

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

In the matter of the application of:

WINKLEBLACK ROBERT & TRACY (PLN230133)

RESOLUTION NO. 24-027

Resolution by the Monterey County Planning
Commission:

- 1) Finding that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301 and none of the exceptions listed in Section 15300.2 apply; and
- 2) Approving an Administrative Permit to allow transient use of a residential property [single-family dwelling] for remuneration (Short-Term Rental).

[PLN230133 WINKLEBLACK ROBERT & TRACY, 9700 Venado Drive, Carmel Valley, Carmel Valley Master Plan (APN: 169-021-009-000)]

The WINKLEBLACK ROBERT & TRACY application (PLN230133) came before the Monterey County Planning Commission on August 28, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for transient use for remuneration.
EVIDENCE:
 - a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Carmel Valley Master Plan; and
 - Monterey County Zoning Ordinance (Title 21).No conflicts were found to exist. The County received communications from interested members of the public during the course of review indicating inconsistencies, however, the County finds the project consistent with the text, policies, and regulations in the applicable documents (see subsequent Evidence “k”).
 - b) Allowed Use. The subject property is located at 9700 Venado Drive, Carmel Valley, within the Carmel Valley Master Plan (APN: 169-021-009-000). The parcel is zoned Low Density Residential, 1 acre per unit with Design Control, Site Plan Review, and Residential Allocation Zoning district overlays or “LDR/1-D-S-RAZ”, which allows for

transient use of a residential property for remuneration subject to the granting of an Administrative Permit pursuant to Title 21 section 21.64.280.D. There is currently ongoing construction of the first single-family dwelling on the property that was approved under PLN200286. The short-term rental will not commence until the building passes final inspection. Therefore, the project is an allowed land use for this site.

- c) Lot Legality. The subject parcel (111.69-acres) was created as part of Lot 4 of the James Meadow Tract. The current configuration and size match the configuration and size shown on the respective Assessor's Parcel Map dated March 7, 1972. Therefore, the County recognized the parcel as a legal lot of record.
- d) As conditioned and proposed, the project complies with the requirements found in Title 21 Section 21.64.280.D.2, including the minimum rental period(s), prohibiting on-site advertising, payment of transient occupancy taxes (TOT), designation of a local contact person and limitation on the total number of occupants. As proposed and detailed in the attached Operations Plan, the single-family dwelling will be utilized as a short-term rental, the property is limited to one contract at a time, the rental periods for the subject property shall be no less than a 7-night consecutive stay and no greater than a 30-night consecutive stay, no on-site advertising shall be allowed, and the total overnight occupancy shall not exceed 8 guests. Also see subsequent Evidence "e" through "h".
- e) Occupancy. Pursuant to Title 21 section 21.64.280.D.2.b, the number of occupants in any residential unit for transient use shall not exceed the limits set forth in the California Uniform Housing Code. Under the Uniform Housing Code, each bedroom shall have a minimum of 70 square feet for the first two (2) people and 50 square feet for each additional person beyond two (2) people in that bedroom. The project includes the lease of a single-family dwelling. The residence at 9700 Venado Drive (approx. 3,456 sq. ft.) includes three bedrooms, two bathrooms, and one kitchen. The owner is proposing a maximum of 8 people overnight and 10 people during daytime to stay at the property at a time. Although the California Housing Code would allow additional occupants, the applicant is setting a limit to 8 overnight occupants. Therefore, as proposed, the project is consistent with applicable Monterey County Code.
- f) Signage. Consistent with Title 21 section 21.64.280.D.2.c, the Operations Plan prohibits on-site advertising of short-term rentals.
- g) Local Property Manager. The property owner does not reside within a five-mile radius of the property. Pursuant to Title 21 section 21.64.280.D.2.d, the attached Operations Plan identifies that a local property manager, located within a 25-mile radius of the rental unit, will be designated as a 24-hour point of contact for all guests, respond to neighborhood questions/concerns, and to ensure the short term rental operates in compliance with applicable regulations and within the limitations as permitted. If the point of contact changes while the property is still available to rent, HCD-Planning shall be provided with the new 24-hour point of contact's information immediately. As required through implementation of Condition No. 5, the

Owner/Applicant shall provide HCD-Planning with the designated property manager information prior to commencement of use of the short term rental.

- h) Parking. Title 21 section 21.58.040 establishes the minimum required parking spaces. A single-family dwelling requires two parking spaces. As proposed, the property can accommodate up to ten total cars for occupants and employees. However, as specified in the Operations Plan, the Applicant/Owner has set a limit of two cars for guests immediately next to the single-family dwelling.
- i) Neighborhood Character. Pursuant to Title 21 Section 21.64.280, the County may apply conditions of approval to ensure use of a single-family dwelling for transient use does not result in adverse impacts to the neighborhood and to maintain the integrity of the zoning district. To protect the public, health, and welfare, as well as the residential character of the neighborhood, additional conditions have been applied to expressly prohibit events on the property (Condition No. 4). A Deed Restriction has been applied to ensure compliance with all applicable regulations (Condition No. 8). Additionally, a condition limiting the permit to 3 years from the date a Certificate of Occupancy is issued for construction permit No. 21CP03672 (Condition No. 9). Compliance with this condition allows the Applicant/Owner to either apply for a permit extension 30 days prior to its expiration or secure proper permits in accordance with rules and regulations adopted subsequent to approval of this permit but are in place prior to the expiration date. The purpose of the expiration date is to provide for review of the approved use to ensure that it remains compliant with the terms of this permit and that such use is not detrimental to the neighborhood.
- j) Land Use Advisory Committee (LUAC) Review. This project was referred to the Carmel Valley LUAC for review, at which the LUAC on July 15, 2024 voted 4-0 to support the project with recommendations to continue discussion with neighbors to address concerns identified at the meeting. The Applicant/Owner subsequently updated the operations plan to prohibit use of the firepit by renters and specified the prohibition of any special events on the property. The Applicant/Owner also committed to continuing efforts to reduce fuel loads by cutting back overgrown vegetation.
- k) Public Comment. Members of the public have submitted letters and made public comment in support of and opposition to the project. Raised concerns relate to the noise that the proposed project could potentially cause based upon the topography, potential for vegetation fires by negligent guests, use of the property as an event venue with large numbers of attendees, proximity of a property manager, and response time from emergency services in case of fire. Letters of support from neighbors speak to the character of the applicant and their stewardship of the property, which includes reducing fire loads by mowing tall grasses and thinning the vegetation. As stated in preceding Evidence “e”, the number of occupancy will not exceed the limits set forth in the California Uniform Housing Code. Carmel Valley Road is identified as an evacuation route in the 2010 General Plan. Given that the project would not intensify the existing land use (one single-family

residence), the project would not impair or interfere with the adopted emergency response or evacuation plan. HCD-Engineering Services has reviewed the proposed project and the nearby roadways and determined that the road is suitable for this use. The Monterey County Regional Fire Protection District has reviewed the application, made no comments, and raised no concerns about access to the property's development. Condition No. 4 has been applied to specify that no parties or events are allowed. Additionally, the rental is subject to Monterey County's Noise Ordinance. The Operations Plan identifies utilizing a local property manager, located within a 25-mile radius of the rental unit, as a 24-hour point of contact. As detailed in Finding No. 5 and supporting evidence, the Planning Commission finds that adequate environmental review has occurred, there are no potentially significant cumulative impacts, and the proposed use is consistent with the CEQA Guidelines Section 15301. Potential impacts of short-term rentals on long-term housing are not a unique circumstance that would disqualify the use of a categorical exemption.

