

# Exhibit F

This page intentionally left blank.

160 Mal Paso Road  
Carmel, CA 93923

June 24, 2019

Keith Vandever, Chair  
Monterey County Planning Commission  
Monterey County Government Center  
Board of Supervisors Chambers  
168 W. Alisal St.  
Salinas, CA 93901

Sent via email to: [mcdougalm@co.monterey.ca.us](mailto:mcdougalm@co.monterey.ca.us)

Re: Comment for the record to the Monterey County Planning Commission regarding proposed CDP for a Bed and Breakfast land use conversion (PLN180390)

Dear Chair Vandever,

I write in opposition to the approval of the Coastal Development Permit (CDP) for the Roger's conversion of a single-family residence located at 29152 Highway 1, Carmel CA into a commercial Bed and Breakfast facility (PLN180390 – Agenda Item 1). Furthermore, I wish to state my support of the Carmel Area LUAC's recommendation to deny this application as inappropriate land use in the residential community of Carmel Highlands. With respect to the staff report on this CDP application, I am very disappointed in the Monterey County Planning Commission staff's willingness to ignore the legitimate concerns and recommendations of the Carmel Area LUAC on this matter.

This project and the CDP should be denied for the following inconsistencies with local land use policies and just common sense:

- 1) There are very good reasons, as expressed by several community members, as well as, the LUAC members, to suspect that the owners of the subject property will not fulfil the required conditions of their permit – specifically that they will remain resident on this property during its operation as a Bed and Breakfast (B&B). This determination is based on past experience and first-hand knowledge by members of the community and should not be dismissed, out-of-hand, by County staff. I would refer the Commissioners to the other comment letters that address this issue directly.
- 2) This property has been operating as a Short-Term Rental (STR) for some time. STRs have been determined to be an unpermitted land use within the Coastal Zone and inconsistent with several provisions of the Carmel Area Land Use Plan (see below). The County has received several complaints on this matter specifically for this property so should be well aware of these circumstances. The willingness of the applicants to operate an unauthorized and un-permitted

visitor service facility within this community is prima facie evidence that should disqualify them from obtaining a CDP for this project.

3) County staff's recommendation for a CEQA exemption is questionable, at best. This property is located adjacent to sensitive coastal habitat and ESHA communities as identified within the Carmel Area LUP. This CDP application represents a significant change in the land use criteria for this property and our community. Below are just a few of the resource protection and access policies within the Carmel Area LUP that staff and the Commissioners need to properly consider in this application process:

### **Carmel Area LUP, Section 5.3.1 Key Policy**

*Public access shall be protected and provided where consistent with public safety needs and the need to protect the rights of private property owners and natural resource areas from overuse.*

### ***Section 5.3.2 General Policies***

*3. For areas not appropriate or planned for public access, such access should be discouraged. Where such areas are located on private land, the County and other public agencies should cooperate with landowners to develop effective methods for directing access to appropriate locations.*

*6. Shoreline access should be guided by detailed management plans. These plans shall incorporate community ideas and desires to guarantee quality preservation of the coast. The County should work closely with local citizen advisors, property owners and public agencies in planning for management of access.*

*8. In encouraging public access the County desires to ensure that the privacy, safety, health, and property of residents are protected. The visiting public (which is generally unaware of the hazards presented by surf and tide) should not be directed into hazardous locations unless professional supervision is provided.*

Staff has not provided any direct evidence or studies that demonstrate that the conversion to commercial use of this property would not present the potential for significant negative environmental impacts to these sensitive coastal resources and/or habitats.

4) Of particular concern in relation to CEQA compliance is the capacity and suitability of the operations of an onsite wastewater treatment system (septic system) designed for single-family residential usage being re-tasked to function as a commercial system. While staff did have the system inspected through the Dept. of Environmental Health, this inspection, by direct admission of the Dept., was done on the basis and criteria of a single-family residence and the unapproved draft STR ordinance; and therefore, not evaluated on the basis of operations as a commercial facility.

