Introduced: 8/7/2026 **Current Status:** Agenda Ready

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

PLN260138 - LAU WEMAN DAI COME & CHE YIM TRS

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

Project Location: 24800 Lower Trail, Carmel, CA 93923, Carmel Area 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 5 conditions of approval.

PROJECT INFORMATION

Agent: Raymond Lau
Property Owner: Raymond Lau
APN: 009-073-032-000
Parcel Size: 0.13 Ac
Zoning: Medium Density Residential, 2 units per acre with a Design Control Overlay (Coastal Zone) or "MDR/2-D(CZ)"
Plan Area: Carmel Area Land Use Plan
Flagged and Staked: N/A
Project Planner: Jack Sorensen

SUMMARY/DISCUSSION

The project site is located at 24800 Lower Trail, within the Carmel Area Land Use Plan. 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 2,076 square foot single-family dwelling consisting of four bedrooms, three bathrooms, a kitchen, dining room, living room and a garage. Within the immediate neighborhood, there are eight other commercial vacation rental applications that are in an applied status; two of which are applications that have approved discretionary permits for commercial vacation rentals.

The existing single dwelling has four bedrooms, three bathrooms, a kitchen, living room, and 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 Carmel Area Water will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. If approved, the granting of this Coastal Development Permit would allow the establishment of the 37th permitted vacation rental in the Carmel Area Land Use Plan out of a maximum of 118 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), Carmel Area Land Use Plan (CAR LUP), Carmel Area Implementation Plan (CAR CIP), Monterey County Code Title 7 Chapter 7.120, Mand applicable sections of the Monterey County Coastal zoning ordinance (Title 20).

Land Use

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

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 falls within the City of Carmel-By-The-Sea sphere of influence; therefore, is subject to the 5-8-minute response time. Carmel Highlands Fire Department is four minutes away, and the Community Hospital of the Monterey Peninsula is five minutes away, which provides 24-hour emergency medical and 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 and in a visible location outside of the structure (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 two spaces/unit. The application includes adequate parking spaces (two guest parking spaces), which meets 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.10, 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 owner, Raymond Lau, who will reside at STE 1, 135 W Franklin Street, Monterey, CA 93940, which is a 9-11-minute drive away. Mr. Lau's contact information will be provided to the guests of the property, and Mr. Lau's will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Mr. Lau'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.

Access
The property is accessed through Lower Trail, a county-maintained road. Therefore, the application would not be subject to requirements outlined in Title 16, Chapter 16.80.

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 Carmel Area Land Use Plan. It would be the 37th Commercial Vacation Rental in the Carmel Area Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

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

cc: Front Counter Copy; HCD-Planning; Jack Sorensen, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Ray Lau, Property Owners; Ray Lau, 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 PLN260138