- 1) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230133.

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 Monterey County Regional Fire District. 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 the need to evaluate potential traffic impacts of the project. The following report has been prepared:
 - “Winkleblack Vacation Rental Traffic Study, 9700 Venado Drive, Carmel Valley, Monterey County, CA” (LIB240151) prepared by Keith Higgins, Traffic Engineer, Gilroy, CA, November 2, 2023. County staff independently reviewed this report and concurs with the conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. All development shall be in accordance with these reports.
 - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230133.

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 Monterey County Regional Fire Protection District. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Water and septic will be provided. The well onsite has undergone a source capacity test and results show a 16.29 gallon per minute pumping rate which is adequate enough to serve the single-family dwelling. A new septic system is being built to support the single-family dwelling along with future expansion fields. These were reviewed and approved by the Environmental Health Bureau.
 - c) As required through implementation of Condition No. 10, prior to commencement of transient use of the residential property, the onsite wastewater treatment system (Permit # ON0121341) is to be installed and receive final installation approval from the Environmental Health Bureau.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230133.

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 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 PLN230133.

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 operation of existing private structures, involving negligible or no expansion of an existing use.
 - b) The applicant proposes operation of a residential single-family dwelling, when finished construction, as a transient use for remuneration and does not propose any additional development and/or expansion of the structures, as built. All facilities, as planned and approved for construction, have been confirmed by County agencies to be adequate for this use. Therefore, the proposed use is consistent with the CEQA Guidelines Section 15301.
 - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within

view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact. The project will not impact sensitive environmental resources and there will be no significant effect on the environment due to unusual circumstances. The site is not included on any list compiled pursuant to Section 65962.5 of the Government Code to be considered on a hazardous waste site. Potential impacts of short-term rentals on long-term housing are not a unique circumstance that would disqualify the use of a categorical exemption. 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.” Under CEQA, an action is a “project” only when it is either “directly undertaken by any public agency,” “supported, in whole or in part” by financial or other forms of assistance from a public agency, or involves the issuance of an entitlement by a public agency (Public Resources Code, § 21065). The project area includes numerous unpermitted short-term rentals. By definition, these are not “projects” under CEQA, and therefore are not considered for purposes of this cumulative impact analysis. There are currently 5,033 residential dwellings in Carmel Valley Master Plan area and approximately 37 short-term rental applications in this same area on file with the County. Ten of these applications have been approved, and 27 are in different stages of the planning review process. Although it is recognized that many residences operate as short-term rentals without necessary permits, if all 37 short-term rental applications were to be approved, permitted short-term rentals would make up 0.74% of the residences in Carmel Valley. Given the limited number of short-term rentals, the application of regulations that address cumulative concerns, and the negligible effects of short-term use compared to long-term occupancy of residential structures, exceptions to categorical exemptions due to potential cumulative considerations are not warranted. Furthermore, none of these numbers reflect short-term rentals that are operating without a permit.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230133.

6. FINDING: **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors.
EVIDENCE: Board of Supervisors. Pursuant to Title 21 Section 21.80.050.A, an appeal of the Planning Commission’s decision for this project may be made to the Board of Supervisors by any public agency or person aggrieved by their decision.

DECISION

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

1. Find the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301; and
2. Approve an Administrative Permit to allow transient use of a residential property (two single-family dwellings) for remuneration.

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 28th day of August 2024, upon the motion of Commissioner Daniels, and second by Commissioner Mendoza, by the following vote:

AYES: Getzelman, Work, Mendoza, Diehl, Monsalve, Gonzales, Shaw Daniels

NOES: None

ABSENT: Roberts, Gomez

ABSTAIN: None

DocuSigned by:
Melanie Beretti
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Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **SEPTEMBER 4, 2024**.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **SEPTEMBER 16, 2024**.

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.

NOTE

This permit expires 3 years after the above date of granting thereof unless certificates of compliance are recorded within this period.

County of Monterey HCD Planning

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

PLN230133

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Administrative permit (PLN230133) allows transient use of a residential property [single family dwelling] for remuneration (Short-Term Rental). The property is located at 9700 Venado Drive, Carmel (Assessor's Parcel Number 169-021-009-000), Carmel Valley Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

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

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Administrative Permit (Resolution Number 24-027) was approved by the Planning Commission for Assessor's Parcel Number 169-021-009-000 on August 28, 2024. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

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

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

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

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

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

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

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

Responsible Department: Planning

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

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

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

Responsible Department: Planning

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

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

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

Responsible Department: Planning

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

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

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

7. PDSPOO3- MAXIMUM NUMBER OF OCCUPANTS ALLOWED

Responsible Department: Planning

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

The single-family dwelling at 9700 Venado Drive, Carmel Valley, has a total of 3 bedrooms and 2 bathrooms. The maximum number of allowed occupants during one rental contract of the dwelling shall not exceed 8. (HCD-Planning)

Compliance or Monitoring Action to be Performed: On an on-going basis, the maximum number of allowed occupants during one rental contract for the dwelling shall not exceed 8.

8. PD017 - DEED RESTRICTION-USE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to commencement of use, the applicant shall record a deed restriction as a condition of project approval stating the regulations applicable to the requested transient use as specified in Section 21.64.280 of Monterey County Code, Title 21. Including, but not limited to: 1) The minimum rental period for all transient use of residential property shall be greater than seven consecutive calendar days up to the maximum of 30 days; 2) The maximum number of allowed overnight guests shall not exceed the limit of 8; 3) No advertising on site; 4) An owner/applicant who does not reside within a five-mile radius of the residence shall designate a person located within a twenty-five (25) mile radius of the rental unit, as a local contact person who will be available twenty-four (24) hours a day; 5) A copy of any administrative permit shall be furnished by the Director of Planning to the Treasurer of the County of Monterey and the Sheriff of the County of Monterey; 6) The administrative permit holder and/or registrant shall collect and remit to the Treasurer of the County of Monterey, the transient occupancy tax for each rental unit; 7) The property shall only be rented for residential-related use; no corporate or private events and 8) Compliance with the requirements of this Section shall be considered conditions of approval, the violation of which may result in a revocation of any administrative permit by the Chief of Planning. This deed restriction shall expire three years after the granting of this permit (August 28, 2027) or as PLN230133 may be extended pursuant to Condition 9. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the commencement of use, the Owner/Applicant shall submit the signed and notarized document to the Director of HCD-Planning for review and signature by the County.

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

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

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This permit shall be valid for 3 years from the date a Certificate of Occupancy is issued for construction permit No. 21CP03672. Approval of this Administrative Permit is limited to 3 years to provide adequate on-going review of the approved transient use of the residential property for remuneration.

Prior to its expiration, the owner/applicant shall file an extension in accordance with Title 21 Section 21.70.120. The appropriate authority to consider this extension shall be the Chief of Planning. This subsequent review will ensure: 1) the use continues to meet the standards of Title 21; 2) that the nature and character of the neighborhood has not changed so to cause the transient use to be detrimental to the area; and 3) an opportunity for Planning staff's review for ongoing compliance with the Administrative Permit's conditions of approval.