On this point, I would refer the Planning Commissioners to Carmel Highlands Onsite Wastewater Management Study (OWMS) prepared for Monterey County in 2010. The complete

report is available on the Monterey County's website at:  
<http://www.co.monterey.ca.us/home/showdocument?id=46532> .

The OWMS report specifically identifies a high priority for addressing the environmental impacts of septic systems on the west side of Hwy 1 where the applicant property is located. Monterey County RMA and the Board of Supervisors have also expressed concern for the problems in this area and the need for these environmental and public health risks to be appropriately addressed. Specific findings of the OWMS that are relevant to the need for additional study and a full CEQA review on this project are:

- Pg. 5, Par. 5: *All OWTS are currently regulated by the Monterey County Division of Environmental Health under the provisions of County Code Chapter 15.20. However, since development in Carmel Highlands dates back to the 1950s, OWTS have been installed over many years under differing regulatory requirements and industry practices that have evolved over the past 60 years. Some of the relevant statistics regarding OWTS in Carmel Highlands determined from County files include the following:*
  - *32% of the OWTS are more than 50 years old; about half are more than 30 years old.*
  - *71% of the OWTS have still use their original system; 29% have been repaired or modified*
  - *There are an estimated 10 to 15 OWTS that discharge to the ocean rather than to an onsite disposal field.*
- Pg. 6, Par. 4: *Based on the age of the existing OWTS, it is reasonable to expect that in the foreseeable future as many as 30 to 50 percent of the OWTS in the study area will require significant upgrade and/or replacement.*
- Pg. 7, Par. 3: *A significant threat to ocean water quality is posed by the OWTS serving ocean-front homes. where there are estimated to be 10 to 15 systems that have direct discharges of effluent to the ocean. These discharges are not in compliance with either County Code, California Water Code, or the Federal Clean Water Act and pose a direct threat to beneficial uses of the ocean waters ...*
- Pg. 7, Par. 4: *Approximately 25 to 30 percent of the parcels in Carmel Highlands either border or are within 100 feet of one or the major streams or seasonal tributaries that drain through the area. Although no water quality data are available for local streams, wastewater contaminants, especially pathogens, reaching local streams could adversely impact recreational uses, especially in the lower reaches or the streams where they meet the ocean. An additional concern is the potential impact on groundwater quality and drinking water uses, via percolation and recharge of the bedrock aquifer along the stream channels.*
- Pg. 11, Par. 2: *Although the Carmel Highlands area does not have a documented high rate of overt failures of OWTS, information on the design, age, repair history, and septic tank pumping data indicate chronic operational difficulties, severe problems in specific areas, and a likelihood of significant repair or*

*upgrade needs in the foreseeable future. Management of existing systems can be improved by (a) identifying and taking abatement action for the existing ocean discharge systems; (b) instituting a new septic tank pumper inspection/reporting program; (c) adopting performance evaluation and other requirements for system repairs and remodel projects; and (d) implementing a water quality monitoring program to provide baseline information and ongoing tracking of OWTS impacts on the environment.*

- *Pg. 102 Par. 7: Conduct environmental studies in connection with the feasibility analysis and conduct complete environmental review under CEQA of recommended sewerage facilities plan.*
- *Pg. 103, Par. 1: Implementation of the recommended sewerage facilities plan would be based upon the results of the engineering and environmental studies. This is anticipated to include the following.*
  - *CEQA Certification. Certification of the environmental document for the sewerage facilities plan by Monterey County, per CEQA.*

Most of these excerpts listed above are from the Introduction and Summary sections of the OWMS. Greater detail and other environmental and public health issues are found within the main body of the study.

These water and sewage pollution concerns, along with other protected habitat, cultural resource and infrastructure/natural resource over-utilization impacts need to be properly reviewed and studied before any new public land-use such as this commercial B&B project is approved by the County. For this project to be approved, significant upgrades to the onsite wastewater treatment system should be required - much like the other commercial visitor serving facilities in the community and other neighboring properties. Both hotels, the fire station, general store and some other adjacent private properties are connected to the Carmel Area Wastewater District sewer line and do not operate onsite wastewater treatment systems. This needs to be the standard for commercial properties/visitor serving facilities in Carmel Highlands.

