Introduced: 8/3/2026 **Current Status:** Agenda Ready

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

PLN250315 - SCHONEFELD ROBERT S TR & SAPUPPO MICHAEL P TR

Public hearing to consider 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: 3245 Cabrillo Rd, Pebble Beach, CA 93953, Del Monte Forest Land Use Plan

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 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 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: Schonefeld Robert S TR & Sapuppo Miachael P TR

APN: 008-453-016-000

Parcel Size: 0.997 AC

Zoning: Low Density Residential, 1.5 units per acre with a Design Control Overlay (Coastal Zone) or "LDR/1.5-D(CZ)"

Plan Area: Del Monte Forest LUP

Flagged and Staked: N/A

Project Planner: Jack Sorensen

SUMMARY/DISCUSSION

The project site is located at 3245 Cabrillo Road, within the Del Monte Forest Land Use Plan area. The Applicant/Owners, submitted an application seeking to use their existing single-family dwelling located in a residential neighborhood as a Commercial Vacation Rental. The site is developed with an existing 3,000 square foot single-family dwelling consisting of four bedrooms, four bathrooms, a kitchen, dining room, family room and two living rooms. Within the immediate neighborhood, there are no other vacation rental applications that have been applied for. (**Exhibit B**)

The existing single dwelling has four bedrooms, four bathrooms, a kitchen, two living rooms, dining room, and an attached garage. The Applicant/Owner is proposing that the residence be occupied by a maximum of nine 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 Pebble Beach Community Service District will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services to Monterey Peninsula Wastewater Management District, a waste management company. If approved, the granting of this Coastal Development Permit would allow the establishment of the 5th permitted vacation rental in the Del Monte Forest Land Use Plan out of a maximum of 57 Coastal Development Permits that may be issued at any given time 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 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 Low Density Residential, 1.5 units per acre with a Design Control Overlay in the Coastal Zone, or "LDR/1.5-D(CZ)". Title 20 Section 20.64.290.F 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. Pebble Beach is developed with its own community service district and therefore would be subject to the response times for community areas. Pebble Beach Fire Station 22 is six minutes away, which provides 24-hour emergency medical and fire response services. Although Community Hospital of the Monterey Peninsula is 12 minutes away and does not meet the required emergency response time, Pebble Beach Station 22 provides advanced life support and a paramedic staff to provide emergency medical services, along with fire response 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 (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 (6 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 will be the agent, Josh Ohanian, who will reside at NW Corner of Mission and 8th, Carmel, CA 93921, which is a 14-minute drive away. 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.

The property has a maximum occupancy of nine 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 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 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 2021079388.

The deed contains two restrictions: one related to the "Covenants and Conditions" and the second related to "Enforcement of Covenant and Conditions". The first deed restriction 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 "*any trade or business of any description nor shall said premises be used or occupied for any other purpose whatever except solely and exclusively for the purpose of a private dwelling or residence without the consent in writing of the Grantor.*" The second restriction is under "Maintenance of Road" states, "*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".* 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 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 E)

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 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.

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 5th 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: Jack Sorensen, 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; Jack Sorensen, Assistant Planner; Jacquelyn Nickerson, Principal Planner; Robert Schonefeld, Property Owners; Josh Ohanian, 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 PLN250315