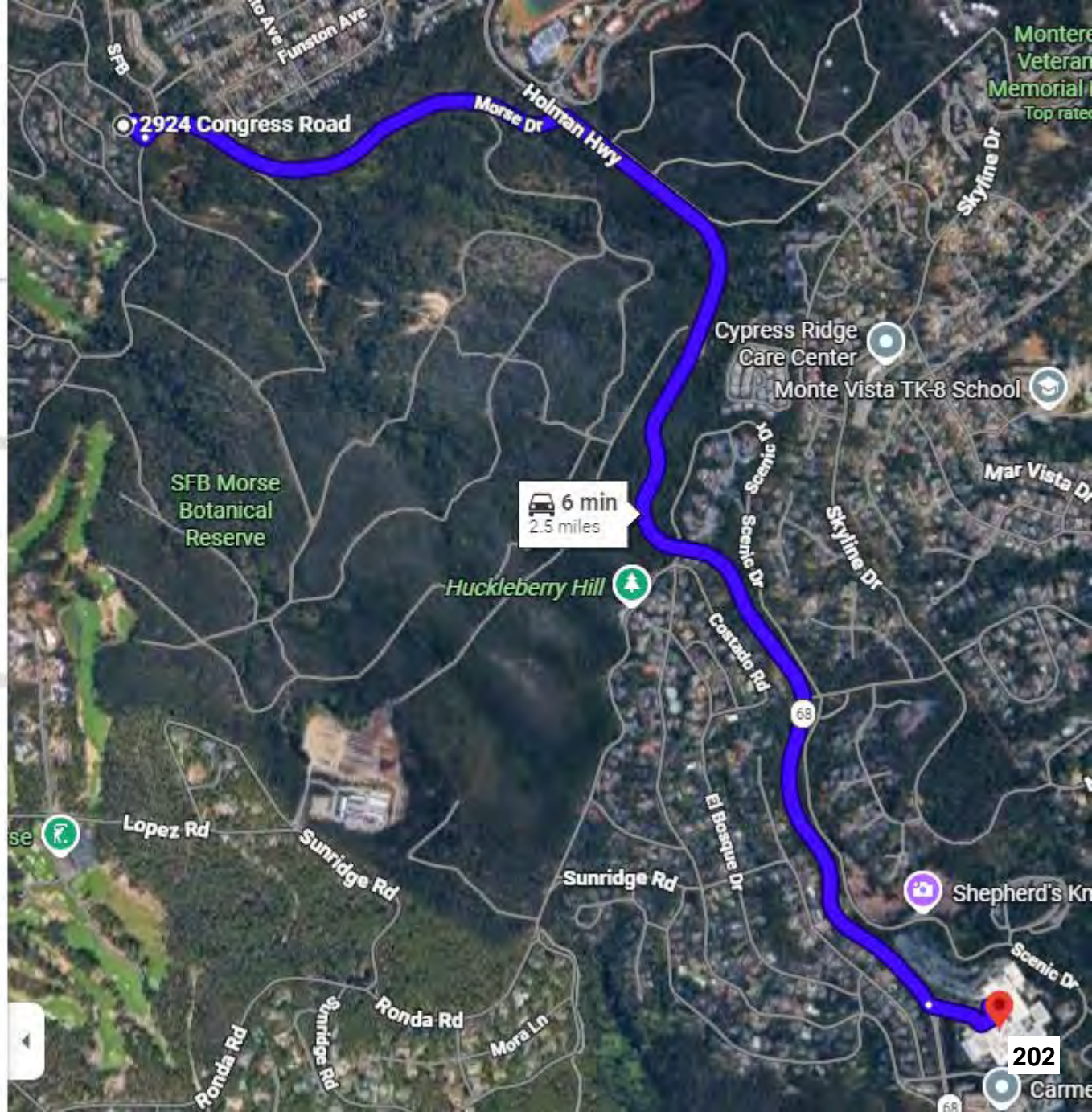
3:00 PM Mon, May 18

Send directions to your phone Copy link

via Morse Dr and CA-68 E typically 6 min
Details Preview 2.5 miles

Explore nearby Community Hospital of the Monterey Peninsula

- Restaurants
- Hotels
- Gas stations
- Parking Lots
- More



6 min
2.5 miles

202



Best 4 min 29 min 10 min —

2924 Congress Rd, Pebble Beach, CA 939