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

10. EHSP01 - INSTALLATION OF ONSITE WASTEWATER TREATMENT SYSTEM (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The Environmental Health Bureau (EHB) has issued an Onsite Wastewater Treatment System (OWTS AKA Septic System) permit to serve the single family dwelling applied for under 21CP03672.

Compliance or Monitoring Action to be Performed: Prior to commencement of transient use of the residential property, the onsite wastewater treatment system (Permit # ON0121341) is to be installed and receive final installation approval from the Environmental Health Bureau.

**SURVEY
OF
LANDS OF WINLEBLACK
A.P.N. 169-021-009
WITHIN LOT 4 OF THE JAMES MEADOWS TRACT,
CARMEL VALLEY, CALIFORNIA**

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF WINKLEBLACK, IN JUNE, 2020.

DATED **Jan. 21, 2022**



Lynn A. Kovach
LYNN A. KOVACH
P.L.S. 5321

LEGEND

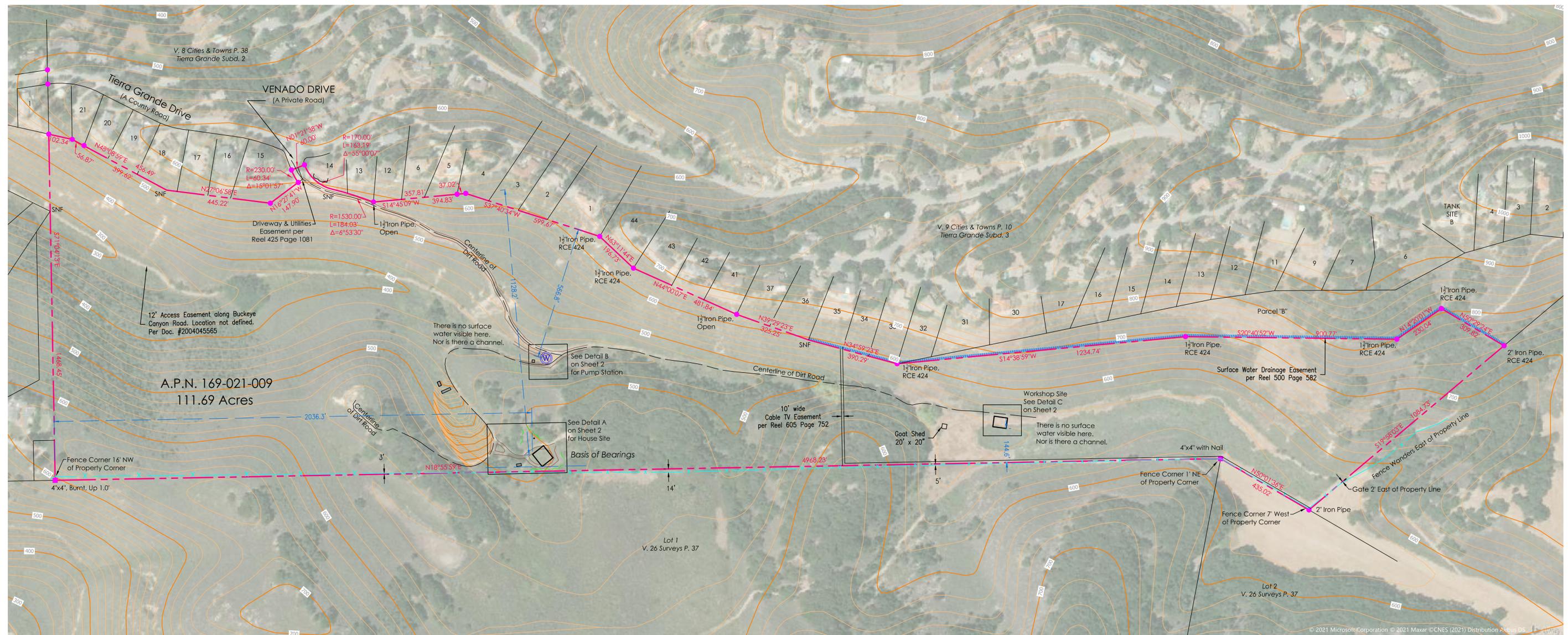
- FOUND MONUMENT, AS NOTED
- PROPERTY LINE
- LOT LINE
- CENTERLINE OF DIRT ROAD
- x WIRE FENCE LINE
- W WELL

NOTES

1. DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
2. CONTOUR INTERVAL 1'.
3. ELEVATIONS SHOWN HEREON ARE BASED ON THE 1988 NORTH AMERICAN VERTICAL DATUM (NAVD88)



SCALE IN FEET



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PREPARED FOR: **Bob Winkleblack**
SURVEYED BY: **POLAR IS CONSULTING**
P. O. BOX 1378
CARMEL VALLEY, CA 93924
831-659-9564

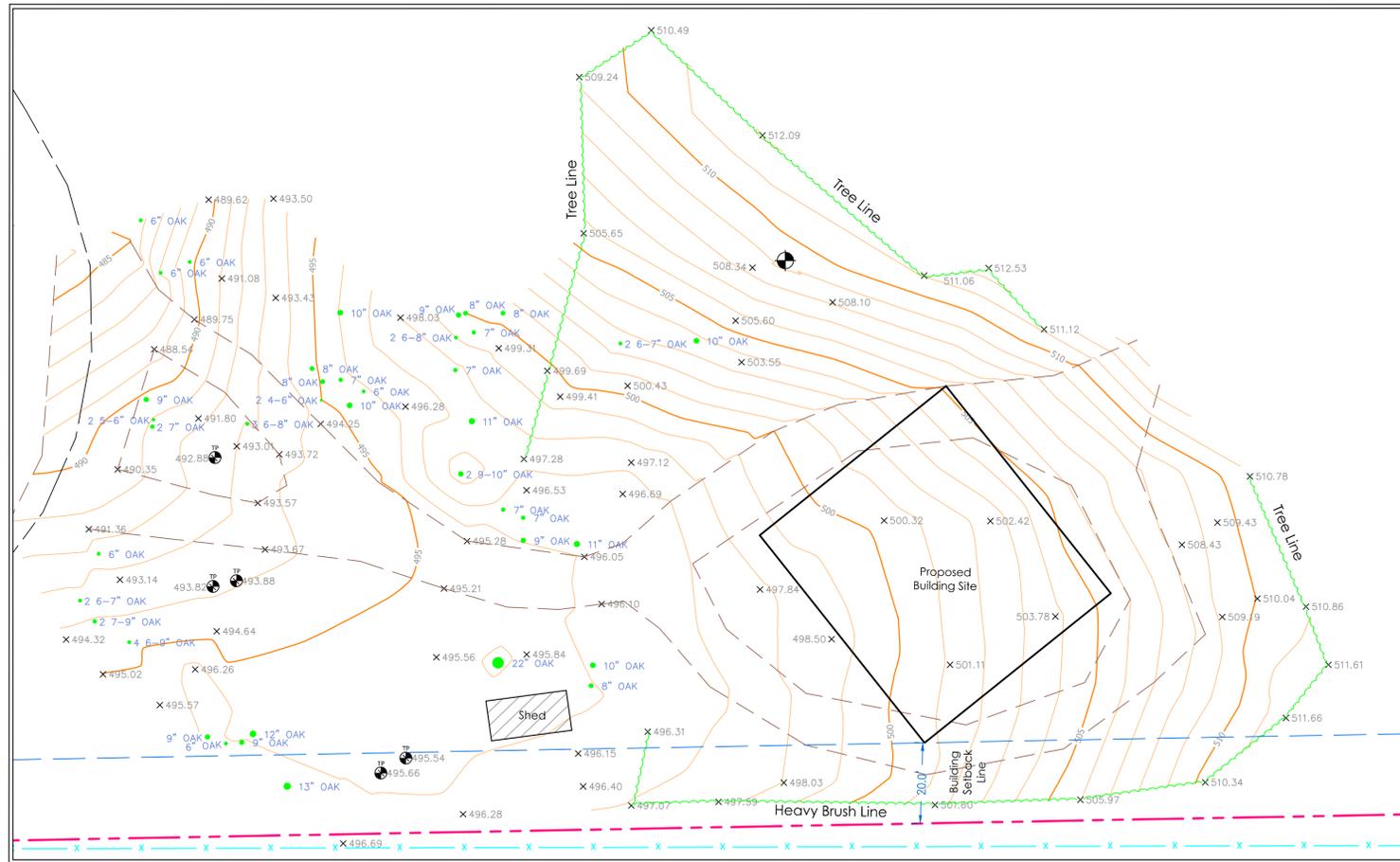
SCALE: 1" = 200' VIEW: Sheet 1 DATE: Jan. 21, 2022
FILE NAME: Winkleblack Topo.dwg JOB #19164 Sheet 1 of 4