5) As the Carmel Area LUAC found, this area, and specifically this property, is not designated in the Carmel Area LUP as location suitable for “Special Treatment” (Section 4.4.3, F). It is, therefore, subject to the location and density limitations for “Visitor Serving” sites as proscribed within the LUP (as detailed below). This project is not within any of the designated areas where these types of commercial activities are permitted.

### **Carmel Area Land Use Plan, Section 4.4.3:**

#### ***D. Recordation and Visitor-Serving Commercial***

*1. Visitor-serving facilities are presently located in existing developed areas. Expansion of existing facilities or the location of new facilities within existing developed areas is preferred over development elsewhere.*

*4. Proposals for development of new or expansion of existing recreation and visitor-serving facilities should be evaluated on an individual basis. All proposals must demonstrate consistency with the land use plan, maximum site and parcel densities, and environmental, visual, design and*

traffic safety constraints. The expansion and development of recreation and visitor-serving facilities should be of a scale and nature that is compatible with the natural and scenic character of the area.

Maximum intensity for "Recreation and Visitor-Serving" sites not specified elsewhere in the Plan are as follows:

86 visitor units and 12 employee units for Carmel River Inn  
150 visitor units and 12 employee units for Highlands Inn  
35 visitor units and 4 employee units for Tickle Pink  
16 visitor units and 2 employee units for Sandpiper Inn

5. A mix of recreational uses is considered appropriate in areas designated for high-intensity recreation and visitor-serving uses, including low-cost facilities such as hostels or fee camping.

## **I. Commercial**

1. Commercial land use in the Carmel Coastal Segment shall be restricted to those locations of existing and proposed visitor-serving accommodations shown on the land use plan map or described in the text. Additional commercial designation of property is not compatible with the intent of this land use plan to preserve the natural and scenic character of the area.

2. Expansion of existing commercial visitor-serving facilities or development of new facilities shall be approved only where requirements for adequate parking and wastewater disposal and for protection of natural resources can be fully satisfied. Adequate parking shall include all uses on the subject site (e.g. hotel units, restaurant, employees, day use facilities).

3. Renewal of use permits for existing commercial uses or the establishment of new uses will require careful consideration of the impact of the use on the surrounding community. Particularly where commercial activities are in proximity to residences, care must be taken to ensure that noise or visual modification do not affect the peace and tranquility of existing neighbors.

4. Similarly, new commercial uses or expansion of existing uses will be evaluated for their impact on traffic safety and highway capacity in the area. Parking should be screened from public views from Highway 1 as far as possible and should in no event create traffic hazards or danger for pedestrians. However, commercial uses of a recreational or visitor-serving nature shall not have their maximum permitted intensity required to be reduced because of a finding of inadequate traffic capacity on Highway 1, unless maximum permitted intensity in this plan of residential use is correspondingly reduced.

For the reasons stated above and in concurrence with the determination of the Carmel Area LUAC, I oppose the approval of the Coastal Development Permit for the Roger's property at 29152 Highway 1, Carmel CA (PLN180390) allowing for the conversion of a single-family residence into a commercial Bed and Breakfast facility. This project is inconsistent with the certified LCP. Due to the potential for significant environmental harm, it should require a full

CEQA review. This significant change in land use should be conditioned on compliance with the findings and recommendations of the Carmel Highlands Onsite Wastewater Management Study. Finally, neighborhood experience and preferences, compatibility with existing residential zoning and land use, and duly exercised findings of the body responsible for evaluating local land use (LUAC) should be respected as a function of representative government.

Thank you for the opportunity to comment on this important matter that affects our members and the greater coastal community.

Respectfully Yours,

A handwritten signature in blue ink, reading "Michael A. Emmett". The signature is written in a cursive style with a large, stylized "M" and "E".