Pebble Beach Fire Station 22, 3101 Fores

Depart at Options

3:00 PM Mon, May 18

Send directions to your phone Copy link

via Congress Rd typically 4 min 1.2 miles Details Preview

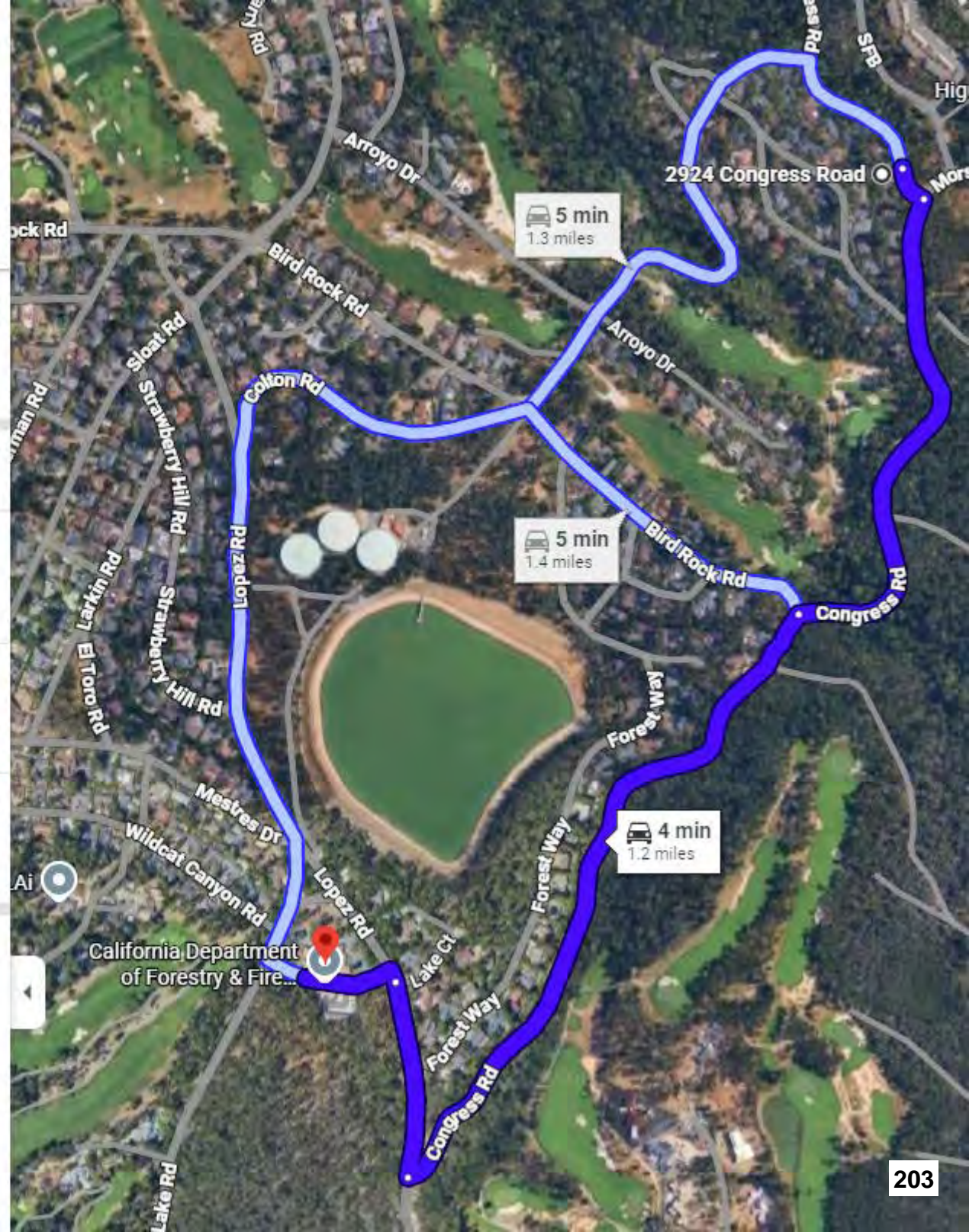
via Colton Rd typically 5 min 1.3 miles

via Congress Rd and Lopez Rd typically 5 min 1.4 miles

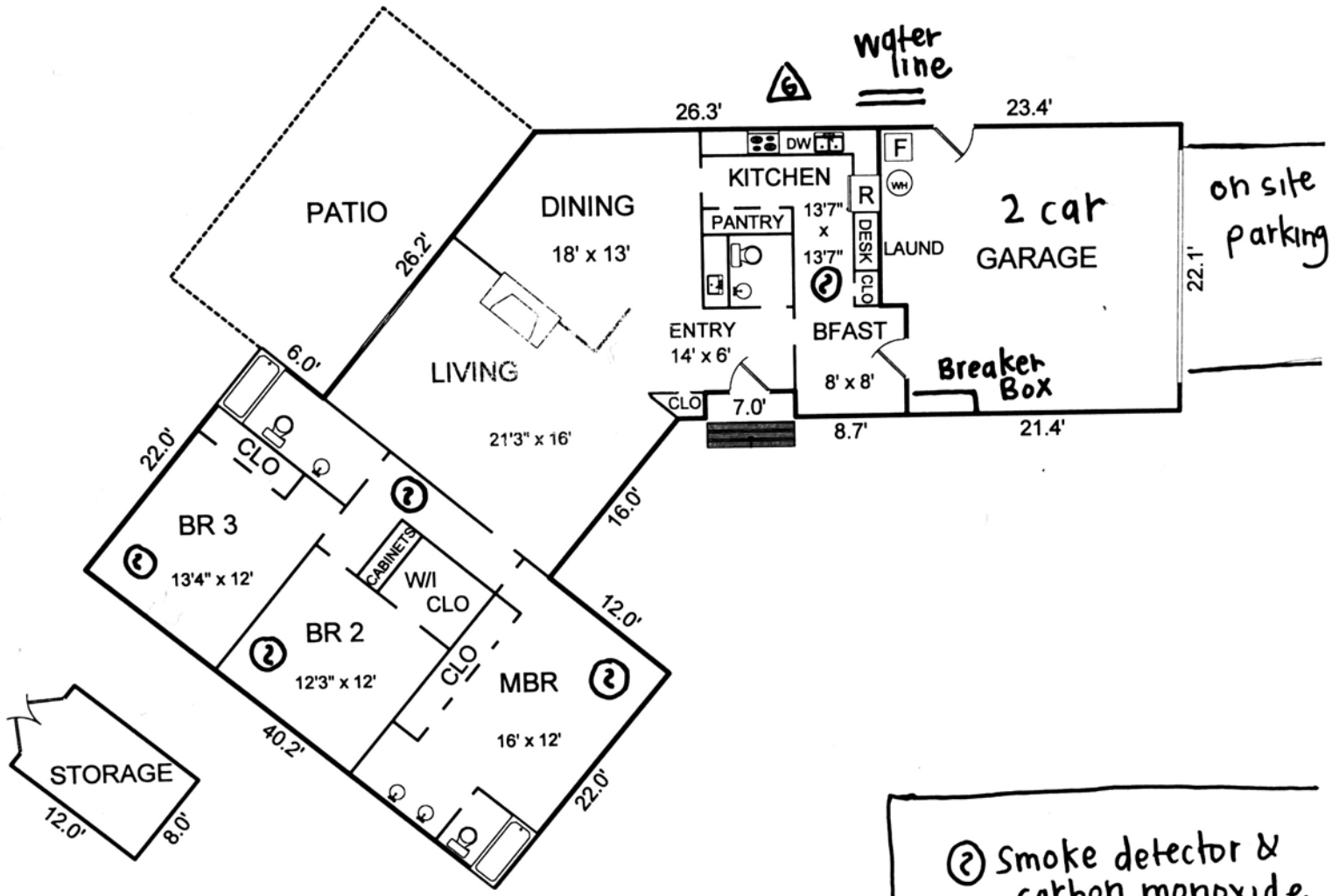
Explore nearby Pebble Beach Fire Station 22



Restaurants Hotels Gas stations Parking Lots More



2924 CONGRESS ROAD, PEBBLE BEACH, CA 93953



AREA CALCULATIONS (approximate)

First Floor:	1,821sf
Net Livable Area:	1,821sf
Garage:	500
Patio:	385
Storage:	96

(⊙) Smoke detector & carbon monoxide
 (⚠) Gas Line
 = Water Line & Shut off water
 [] Breaker Box

This page intentionally left blank

Exhibit B

This page intentionally left blank.