SURVEY
OF
LANDS OF WINKLEBLACK
A.P.N. 169-021-009
WITHIN LOT 4 OF THE JAMES MEADOWS TRACT,
CARMEL VALLEY, CALIFORNIA

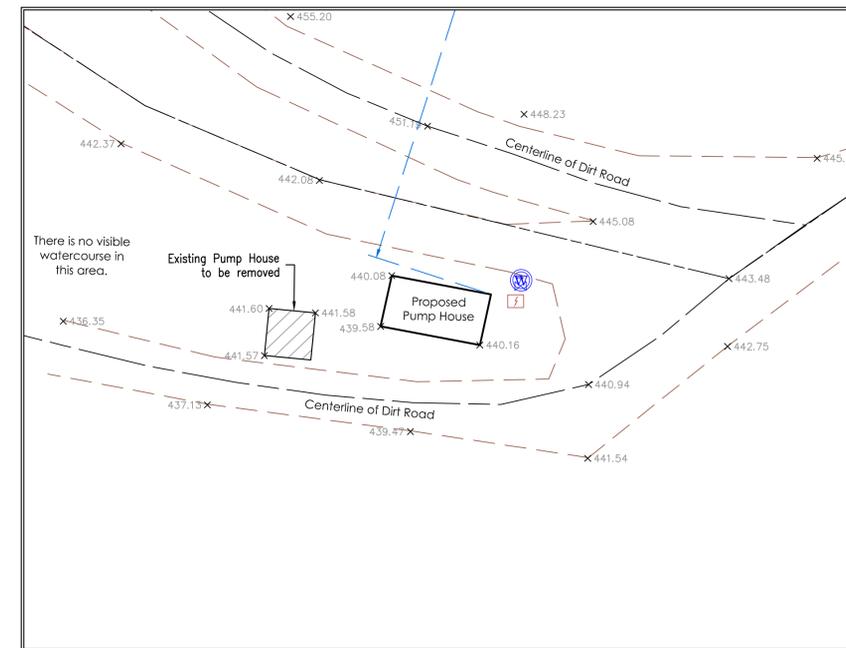
LEGEND

- X SPOT ELEVATION (IN FEET)
- POST
- ⊕ WELL
- ⊠ ELECTRIC BOX
- ⊙ TEST PIT
- ⊕ BENCHMARK, 5/8" REBAR CAPPED 'POLARIS CONTROL PT'
- VEGETATION LINE
- x-x-x- WIRE FENCE LINE
- - - CENTERLINE OF DIRT ROAD
- - - - - EDGE OF DIRT ROAD
- PROPOSED BUILDING SITE
- ▨ EXISTING BUILDING

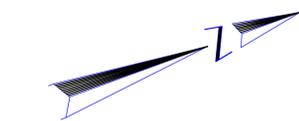
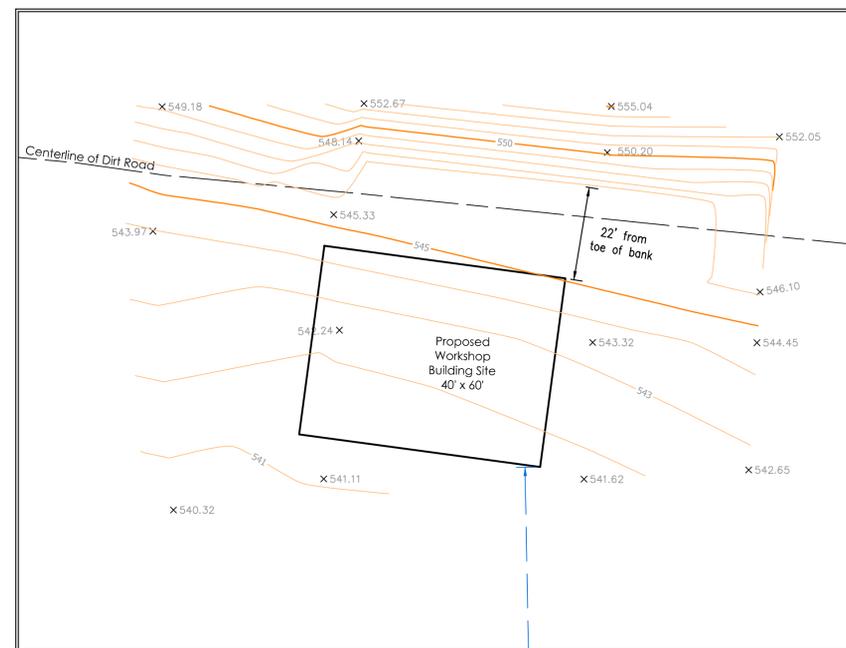
DETAIL A



DETAIL B



DETAIL C



PREPARED FOR: Bob Winkleblack
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CARMEL VALLEY, CA 93924
831-659-9564

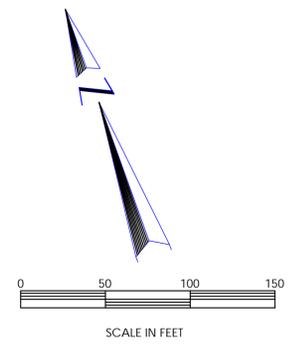
SCALE: 1" = 20' VIEW: Sheet 2 DATE: Jan. 21, 2022
FILE NAME: Winkleblack Topo 2021 JOB #19164 Sheet 2 of 4

SURVEY
 OF
 LANDS OF WINKLEBLACK
 A.P.N. 169-021-009
 WITHIN LOT 4 OF THE JAMES MEADOWS TRACT,
 CARMEL VALLEY, CALIFORNIA

LEGEND

- PROPERTY LINE
- LOT LINE
- EDGE OF ROAD
- CENTERLINE OF RIGHT OF WAY
- FOUND MONUMENT, AS NOTED
- Ⓧ STORM DRAIN MANHOLE
- Ⓜ WELL
- ⓧ ELECTRIC BOX

NOTE: ELEVATIONS ARE BASED ON NAVD 1988 DATUM



PREPARED FOR: Bob Winkleblack
 SURVEYED BY: POLARIS CONSULTING
 P. O. BOX 1378
 CARMEL VALLEY, CA 93924
 831-659-9564

SCALE: 1" = 50' VIEW: Sheet 3 DATE: Jan. 21, 2022
 FILE NAME: Winkleblack Topo 2021 JOB #19164 Sheet 3 of 4

August 14, 2024

Robert & Tracy Winkleblack
APN 169-021-009
9700 Venado Drive
Carmel, CA 93923
(831)601-8500

Zoning: LDR/1-D-S RAZ
Parcel size: 111.69 acres
Area Plan: Carmel Valley Master Plan
Permitted 3,456 sq ft single family dwelling with 2,500-gallon septic system

Scope of Project: The establishment of the transient use of a residential property (single-family dwelling) for remuneration, commonly known as a short-term rental. Project Location: 9700 Venado Drive, Carmel.