Michael A. Emmett



**From:** [Lorraine Oshea](#)  
**To:** [McDougal, Melissa x5146](#); [Hussain, Yasmeen x6407](#); [194-RMAComments](#); [ClerkoftheBoard](#)  
**Subject:** Rodgers 180390 request for Bed and Breakfast Permit  
**Date:** Monday, June 24, 2019 11:45:14 AM

---

I would like to go on record that I oppose the issuance of a Bed and Breakfast permit for Rodgers #180390. I agree with the findings of our LUAC for Carmel Highlands, that due to traffic concerns, there is no need for another four visitor serving units in that location.

The area in which this Bed and Breakfast would be located is on a blind curve southbound. In December 2018, I was rear ended in a collision on this curve due to a traffic stop for a loose dog running in the southbound lane in the afternoon.

Within 1/4 of a mile, south there are already two establishments for visitors, The Tickle Pink Inn and the Highlands Inn.

Thank you,

Lorraine O'Shea  
Sonoma Lane  
Carmel Highlands

**From:** [Donald Burnett](#)  
**To:** [Hussain, Yasmeen x6407](#)  
**Cc:** [McDougal, Melissa x5146](#)  
**Subject:** PLN 180390-Rogers  
**Date:** Monday, June 24, 2019 4:33:27 PM

---

Dear Ms. Hussain,

I am opposed to the issuance of a B & B permit to Mr Rodgers. I have lived in Carmel Highlands since 1967, and I firmly believe that having a commercial Bed and Breakfast in our residential neighbor is against the guidelines meant in the Carmel/Unincorporated Land Use Plan.

I am also deeply concerned about the traffic issues that have happened as a result of the property already being rented out as a short term rental. Cars cannot find the address, and create a safety hazard because they are not familiar with our residential roads. I have also noted that the advertisements say the house can sleep up to 18 people, which will potentially be a safety and health issue to the neighborhood. Also of concern is water. It is a well known fact that water is limited in our area.

I request that the Planning Commission deny Mr. Rodgers' application, following the recommendation of our local LUAC.

Sincerely,

Don Burnett  
Sonoma Lane, Carmel Highlands

**From:** [Michelle Alway](#)  
**To:** [McDougal, Melissa x5146](#); [Hussain, Yasmeeen x6407](#)  
**Cc:** [ClerkoftheBoard](#); [100-District 5 \(831\) 647-7755](#); [Martha V Diehl](#); [vandeverek@co.monterey.ca.us](#); [Parson, Kristina A. x5317](#)  
**Subject:** PLN 180390/Rodgers - 29152 Highway One, Carmel Highlands  
**Date:** Tuesday, June 25, 2019 1:56:06 PM

---

Melissa McDougal  
Yasmeeen Hussain  
RMA-County of Monterey

Hand Delivered with Attachments  
EMAIL

I am a 30 year resident of Carmel Highlands, purchasing my property because of the LDR zoning and the atmosphere of a residential neighborhood, after being lucky enough to move from a big city.

I am very much opposed to the issuance of a permit for a B & B at the Applicant's property located at 29152 Highway One (APN: 241-061-015-000).

I am most importantly opposed to what in essence is a change of zoning in our Coastal Zone. It seems to me that if County requires a business license, then it must be for a commercial business, and not for a private residence.

I disagree with the traffic study done. I have personally observed a traffic hazard as renters stop almost on a dime trying to find the house. The addresses near this property are in double or triple digits, and the address of the Applicant's property apparently throws them for a loop (29152). It is an accident or two just waiting to happen, and no place for a commercial business which draws so many cars along Highway One looking for the address. It would be more accurate to have a traffic study done on Friday late afternoon/early evening or throughout the weekend.

