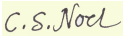



TO: Zoe Zepp, AICP, Associate Planner, x6408
Anna Quenga, AICP, Principal Planner
Erik Lundquist, AICP - Director of Housing & Community
Development
Kate Daniels, Planning Commissioner
Melissa McDougal, Administrative Secretary HCD
PC Hearing Comments

FROM: President C.S. Noel, Carmel Valley Association 
STR Task Force Chair John Heyl, CVA 

IN RE: Pending Approval of 114 Story Rd. Administrative Permit
PLN220134

Carmel Valley Association objects to the issuance of open ended administrative permits for Short Term Rentals (STRs) until such time as the EIR for the revised STR Ordinance is certified and/or the revised Ordinance is adopted by the BOS. This application should be sent to the Planning Commission for further consideration because it:

1. underscores the continued and growing need for a global comprehensive assessment of the County's unchecked STR approvals on available housing stock for our families and workforce
2. fails to consider the project's negative impacts on the unique character of Carmel Valley's residential neighborhoods
3. fails to address additional adverse environmental impacts on the unincorporated areas of the County, including the cumulative impacts of STRs.

Detailed considerations follow:

1. This application, along with the modified Operating Plan and Conditions, requests the expanded use of the property from residential to visitor accommodation for up to 8 adults a night and 7 cars total, "4 cars may park at the top of the driveway and 3 cars may park on the flatten area of the property near the entrance gate". This is a substantial change from a residential, single family residence and creates increased environmental impacts to noise and traffic beyond that allowed in Zoning LDR/1-D-S-

RAZ. Visitor accommodation units should not be permitted in residential neighborhoods without environmental review. Title 21.64.280 was adopted in 1997 without extensive environmental review, if any. The environmental assessment for the adoption of zoning ordinance should be reviewed.

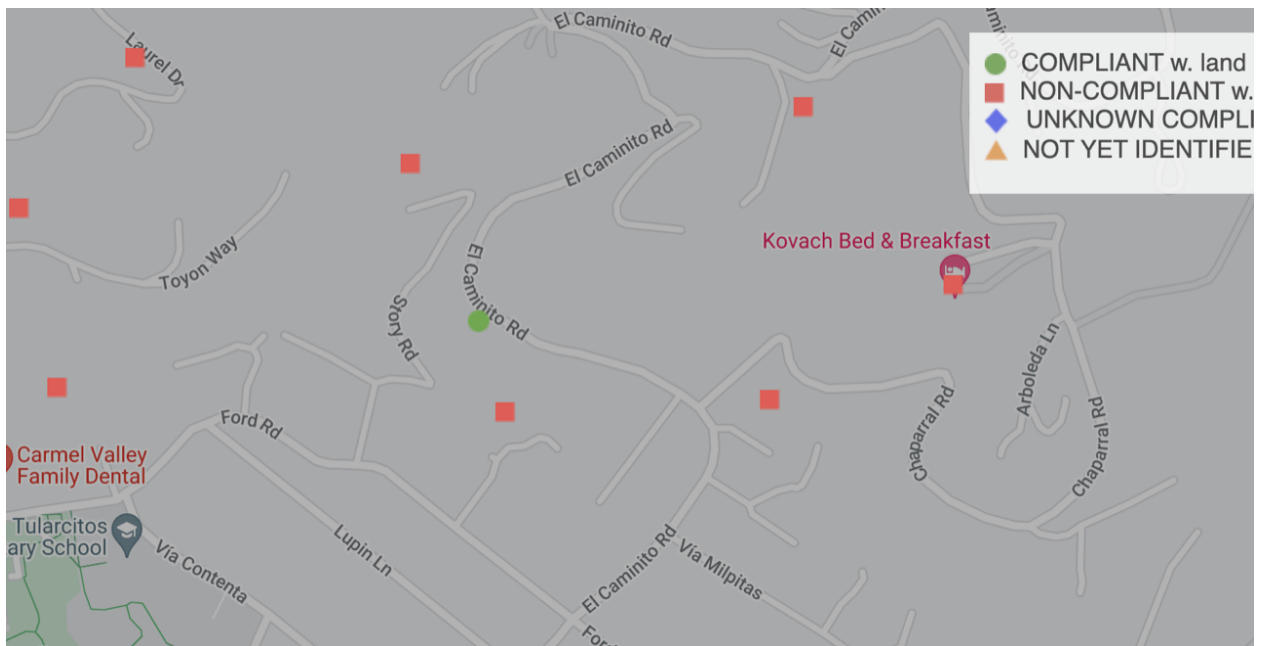
2. There is no cumulative impact assessment. The finding that CEQA is categorically exempt is not supported by the evidence. Unusual circumstances exist. HCD indicated in Dec, 2021, that there were over 600 STRs in the County. More recent statistics show over 300 paying TOT in Carmel Valley Master Plan and Carmel Use Plan areas. There are several other applications pending for additional administrative permits based on the Title 21 Regulations that have never had CEQA review. There is no attempt to assess potential cumulative impacts; this permit will make the 5th short term rental in the vicinity of the project out of 75 homes on this and adjoining streets—a figure of 6% of the residences; this means that, with approval of this permit for this unique neighborhood, the proposed cap on commercial short term rentals recommended in the draft new ordinances will have already been reached. Granicus Host Compliance Address Identifier map (attached) shows these listings—most non-compliant due to renting for less than 7 days—and that information is corroborated with Monterey County Tax Collectors record of TOT paying operators in the 93924 zip code updated Dec, 2022. This property currently has a listing allowing rentals for 3 nights in conflict with the conditions of this permit. The application and department reviews are vacant of any consideration of these issues. How will the neighbors be protected from continued shorter than allowable short terms rentals of this property once permitted?
3. Impact on Affordable Housing in Monterey County: This application, along with the cumulative applications in the surrounding communities, provides no consideration of the impact to the residential housing stock. The lack of affordable housing for workforce and full-time residents in Monterey County is a current and immediate threat to the public health, safety and welfare, a threat that will be intensified by the loss of residential units through the issuance of permits for short term rental use of residential property as is proposed here. For this reason alone, the application should be forwarded to the Planning Commission for further consideration.
4. Categorical exemption of environmental review is not warranted with the stated increases to the use of the property and the attendant increases in environmental impacts. The current Title 21.64.280 code has never been subject to CEQA review, in spite of clear impacts on neighborhoods with each permitted use. The County has yet to defend Section F of the Title, which states: “No Adverse Impact. The Board of Supervisors finds that the adoption of this ordinance has the effect of regulating a previously illegal use; however, the use permitted pursuant to this ordinance, as regulated, will not constitute a substantial adverse physical change to the environment or any substantive change in the intensity of use of existing single family dwellings.”