This is an application for an Administrative Permit pursuant to Title 21 Section 21.14.040H to allow for the transient use of residential property for remuneration. The facts and circumstances of this application warrant the issuance of a permit issued in perpetuity.

Buckeye Canyon is a truly unique property located in Mid-Carmel Valley, Monterey County. At over 110 acres, it is one of only a few properties of its size in Carmel. The property is large enough to handle short-term guests with little to no impact on the neighborhood or neighbors. It is accessed from Venado Drive, a private road. The cross street is Tierra Grande, a county-maintained road. We believe that the following circumstances warrant the issuance of the administrative permit in perpetuity.

- Buckeye Canyon offers guests an opportunity to experience wildlife and habitat in a natural setting while being only 5 miles from Carmel.
- Every precaution will be taken to ensure that the transient use of the property does not create a negative impact on the surrounding neighbors or community. Overnight occupancy will be limited to 8 people unless it is a hosted stay. Daytime occupancy will be limited to 10 people (including the overnight guests.)
- In addition to having fire sprinklers, the house will have a clearly visible fire extinguisher on each floor. Fire alarms and carbon monoxide alarms will be installed as required by the County code.
- **There will be no smoking or outdoor fires allowed.**
- There will be a property manager, Jared Bickel, (831) 601-6892, located at 36010 Robinson Canyon Rd, Carmel, available 24/7 within 30 minutes drive of the property.
- There will be no exterior signage or advertising.
- The minimum rental period shall be no less than a 7-night consecutive stay and no greater than a 30-night consecutive stay.
- The property has ample off-street parking immediately adjacent to the house, with space and insulation from any noise or disturbance to adjoining properties due to its size.
- Water is provided on site by a private well and adequate septic capacity has been permitted for the project.
- There will be interior notice and signage. Plans are in place to provide all guests with the operations plan and the safety and emergency plan before their stay as well as on site both digitally through a QR code and printed, posted in a prominent location. This ensures that all guests, not just the guest responsible for the booking, are fully informed of the behavioral expectations during their stay and the rules of the house. The house rules will also be shared on our property's listing sites so that prospective guests are aware of the rules prior to booking.

Robert & Tracy Winkleblack
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- A separate house manual will also be provided to ensure that guests have directions to understand all of the house systems and how they operate. (heating, lighting, water shut-off, gas shut-off, etc.) Emergency procedures will also be provided, including evacuation procedures.
- Emergency evacuation plans will be posted in a prominent location for guests to see.
- A draft of the proposed rules is included for reference. It is anticipated that the proposed rules will be updated as construction of the residence is completed, and any additional requirements become evident. The anticipated completion date of the house is December 2024.

Respectfully submitted (via email),

Tracy Winkleblack

Dear guests,

Hello and welcome to our home. We are excited to share our home with you and want you to have the best stay possible. Please review the House Rules prior to your stay and share them with all of the guests that will be joining you so that they have appropriate expectations for your visit.

- Please treat our home with the same respect that you would treat your own home.
- **Quiet Hours:** Tenant shall not disturb neighbors with loud noise or music. No outdoor noise is allowed after 9 pm and before 8 am. Please respect our community. If any neighboring residents report excessive noise or unruly behavior, we may have to evict you and terminate our rental agreement. This could result in loss of your security deposit and rental fee.
- **Children:** You are responsible for ensuring your children's safety at all times. If you find anything unsafe or requiring revision at our property, please contact us at your earliest convenience so that we can address the issue. Never leave children unsupervised at our property without any adults. Guest injuries sustained at the house are not covered by our vacation rental insurance.
- **Parking:** Parking is limited to two vehicles. Please park in the designated area immediately adjacent to the house for guest parking.
- **Pets:** Please do not bring any pets.
- **Smoking:** This is a no smoking property. Please do not smoke anywhere on the property. Failure to respect the rules related to smoking on the property will result in the loss of your security deposit.
- **Maximum occupancy:** Overnight occupancy is limited to 8 people. Daytime occupancy is limited to 10 people (including the overnight occupants.) The number of people staying at the house included in our rental agreement with what was requested at the time of the rental. Guests that are not included in the rental agreement are prohibited from staying overnight.
- **Cleaning Rules:** The house will be thoroughly cleaned and disinfected after your stay. Please leave soiled towels in the laundry area.
- **Trash and recycling.** There are designated recycling and trash disposal areas. Please empty the kitchen garbage prior to leaving. Food waste should go into the green waste can.
- **Prohibited Uses:**
 - **No fires anywhere on the property.** There is a fire ban in effect that prohibits all fires.
 - **No fireworks.**
 - **No special events** may be held at the house.
- **Security:** The gate code will be provided prior to your stay. Please do not share the code with anyone outside of your group and ensure that the gate closes each time that you open it.
- **Damage and breakage:** We understand that accidents can happen sometimes. Please report any accidental damages or breakage in a timely manner, preferably before check out. If the damage is not covered by our insurance you may need to pay for the repair from your security deposit.
- **Furniture:** Please leave furniture in place. Repositioning furniture increases risk of damage or injury. A minimum of \$50 will be charged if the cleaning crew needs to reposition heavy furniture.
- **Subletting:** Tenant shall not let or sublet all or any part of premises nor assign this agreement or any interest in it.

Robert & Tracy Winkleblack
APN 169-021-009
9700 Venado Drive, Carmel CA 93923

Proposed Vacation Rental Rules (Operations Plan)

- **Right of Entry:** Landlord or their agent may enter the premises immediately in the event of an emergency or complaint, in order to investigate complaint or perform necessary repairs or maintenance, and within 24 hours of notice for normal maintenance.
- **Breach of Rules:** Landlord will retain all or part of the security deposit in any of the terms of the above rules are breached. Landlord has the right to evict tenant with (8) hours notice if any of the above rules are broken. In this case, no rent paid by Tenant will be refunded.