Willard Rd

2924 Congress Rd



SFB

Morse Dr

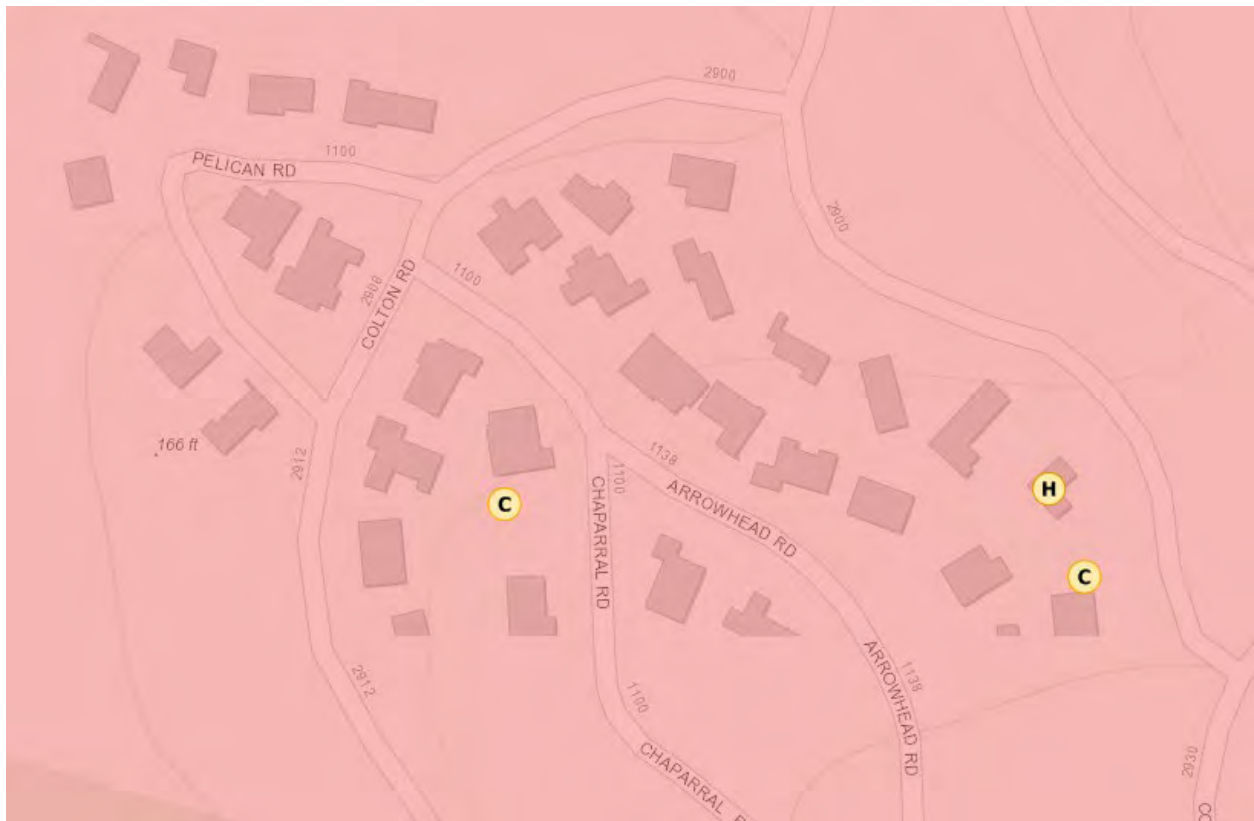
208

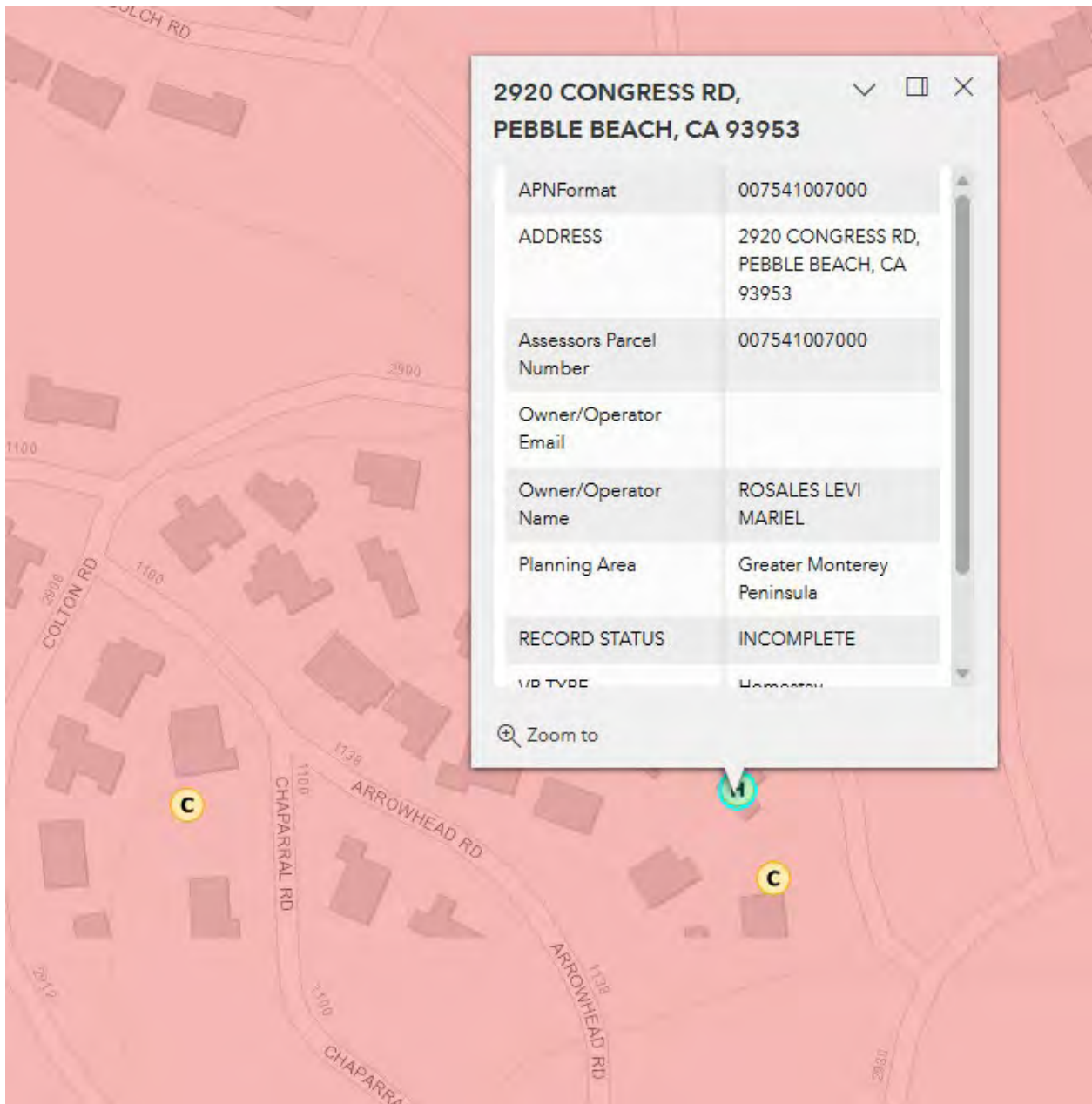
This page intentionally left blank

Vacation Rental STR

VR Type/Status

- C** Commercial/Approved
- C** Commercial/Pending
- H** Homestay/Approved
- H** Homestay/Pending
- L** Limited/Approved
- L** Limited/Pending





1138 CHAPARRAL RD,
PEBBLE BEACH, CA 93953

APNFormat	007543004000
ADDRESS	1138 CHAPARRAL RD, PEBBLE BEACH, CA 93953
Assessors Parcel Number	007543004000
Owner/Operator Email	DEBPOSS@YAHOO.C OM
Owner/Operator Name	POSS ROY JAMES JR & DEBRA ANN
Planning Area	Greater Monterey Peninsula
RECORD STATUS	APPLIED
LAND USE	Commercial