I am also hesitant to believe that applicants really plan on making the Highway One property their primary residence and "owner occupied", and that they will leave their Pebble Beach home to live in an 8' x 10' bedroom as stated by applicant's representative at the February 19, 2019 LUAC hearing, and discussed using the design plans. In one of the advertisements, a co-host named Mickey is named. Why does applicant need a co-host if he will be present at all times? How will County monitor and/or enforce if owner/applicant is not present during the operation of a B & B?

Applicant does not have a good record of abiding by rules and regulations, and I request that the Planning Commission consider his past conduct having a blatant disregard for the laws and regulations of Monterey County.

There have been code compliance actions filed against applicant, and I was also advised that applicant submitted an Agreement to Quit Operation to the County. Even so, applicant continues to operate/advertise the short term rental.

The advertisement titles keep changing, but you can find reviews which include multiple ones in any given month under:

Villa Carmel  
Big Sur Suite  
Carmel Suite  
Villa by the Sea  
Cozy Guest Room in a Villa  
Private Room  
The Garden Bedroom in a Villa

And, a recent advertisement is: Villa Carmel Highlands, a Vacation Rental Listing. This states that 5 bedrooms available/4 baths and that it sleeps 16-18.

He has advertised on airbnb, VRBO, Perfect Places Vacations Rentals, Craigslist and possibly many more places.

Some reviews (and obviously not every guest posts a review) are attached, evidencing that applicant has been renting out the property multiple times per month for a very long time. One particular example:  
As of November 13, 2018 there were 916 reviews (six alone in September 2018), whereas on October 28, 2018 there were only 890. That's 26 reviews in 16 days. Some reviews will be provided to County.

Also attached is the first page of a list of some 373 reviews during the period between 2015 and 2018. The original, full copy of these screen shots is being provided to Ms. Parson by separate cover. I am requesting that Ms. Parsons, conduct an audit as to the amount of TOT taxes that have been paid, to ensure that they coincide with the illegal number of short term

rentals by applicant.

Additionally, I would like to see the septic system/leach field situation re-evaluated. Applicant advertises (depending on which website or advertisement you look at, that it can sleep 18 people. In my opinion, this is not a normal occupancy for a single family dwelling, and I am concerned that the septic system was not designed to accommodate constant use by that amount of people. Environmental Health Department indicated the existing tank was deteriorated but could be brought back into acceptable condition with repairs. Has Environmental Health examined thoroughly that applicants' repaired septic system is the recommended tank size for the use of 18 occupants on a regular basis?

I further ask, as our LUAC recommended on February 19, 2019, that Monterey County address ADA concerns and recommendations. I do not see that addressed in the Staff report.

Title 20 does not mandate that B & B's must be permitted. I request, as our local LUAC did, that this application be denied.

Michelle Alway  
Carmel Highlands

CC: Kristina Parson  
Mary Adams  
Martha Diehl  
Keith Vendevere  
COB

PUN 180390 - Rodgers  
PC - 6-26-19

AGENDA  
#1  
ITEM

Melissa McDougal  
Yasmeen Hussain  
RMA-County of Monterey

Hand Delivered with Attachments  
EMAIL

I am a 30 year resident of Carmel Highlands, purchasing my property because of the LDR zoning and the atmosphere of a residential neighborhood, after being lucky enough to move from a big city.

I am very much opposed to the issuance of a permit for a B & B at the Applicant's property located at 29152 Highway One (APN: 241-061-015-000).

I am most importantly opposed to what in essence is a change of zoning in our Coastal Zone. It seems to me that if County requires a business license, then it must be for a commercial business, and not for a private residence.

I disagree with the traffic study done. I have personally observed a traffic hazard as renters stop almost on a dime trying to find the house. The addresses near this property are in double or triple digits, and the address of the Applicant's property apparently throws them for a loop (29152). It is an accident or two just waiting to happen, and no place for a commercial business which draws so many cars along Highway One looking for the address.

I am also hesitant to believe that applicants really plan on making the Highway One property their primary residence and "owner occupied", and that they will leave their Pebble Beach home to live in an 8' x 10' bedroom as stated by applicant's representative at the February 19, 2019 LUAC hearing, and discussed using the design plans. In one of the advertisements, a co-host named Mickey is named. Why does applicant need a co-host if he will be present at all times?