SURVEY
OF
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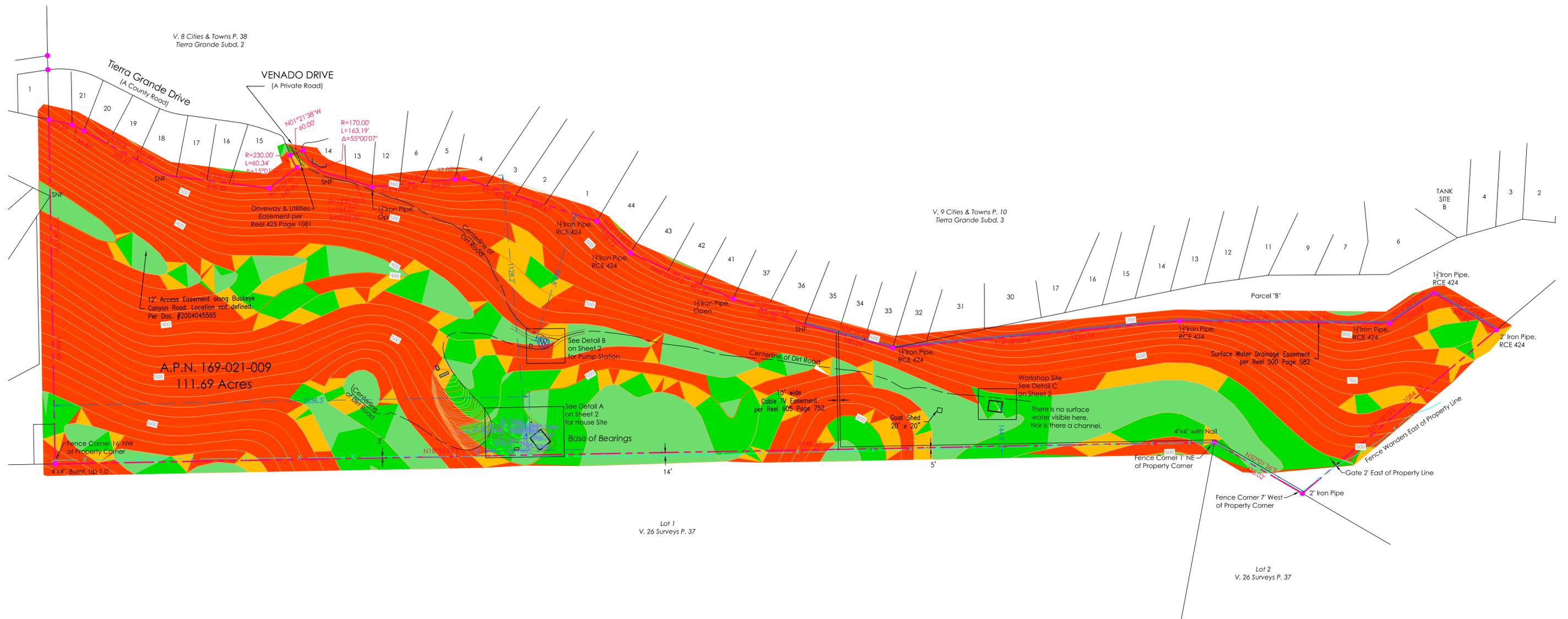


SCALE IN FEET

Slopes Table			
Range	Minimum Slope	Maximum Slope	Color
1	0%	10%	
2	10%	25%	
3	25%	30%	
4	30%	100%	

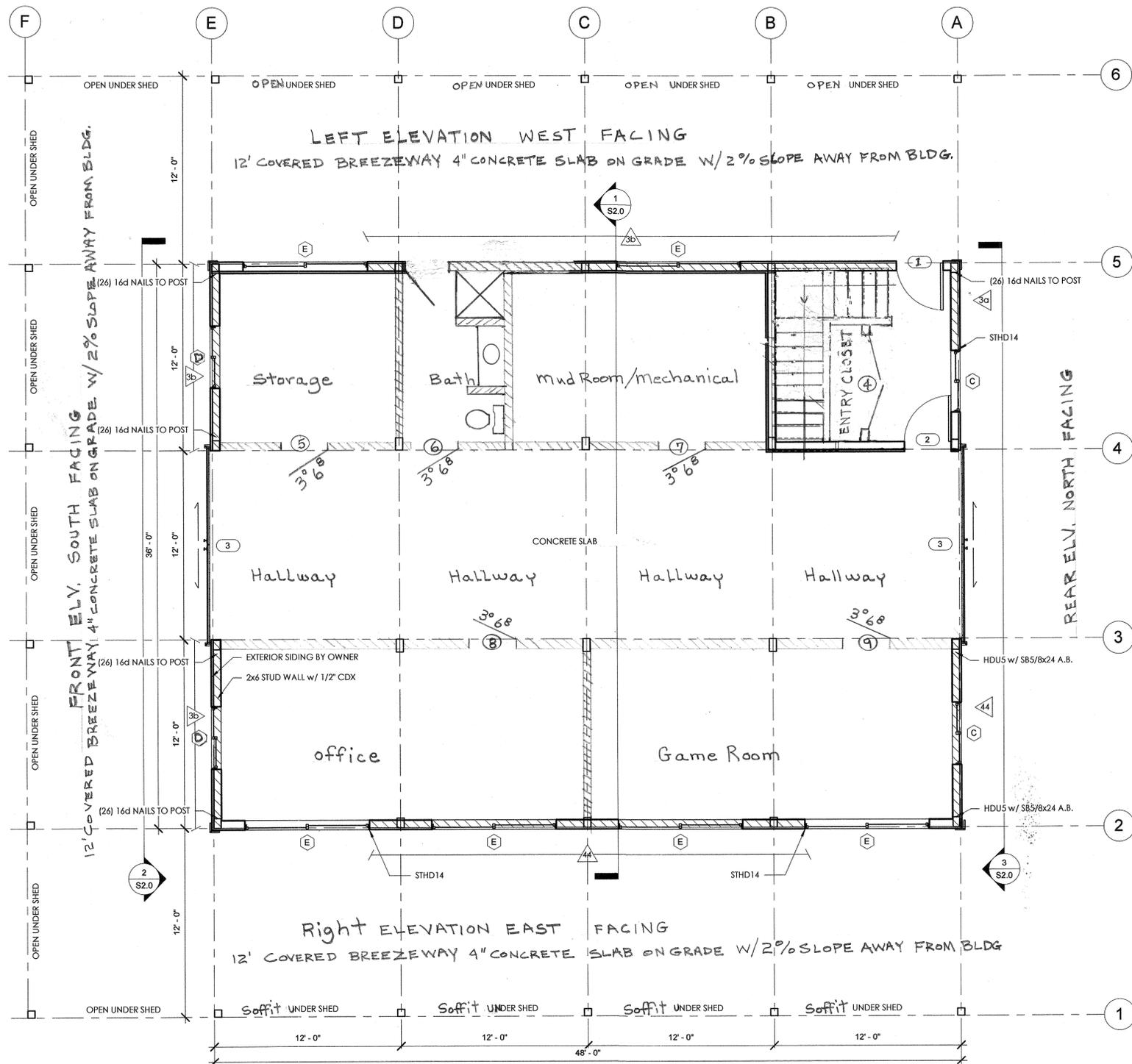
LEGEND

- FOUND MONUMENT, AS NOTED
- PROPERTY LINE
- LOT LINE
- CENTERLINE OF DIRT ROAD
- x WIRE FENCE LINE
- ⊙ WELL



PREPARED FOR: Bob Winkleblack
 SURVEYED BY: *POCARIS CONSULTING*
 P. O. BOX 1378
 CARMEL VALLEY, CA 93924
 831-659-9564

SCALE: 1" = 200' VIEW: Sheet 4 DATE: Jan. 21, 2022
 FILE NAME: Winkleblack Topo.dwg JOB #19164 Sheet 4 of 4