Zoom to

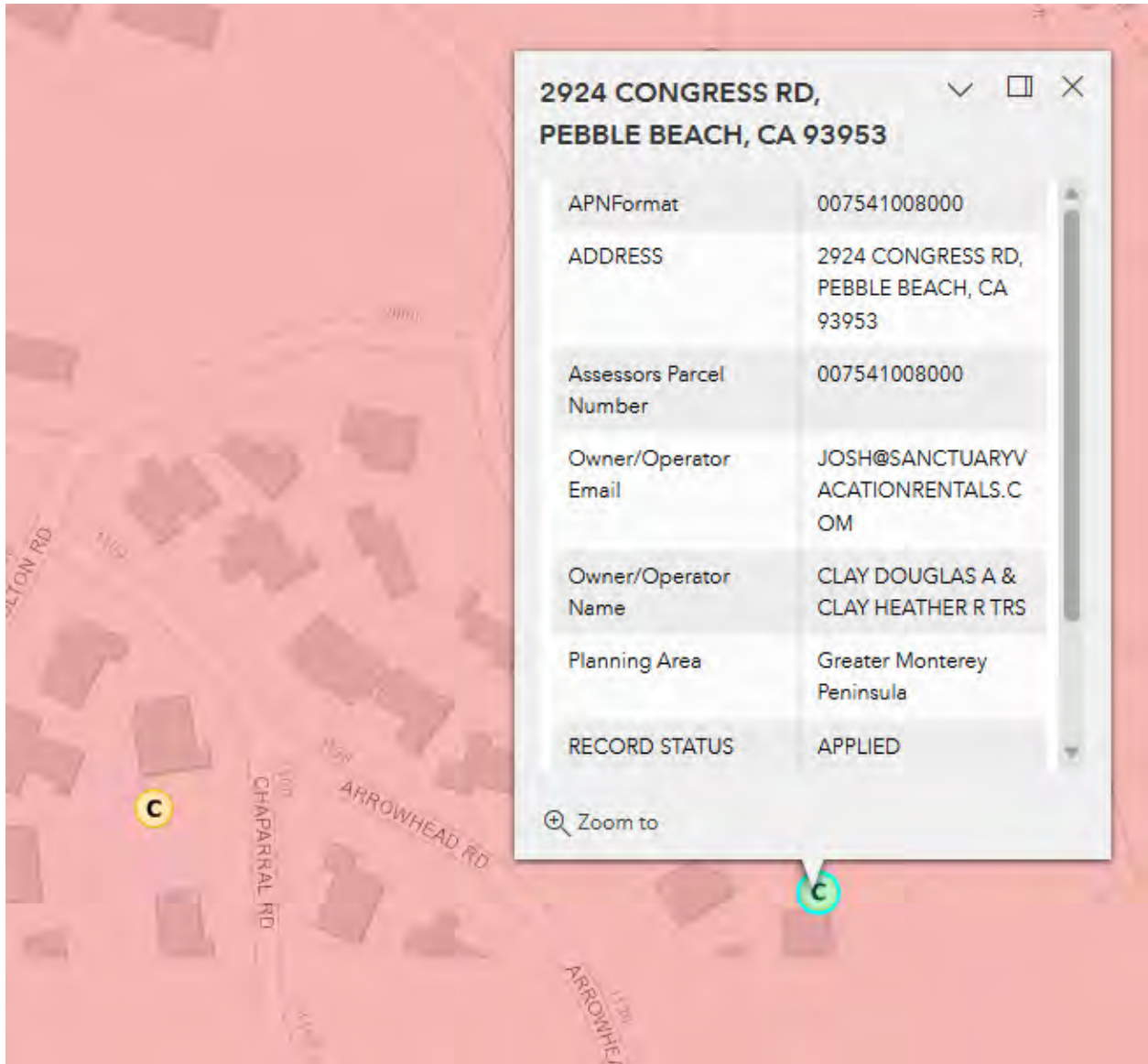
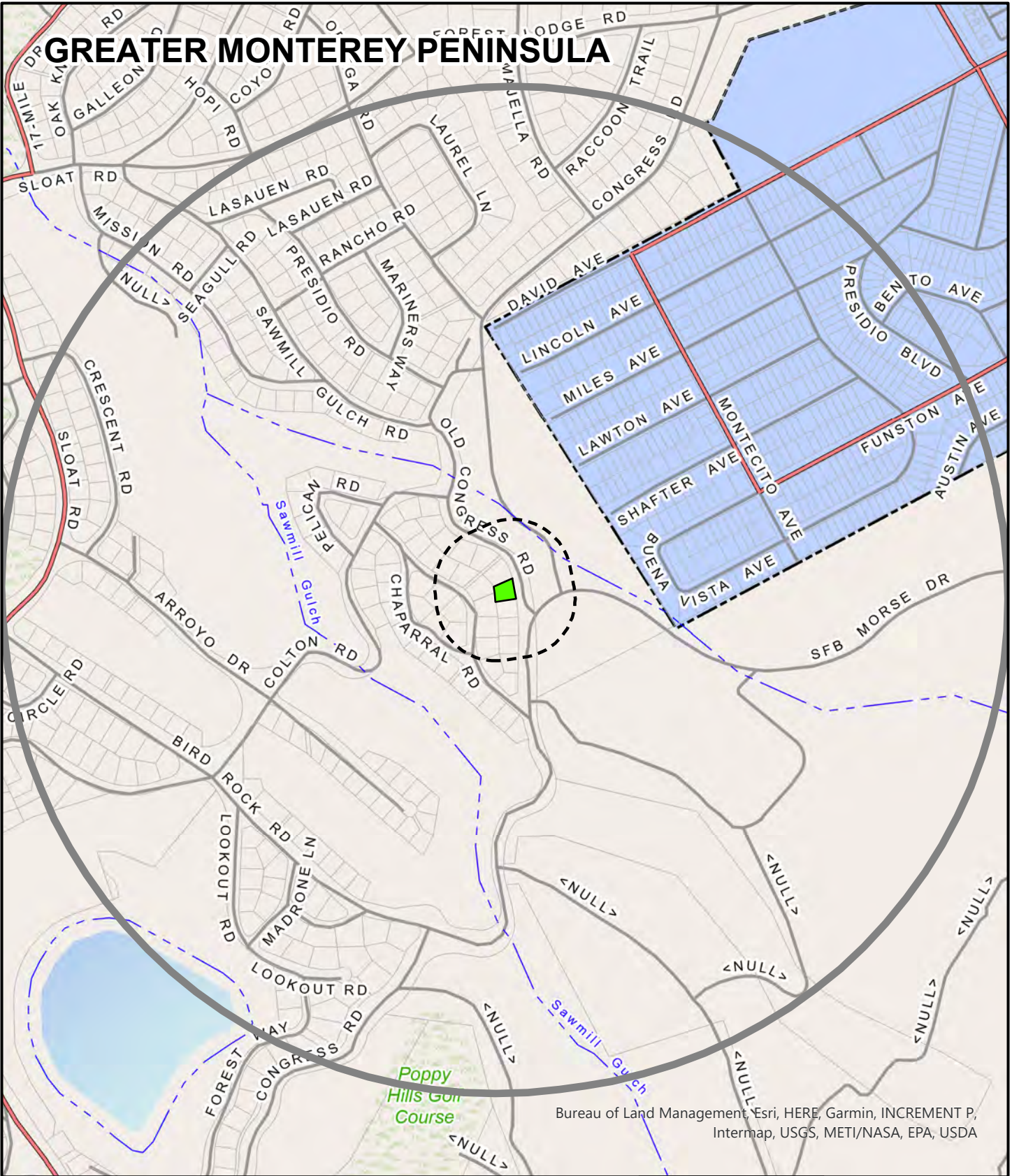