5. The property is zoned for low density residential with design review. The proposed changes create a land use more consistent with Commercial Visitor Accommodation / Professional Offices zoning and is also in conflict with the Carmel Valley Master Plan notwithstanding Title 21.64.280. The relevant CVMP section (CV-1.15) states:“b. Visitor accommodation projects must be designed so that they respect the privacy and rural residential character of adjoining properties...[and be] limited to a maximum of five (5) units clustered on five (5) acres in accord with Monterey County Code Chapter 15.20, unless served by public sewers.”

6. On November 7, the Planning Commission received an overview of the General Plan Elements update work plan over the coming year and a half. The November 7th presentation to the Planning Commission provided a summary of the policy framework through an equity lens that drives the General Plan Elements update. The story told by the data of Housing in unincorporated County of Monterey will serve to fulfill the mandate to identify sites and zoning designations that can accommodate a Regional Housing Needs Assessment (RHNA) of 3,326 housing units distributed across four Income levels (1,070 Very Low, 700 Low, 420 Moderate, and 1,136 Above Moderate). Each permitted STR operator and issuance of new administrative permits should add one additional unit to the RHNA requirements. As noted above, the lack of affordable housing for workforce and full-time residents in Monterey County will be intensified by the loss of residential units by the issuance of permits for short-term rental use of residential property as is proposed here.

We respectfully request that this and all pending applications be considered by the Planning Commission due to the important planning and zoning and affordable housing issues that present here and with STRs in general.

Attachment 1: Granicus Map showing 7 STR’s on El Camanito and adjoining streets. All registered with Tax Collector as paying TOT. Three properties nearby on Laurel.



Attachment 2: List of TOT operators in 93924 zip code from Monterey County Tax Collector's Office as of Dec 1, 2022

To view, access the Goolesheet [CLICK HERE](#) and Click on Tab for 93924 zip code)

**Summary: Total 108 TOT operators in 93924 zip code
19 new operators between April and December, 2022**

Attachment 3: Current AirBnb property summary from Granicus showing rental period of 2 days (bottom of image)

Listing URL	https://www.vrbo.com/1789569
Listing Status	● Active
Host Compliance Listing ID	hma321.1789569.2351078
Listing Title	LX16 Valley View Above The Wineries With Hot Tub
Property type	House
Room type	Entire home/apt
Listing Info Last Captured	Jan 15, 2023
Screenshot Last Captured	Oct 23, 2022
Price	\$815.76/night
Cleaning Fee	\$650

Information Provided on Listing

Contact Name	Zorka Ward
Latitude, Longitude	36.487446, -121.730656
Minimum Stay (# of Nights)	2