Applicant does not have a good record of abiding by rules and regulations, and I request that the Planning Commission consider his past conduct having a blatant disregard for the laws and regulations of Monterey County.

There have been code compliance actions filed against applicant, and I was also advised that applicant submitted an Agreement to Quit Operation to the County. Even so, applicant continues to operate/advertise the short term rental.

The advertisement titles keep changing, but you can find reviews which include multiple ones in any given month under:

Villa Carmel  
Big Sur Suite  
Carmel Suite  
Villa by the Sea  
Cozy Guest Room in a Villa  
Private Room  
The Garden Bedroom in a Villa

And, a recent advertisement is: Villa Carmel Highlands, a Vacation Rental Listing. This states that 5 bedrooms available/4 baths and that it sleeps 16-18.

He has advertised on airbnb, VRBO, Perfect Places Vacations Rentals, Craigslist and possibly many more places.

Some reviews (and obviously not every guest posts a review) are attached, evidencing that applicant has been renting out the property multiple times per month for a very long time. One particular example:

As of November 13, 2018 there were 916 reviews (six alone in September 2018), whereas on October 28, 2018 there were only 890. That's 26 reviews in 16 days. Some reviews will be provided to County.

Also attached is the first page of a list of some 373 reviews during the period between 2015 and 2018. The original, full copy of these screen shots is being provided to Ms. Parson by separate cover. I am requesting that Ms. Parsons, conduct an audit as to the amount of TOT taxes that have been paid, to ensure that they coincide with the illegal number of short term rentals by applicant.

Additionally, I would like to see the septic system/leach field situation re-evaluated. Applicant advertises (depending on which website or advertisement you look at, that it can sleep 18 people. In my opinion, this is not a normal occupancy for a single family dwelling, and I am concerned that the septic system was not designed to accommodate constant use by that amount of people. Environmental Health Department indicated the existing tank was deteriorated but could be brought back into acceptable condition with repairs. Has Environmental Health examined thoroughly that applicants' repaired septic system is the recommended tank size for the use of 18 occupants on a regular basis?

I further ask, as our LUAC recommended on February 19, 2019, that Monterey County address ADA concerns and recommendations. I do not see that addressed in the Staff report.

Title 20 does not mandate that B & B's must be permitted. I request, as our local LUAC did, that this application be denied.

Michelle Alway  
Carmel Highlands

CC: Kristina Parson  
Mary Adams  
Martha Diehl  
Keith Vendevere

---

When John Rodgers CLOSED his Airbnb Account he had **939 Reviews**. He started advertising on Airbnb back at the end of **July 2015** ... so he owes a lot of TOT!!!

And what you and the County have to remember is not everyone that short stays leaves a review. And another thing you and the County has to remember is, of the 939 reviews written that means that there was more then likely over **2,500 Nights STRed** out!

These are just partial captures of John's reviews for years between 2015 & 2018 ... 1st attach is July, august and Sept. of 2015. 2nd attach is Dec. 2015 - Jan. 2016. 3rd attach Dec. 2016 - Jan 2017. 4th attach is all the reviews for the year 2018.

October 2015

By far the best experience we had on airbnb! The house stands out in a picturesque garden surrounded by spectacular landscape. The room is clean, spacious and decorated with fine artistic items. We won't be surprised if one day the house is more associated with 'Attraction' than accommodation. John and his wife are super nice hosts. They prepared everything to ensure that we had a smooth stay! John was also kind enough to help post my left items via express to me! Profound thanks again!...Read more



Cj, Beijing, China  
Joined in 2015 · 0 reviews

September 2015

Our time at the villa was so relaxing we loved the beach below the house John and Nina were just so nice and helpful the room was perfect my wife and I have stayed in five star hotels around the world and this was as nice as a lot of those at a fraction of the cost we can't wait to go back and have told all our friends and family who will be staying there now as well



Nelson, Valley Ford, CA  
Joined in 2015 · 0 reviews

September 2015

John's place is top notch, no doubt about it. I had the garden room on the back side of the property and it was extremely quite and peaceful - the ideal place to get away for some r and r while on the central coast. The gardens out back which are visible from the room I was in were lush and inviting for a morning sit down reading. A partial ocean view is visible once in the garden area. I do have one regret, that being I only scheduled one night in this wonderful place.