Exhibit C

This page intentionally left blank.

GREATER MONTEREY PENINSULA




Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA


APPLICANT: CLAY DOUGLAS A & CLAY HEATHER R TRS

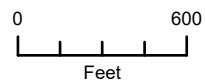
APN: 007541008000

FILE # PLN240358

 Project Site

 300 FT Buffer

 2500 FT Buffer



This page intentionally left blank

Exhibit D

This page intentionally left blank.



HOUSING AND COMMUNITY DEVELOPMENT

[Announcements](#)

[Development Services](#)

[Planning Services](#)

[Permit Center](#)

[GIS / Maps](#)

[About Us](#)



Vacation Rental Home Inspection Checklist

Property Information

Have your Vacation Rental Operation Application number ready.

Vacation Rental Address and Unit/Suite/Apt # **2924 CONGRESS ROAD, PEBBLE BEACH**

Total number of bedrooms **3**

Total number of onsite parking spaces (e.g. garage, driveway) **4**

Interior Inspection

Beds are located in approved Bedrooms, in compliance with the Building Code at the time of construction, with appropriate ingress and egress.

Every sleeping room has a functional smoke alarm.

Every hallway with a sleeping room has a functional smoke alarm. Every floor has a functional carbon monoxide alarm.

All built-in kitchen appliances operate properly and space for food storage, preparation, and serving are in good and safe condition. All electrical outlets in kitchen and bathrooms are Ground Fault Circuit Interrupter (GFCI) protected.

Water heater is properly strapped, adequately vented, and temperature and pressure relief valves are drained to outside.

Other heating equipment is in safe operating condition and placed in an approved location.

There is at least one readily accessible class A fire extinguisher located in the home that has been serviced annually by a certified fire extinguisher company.

The building conforms to the applicable state building and fire codes at the time the building was constructed.

Exterior Inspection

There is no evidence of infestation, garbage, and debris at the site.

The property has active garbage pick-up service.

If a garage is present, it is only used as a garage and only non-combustible flooring exists. Driveway, if present, is open and accessible to vehicles.

Property is in an overall safe and sanitary condition.

Water heater is properly strapped, adequately vented, and temperature and valves are drained to outside. Other heating equipment is in safe operating condition and placed in an approved location.

Home Inspection Results

Passed

Failed

Remarks/Observations:

AFTER INITIAL INSPECTION, A GFI RECEPTICAL WAS INSTALLED IN THE PRIMARY BATHROOM.

Home Inspector Certification **AMERICAN SOCIETY OF HOME INSPECTORS, CERTIFIED HOME INSPECTOR #245164**

Under penalty of perjury, the undersigned certifies that the information on this form is based on an actual site inspection of the property and is complete and accurate.

Michael R. Tachel

Home Inspector or General Contractor Name & Acknowledgement

MICHAEL R. TACHEL PENINSULA HOME INSPECTIONS LLC, CARMEL, CA 831-241-0946

License/Certification # (for Contracts certified by the California Contractors State License Board, the certification must be a License Classification Type B, B-2, or C-47):

Date **10-28-2024**

Click 'Print' at the top of this page and save as a PDF.