1 1ST FLOOR PLAN
1/4" = 1'-0"

Door Schedule 1ST FLOOR

1	3'-6" RHS into Entry	Sierra Pacific Metal Clad 1 Lite French Door
2	3'-6" LHS Hallway/Entry	Bronze smoke sill
3	(4)	6'-3" X 9'-4" Bi-parting Barn Doors @ North & South hallway
4	Pair 3'-6"	Entry CLOSET
5	3'-6"	Storage door Bronze Smoke sill RHS
6	3'-6"	Bathroom Bronze Smoke Sill RHS
7	3'-6"	mud Room Mechanical Bronze Smoke Sill RHS
8	3'-6"	office Bronze Smoke Sill LHS
9	3'-6"	Game Room Bronze Smoke Sill LHS

SHEARWALL SCHEDULE

WALL TYPE	SILL ATTACHMENT		SHEATHING	EDGE NAILING	RIM	NOM. CAPACITY		NOTES
	WOOD	CONCRETE				SEISMIC	WIND	
6	16d @ 4" O.C.	5/8" @ 48" O.C.	1/2" CDX on One Side	8d @ 6" O.C.	A35 @ 18" O.C.	260	365	
4	SDS25500 @ 8" O.C.	5/8" @ 32" O.C.	1/2" CDX on One Side	8d @ 4" O.C.	A35 @ 12" O.C.	380	533	
3 ^{a,b,c}	SDS25500 @ 6" O.C.	5/8" @ 24" O.C.	1/2" CDX on One Side	8d @ 3" O.C.	A35 @ 10" O.C.	490	685	
3 ^{b,c}	SDS25500 @ 4" O.C.	5/8" @ 16" O.C.	1/2" CDX on One Side	10d @ 3" O.C.	A35 @ 6" O.C.	665	930	
44 ^{a,b,c}	SDS25500 @ 4" O.C.	5/8" @ 16" O.C.	1/2" CDX on Both Sides	8d @ 4" O.C.	A35 @ 6" O.C.	760	1065	

TYPICAL FIELD NAILING: 8d @ 12" O.C.

- SCHEDULE NOTES:**
- Nail shall be common or galvanized box. Galvanizing shall be hot-dipped or tumbled.
 - All shear panels are to be continuous between horizontal diaphragms (roof to floor, floor to floor, or floor to foundation).
 - All framed shear walls shall be blocked at all panel edges.
 - All shear walls shall terminate on at least (1) full height stud. Additional studs or solid posts shall be installed as required for holdowns where they occur.
 - 8d common nail shank diameter = 0.131", 16d sinker nail shank diameter = 0.148"
 - All anchor bolts shall have 7" minimum embedment.
 - Studs and/or blocking at adjoining panel edges shall be 3x minimum and nails shall be staggered. Sill plates shall be 3x minimum.
 - 3x members may be substituted with (2) 2x members nailed together with 10d nails @ 4" O.C.
 - Where panels are applied on both faces of a wall and nail spacing is 6" O.C. or less, panel joints shall be offset to fall on different framing members.
 - 1/4" SDS: Simpson Strong-Drive wood screws into rim joist or member below. Provide minimum 2" embedment.

○ SHEAR WALL
1/2" = 1'-0"

WINDOW Schedule 1ST FLOOR

Count	Location	Description
C 2	Rear ELV. Entry North facing & Game Rm.	Sierra Pacific Aluminum Clad 4'-4" SLIDERS Tempered GLASS/clear
D 2	Front ELV. Storage facing & office	Sierra Pacific Aluminum Clad 6'-4" SLIDERS Tempered Glass/clear
E 7	Right ELV. office (2) EAST Facing Game Rm (2) LEFT ELV. Storage (1) West facing Mud Rm (2) mechanical	Sierra Pacific Aluminum Clad 8'-4" SLIDERS Tempered Glass



These drawings have been prepared for, and use is restricted to, the original project and job site. The publication of these drawings is expressly limited to the original project. Any reuse or reproduction in whole or part is prohibited. Ownership and title of these documents, and the information contained within, shall remain property of Barn Pros Inc. Verbal contact with these drawings shall constitute prima facie evidence of the acceptance of these restrictions.

STRUCTURAL ONLY



Denali 48 - Model B
Bob & Tracy Winkleblack
9700 Venado Rd, Carmel, CA 93923

SUBMITTALS

REVISIONS

1ST FLOOR PLAN



Drawn by: AD
Approved by: OPERATIONS

A2.0

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STRUCTURAL ONLY



Denali 48 - Model B
Bob & Tracy Winkleblack
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SUBMITTALS

REVISIONS

EXTERIOR ELEVATIONS

Drawn by: AD
Approved by: OPERATIONS

AI.1

WUI/HIGH FIRE COMPLIANCE
OWNER TO SUPPLY 5/8" TYPE X GYPSUM SHEATHING TO UNDERSIDE OF ALL OPEN ROOF DECK AND PORCH CEILINGS PER R337.7.4 & R337.7.6
BARN PROS MAY PROVIDE TEMPERED GLAZING FOR WINDOWS INCLUDED IN PACKAGE
EXTERIOR DOORS SHALL BE EITHER NON-COMBUSTIBLE, IGNITION RESISTANT, SOLID CORE WITH STILES AND RAILS NOT LESS THAN 1-3/8" THICK WITH INTERIOR FIELD PANEL THICKNESS NOT LESS THAN 1-1/4", 20-MINUTE FIRE RATED, OR TESTED TO MEET SFM STANDARD 12-7A-1
Exterior Siding by James Hardie Cement V Groove
CUPOLA IS TO BE LEFT NON-FUNCTIONAL OR HAVE COUNTY APPROVED FIRE VENTILATION SCREEN INSTALLED BY OWNER (OPENINGS SHALL BE 1/16" MIN. AND 1/8" MAX.)

- 1/4" Trim for Windows and Standard Entry Doors
- 1/8" Trim for Upper Corners of Dormers and Shed Dormers, Wall Trim, Dutch Doors, Halfway Doors, and Track Backer on Breezeway Door, if necessary
- 1/8" Trim for Lower Corners
- 1x10 Fascia is standard but can be affected by purlin size. Final size not available until the conclusion of engineering.
- Bottom (2) boards of DF T&G to be Pressure Treated if there is ground contact
- Bottom (1) board PT on interior walls
- Roofing Material to be provided by owner. On most models Barn Pros provides sheathing but refer to your specific model for verification.