Deborah Little Back, AD  
Joined in 2015 · 0 reviews

373 reviews

Today - Tuesday, November 13, 2018

John has **916 Reviews**, whereas on October 28, 2018 John had only **890 Reviews**. That's **26 Reviews** that he got in **16 days**.

# Hey, I'm John!

California, United States · Joined in January 2015

Reviews

Verified

## Reviews (916)

Villa By The Sea - Villas for Rent in Carmel-by-the-Sea, California ...

<https://www.airbnb.com> > United States > California > Carmel-by-the-Sea

Charming Suite In A Villa - Villas for Rent in Carmel ... - Airbnb

<https://www.airbnb.co.nz> > United States > California > Carmel Highlands

Cozy Guest Room In A Villa - Villas for Rent in Carmel, California ...



<https://www.airbnb.com> > United States > California > Carmel

## The Garden Bedroom in a Villa - Villas for Rent in Carmel , California ...

<https://www.airbnb.com> > United States > California > Carmel

**PRIVATE ROOM · 1 BED**

### **Master Suite**

Price

\$115 per night

Free cancellation

115 13 1000

**189**

---

## The Garden Bedroom in a Villa - Villas for Rent in Carmel ... - Airbnb

<https://www.airbnb.com> > United States > California > Carmel  
210 Reviews

### **Sunny**

October 2018

This was one of my favorite Airbnbs that I have ever stayed in! The garden is absolutely beautiful, there is a view of the ocean from the gazebo, the hot tub is clean and wonderfully relaxing in the evening with the ocean breeze. The bathroom is clean and a good size. All of th...**Read more**

**Marjan**

September 2018

The place is located in a great location. John's villa is beautiful with a great backyard. I definitely recommend it

**Richard**

September 2018

FYI the room is located close to the hot tub and you are likely to hear some noise from other guests using it.

**Nathan**

September 2018

John's villa exceeded all our expectations. The room and property were beautiful and the location was central to many of the local hot spots. I would definitely stay here again.

**Andrew**

September 2018

The house is unbelievable. The yard is filled with beautiful plants. I feel like we hit the jack pot as far as places in the area. I think this is the best Air BnB I've ever gotten and the fact that it was affordable made it that much better. I would absolutely stay here again...[Read more](#)

**Jeanne & Jim**

September 2018

This is a beautiful property, convenient to both the Monterey Peninsula and Big Sur to the south. If you want to relax and enjoy your stay in this area, you couldn't choose a better

place to do that.

**Bryan**

September 2018

Wonderful spot with great amenities and location. Perfect for a Big Sur getaway. I've often driven past these houses and wondered what it'd be like to stay there and the experience did not disappoint!

Hosted by John

California, United States · Joined in January 2015

**STR - Carmel Highlands (Various Notes re Rodgers property as of 2/19/19)**

29152 Highway One - Owner John Rogers - APN: 241-061-015-000

Code Compliance Case No. 18CE00133

(per reviews: Hosts John and Nina). airbnb and VRBO — 2017

"Villa Carmel" Aside from entire house, rents our rooms/suites.

"Big Sur Suite" 116 reviews: 6 in July (per calendar booked 25 days in August and at least 16 days in September)

"Carmel Suite" 115 reviews: 2 in July, 3 in June, 6 in May -

Additional reviews: Oct 4, Sept 6, Aug 3.

House \$845/night

-----  
CODE COMPLAINT NO 18CE00133 - 2018

(Case initially closed per County, for some reason - But was then re-opened with new code compliance case number.)