HOUSING AND COMMUNITY DEVELOPMENT

- Announcements
- Development Services
- Planning Services
- Permit Center
- GIS / Maps
- About Us

Vacation Rental home Inspection Checklist

Property Information

Have your Vacation Rental Operation Application number ready.

Vacation Rental Address and Unit/Suite/Apt #

2924 CONGRESS RD, PEBBLE BEACH
Total number of bedrooms 3

Total number of onsite parking spaces (e.g. garage, driveway) 4



Michael K. Rachel
Building Consultant/Certified Inspector
Cell: 831.241.0948

Peninsula Home Inspections LLC

P.O. Box 5605
Carmel, CA 93921
inspectormike1021@gmail.com



Interior Inspection

✓ Beds are located in all Bedrooms with proper clearance (7.6 feet min) and egress (one operable window or door in addition to entry). Egress window/door requirements: Min size 5.6 Sq. Ft., min width 20", min height 24", max sill off floor 40"

✓ Every sleeping room has a functional smoke alarm.

✓ Every hallway with a sleeping room has a functional smoke alarm. Every floor has a functional carbon monoxide alarm.

✓ All built-in kitchen appliances operate properly and space for food storage, preparation, and serving are in good and safe condition. All electrical outlets in kitchen and bathrooms are Ground Fault Circuit Interrupter (GFCI) protected.

✓ Water heater is properly strapped, adequately vented, and temperature and pressure relief valves are drained to outside.

✓ Other heating equipment is in safe operating condition and placed in an approved location.

✓ There is at least one readily accessible class A fire extinguisher located in the home that has been serviced annually by a certified fire extinguisher company.

✓ The building conforms to the applicable state building and fire codes at the time the building was constructed.

Exterior Inspection

✓ There is no evidence of infestation, garbage, and debris on the site.

✓ The property has active garbage pick-up service.

✓ If a garage is present, it is only used as a garage and does not have combustible flooring exists. Driveway, if present, is open and accessible to vehicles.

✓ Property is in an overall safe and sanitary condition.

Water heater is properly strapped, adequately vented, and temperature and valves are drained to outside. Other heating equipment is in safe operating condition and placed in an approved location.

Home Inspection Results

✓ Passed

Michael K. Rachel

10-28-2024

Peninsula Home Inspections LLC
P. O. Box 5605
Carmel, CA 93921
Cell 831-241-0948
inspectormike1021@gmail.com

INVOICE

Date: October 28, 2024

Invoice Number: 10252024-01

Client: Sanctuary Vacation Rentals

Property Location: 2924 Congress Road, Pebble Beach

**Service Provided: Housing and Community Development
Vacation Rental Home Inspection**

Fee: \$ 150.00

**Please remit to: Peninsula Home Inspections LLC
P.O. Box 5605
Carmel, CA 93921**

**Thank you for this opportunity to be of service and your
prompt payment.**

Michael Rachel, Peninsula Home Inspections LLC

This page intentionally left blank

Exhibit E

This page intentionally left blank.



PEBBLE BEACH COMPANY

October 24, 2025

RE: DEL MONTE FOREST VACATION RENTAL

Dear Applicant:

Please be advised that Pebble Beach Company ("PBC") will not consent to an application to operate a vacation rental in Del Monte Forest. This proposed use violates the Covenants, Conditions, and Restrictions ("CC&Rs") recorded against residential properties located in Del Monte Forest, and PBC does not consent to the use of its private road system for vacation rental purposes.

The applicable CC&Rs state that residential properties in Del Monte Forest are restricted to residential use only and that business activities are not permitted. Vacation rentals are considered business activities, as demonstrated by the requirement for applicants to obtain a license from and pay Transient Occupancy Tax to the County of Monterey. Additionally, PBC is charged with maintaining the delicate balance between habitat, residential use, and visitor serving use under the Land Use Plans applicable to Del Monte Forest, and believes that allowing vacation rentals in residential areas disrupts this balance.

PBC's position on these matters has been communicated to the County of Monterey on numerous occasions, most recently in letters to the Monterey County Planning Department on October 9, 2024, and to the Board of Supervisors dated December 4, 2024. Copies of these letters are available for your review.

We regret any inconvenience this may have caused and thank you for your understanding.

Sincerely,
PEBBLE BEACH COMPANY

Nikki Simon
Del Monte Forest
Architectural Review Manager

DEL MONTE FOREST ARCHITECTURAL REVIEW

P.O. Box 1767, Pebble Beach, California 93953 831-625-8455 telephone 831-625-8440 facsimile
www.pebblebeach.com website

This page intentionally left blank