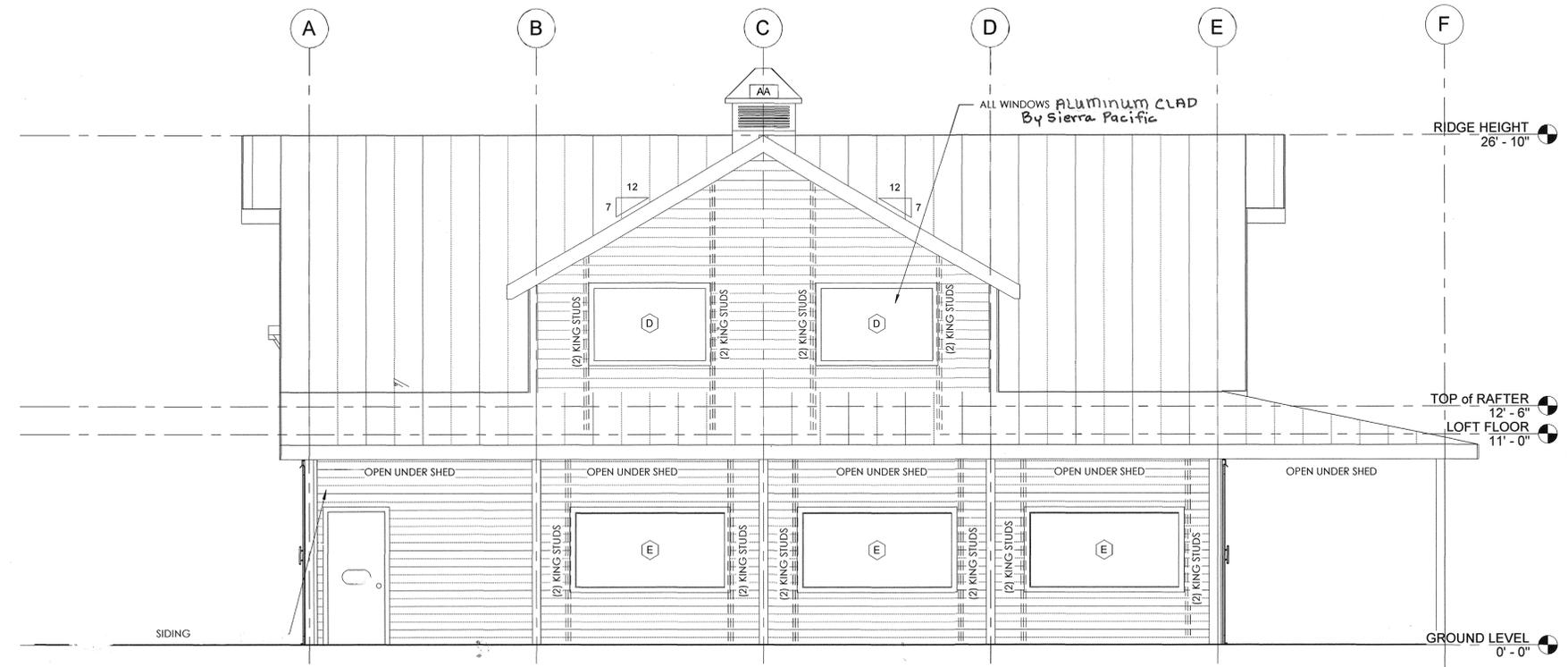
EXTERIOR FINISHES
1/4" = 1'-0"

EXTERIOR NOTES
1/4" = 1'-0"

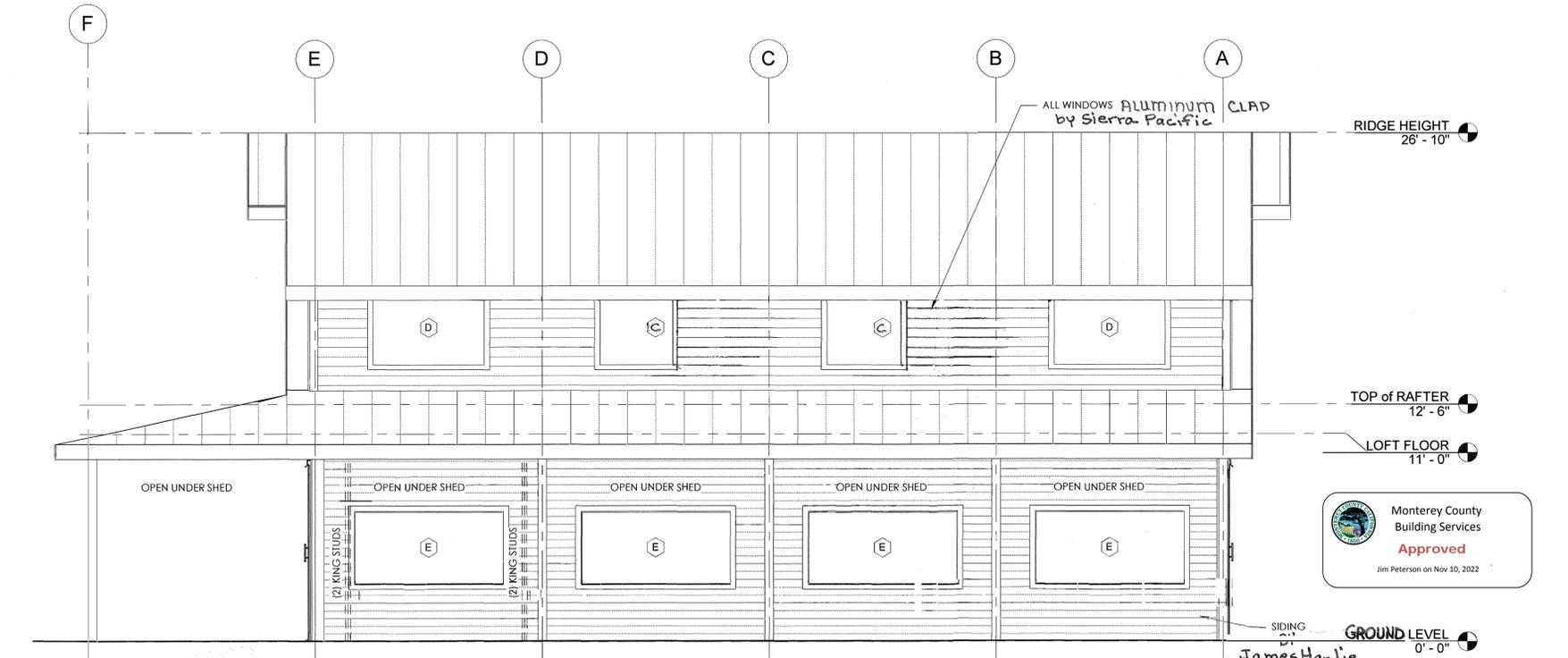
Door Schedule					
Mark	Description	Count	Rough Width	Rough Height	Comments
2		15			
3	(2) 6'-3" x 9'-4" T&G Breezeway Doors with Hardware	2	12' - 0"	9' - 0"	Bi-Parting Barn Drs.

Barn Pros Items		
Mark	Type	Count
AA	Standard Cupola 5-12, 9-12 pitch	1

Window Schedule					
Mark	Description	Count	Rough Width	Rough Height	Comments
A	3-0x4-0 Windows, Sierra	1	3' - 0"	4' - 0"	DBL HUNG
B	2-0x4-0 Windows, Pacific	2	2' - 0"	4' - 0"	DBL HUNG
C	4-0x4-0 Window	4	4' - 0"	4' - 0"	SLIDERS
D	6-0x4-0 Windows	6	6' - 0"	4' - 0"	SLIDERS
E	8-0x4-0 Windows	7	8' - 0"	4' - 0"	SLIDERS
F	detail on A2.1	Group of 5			FIXED



① LEFT ELEVATION - WEST FACING
1/4" = 1'-0"



② RIGHT ELEVATION - EAST FACING
1/4" = 1'-0"

James Hardie
Artisan V Groove
Cement

