Introduced: 7/31/2026 **Current Status:** Agenda Ready

Version: 1 **Matter Type:** Zoning Administrator

PLN250316 - JACOBSON MICHAEL

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 a Code Enforcement Case (26CE00116).

Project Location: 1322 Chamisal Way, Pebble Beach, CA 93953

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 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 to clear a Code Enforcement Case (26CE00116).

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

PROJECT INFORMATION

Agent: Tiffany Edwards
Property Owner: Michael Jacobson
APN: 008-062-025-000
Parcel Size: 0.28 acres
Zoning: Medium Density Residential with a gross density of 4 units per acre with a Design Control Overlay within the Coastal Zone or "MDR/4-D(CZ)"
Plan Area: Del Monte Forest Land Use Plan
Flagged and Staked: N/A
Project Planner: Imani Harrigan

SUMMARY/DISCUSSION

The project site is located at 1322 Chamisal Way, Pebble Beach, within the Del Monte Forest Land Use Plan. The owner submitted an application seeking to use their existing single-family dwelling located in residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with a single-family dwelling, and an attached garage. The surrounding area is developed with single-family dwellings and nearby the Community Hospital of Monterey

Peninsula (CHOMP) **(Exhibit B).**

The existing single dwelling is approximately 2,135 square feet with three bedrooms, three bathrooms, a kitchen, living room, and an attached garage **(Exhibit B)**. The owner is proposing that the single-family dwelling be occupied by a maximum of 7 people overnight and 10 people during daytime hours at the property at a time. The property will retain its potable water through California American Water, and Pebble Beach Community Services District will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services from the Pebble Beach Community Services District. Within the immediate neighborhood, there are a total of 4 applications for a vacation rental license, with one incomplete homestay, one submitted homestay, one incomplete commercial vacation rental, and one incomplete limited vacation rental **(Exhibit B)**. If approved, the granting of this after-the-fact Coastal Development Permit would allow the establishment of the 6th permitted vacation rental in the Del Monte Forest Land Use Plan out of a maximum of 57 Commercial Vacation Rentals that may be issued at any given time pursuant to Title 20 Section 20.64.290.F.3.d.

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 Monterey County General Plan (General Plan), Del Monte Forest Land Use Plan (DMF LUP), Del Monte Forest Coastal Implementation Plan (DMF CIP), Monterey County Code Title 7 Chapter 7.120, Monterey County Code Chapter 16.80, and applicable sections of the Monterey County Coastal zoning ordinance (Title 20).

Land Use

The parcel is zoned Medium Density Residential, 4 units per acre with a Design Control Overlay, or "MDR/4-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.

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 Pebble Beach community area; therefore, it is subject to the 5-8 minute response time. Pebble Beach Fire Station 22 is 5 minutes away and provides 24-hour emergency medical and fire response services. The Community Hospital of the Monterey Peninsula is 6 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 requires that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The application includes adequate parking spaces of 5 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 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, Carmel, CA 93923, which is approximately 9-minute (2.8-miles) drive away. 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 7 overnight guests and 10 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 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.

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 20 section 20.64.290.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 2405.

The deed contains two restrictions: one related to the "Maintenance of Road" and the second related to "Covenants and Conditions". The first deed under "Covenants and Conditions" restricts the usage of the property subject to the listed conditions and covenants. This condition restricts the usage of the property and 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 with appurtenant detached guest and servants' cottages (without cooking facilities), greenhouse, garage, and, if approved in writing by Grantor, a stable for saddle horses."* The restriction under "Maintenance of Road" states that the, "*Grantee, his family and servants and his tenants and guests occupying or visiting said premises shall be entitled to the use of all roads and bridle paths now or hereafter owned by Grantor and to free access to Del Monte Forest. Grantor reserves the right to change, abandon or close any of said roads or bridle paths but agree to leave open a road from said premises to the nearest public highway. As long as Grantor shall keep such a road in repair the owner of said premises shall be obligated to pay Grantor the sum of $25.00 on each January 1st hereafter, which sum shall be a lien and charge on said premises."* The plain language of this deed restriction gives the property owner access to their property as long as they pay $25 each January 1st. Therefore, the project is classified as a Tier 4 category pursuant to Title 16 Chapter 16.80, which means this deed restriction language constitutes the private road agreement and the private road maintenance agreement.

The Pebble Beach Company received notification of the proposed project on July 27, 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*." **(Exhibit D)**

The applicant is aware of the objections and restrictions outlined within the CC&R and believes he has 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 (Condition No. 6) to ensure that the substantial dispute regarding the plain language of the private road agreement is resolved within 60 days from the date ending the appeal period. 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.

Violation
On November 14, 2025, the Applicant applied for a Coastal Development 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. On February 13, 2026, HCD-Code Compliance received a short term rental complaint and opened Code Enforcement Violation No. 26CE00116. 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 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 Del Monte Forest Land Use Plan. It would be the 6th Commercial Vacation Rental in the Del Monte Forest 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
The following agencies have reviewed the project, have comments, and/or have recommended conditions:

HCD-Planning

Prepared by: Imani Harrigan, 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
Exhibit E - Public Comment

cc: Front Counter Copy; HCD-Planning; Imani Harrigan, Planner; Jacqueline Nickerson, Principal Planner; Michael Jacobson, Property Owners; Tiffany Edwards, 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 PLN250316