**CONTINUING STR OPERATION PER REVIEWS (2018):**

"Villa by the Sea" Sept 3

"Cozy Guest Room in a Villa" Oct 3, Sept 4+

"Private Room" Oct 2, Sept 6

"The Garden Bedroom in a Villa" Oct 1, Sept 6+

4 reviews in November as of current posting/8 in October

-----  
On another recent check (11/13/18): 26 reviews in 16 days

-----  
As of 2/19/19 still advertising house on Perfect Places Vacation Rentals".

Includes wording: "Sleeps 16-18"

"Stays include (2) passes to the Monterey Bay Aquarium, daily passes to Pebble Beach and use of a keyed private beach" and

"Five bedrooms, four full baths, accommodates up to 18.

Lots of parking for all your vehicles within the large iron gates.

Three kings-two queens-two singles-two sofa beds"

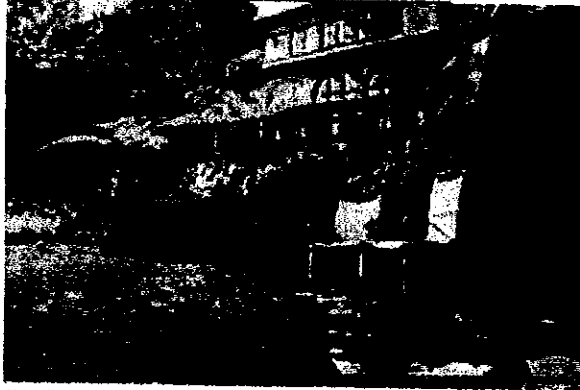
This is John's place.



Mickey helps host.



[www.airbnb.com/rooms.13091875](https://www.airbnb.com/rooms/13091875)



**ENTIRE VILLA · 8 BEDS**

**Villa By The Sea**

**\$585 per night**

PLN180390-Rodgers  
PC - 6-26-19

AGENDA  
#1  
ITEM

My name is Gwyn De Amaral and I am a resident of Carmel Highlands.

In order to uphold the Carmel Land use plan, the application before you must be denied. The Proposal does not protect, maintain, enhance or restore the coastal zone environment.

The project is located on the western side of Highway One just south of Point Lobos, and just north of the Highlands Inn and the Tickle Pink Hotel, both mentioned in the Carmel LAND USE PLAN as privately owned visitor-serving facilities that constitute the major commercial activity within that area. There is no left turning lane on northbound Highway 1 into to this property. ANY CAR TURNING WOULD HALT TRAFFIC BEHIND IT.

The applicants have advertised on multiple sites for STRs that they can accommodate up to 18 individuals in their home, which is advertised as five bedrooms/4 baths.

The Planning staff report indicated that the applicant paid fines in 2018. That fine barely scratches the surface of what is truly owed to Monterey County for the blatant disregard of our Land Use laws and zoning. The applicant has been advertising on various sites SINCE 2010. The online reviews reflect that they are not just for monthly rentals but for multiple times a month.

Prior to the LUAC meeting, a code enforcement case was opened for the operation of a short term rental. The RMA site shows that this case was closed.

The staff report that is before the board today only indicates that in 2018 the property received a code enforcement citation for operating a short-term rental without the proper approvals and permits, and for failure to obtain the required business license. The property owner has since paid the code enforcement fines and submitted a notice to quit operation of the short-term rental.

What the staff report does not show is that the applicant has continued to advertise the STR even after the 2018 fine of \$270.00. There was an additional open case in 2019 and another citation in effect at the time of the applicants' LUAC Hearing. In addition, your staff report does not reflect that the applicant paid an additional fine on JANUARY 16, 2019 of \$10,000 and was still advertising online as Villa Carmel Highlands - ( see attachments ) in violation of his notice to quit.

I am troubled by the Environmental Health assessment regarding the septic system based on the EHB's May 2017 Short Term Rental Recommendations. It is outrageous that they are regulating a bed and breakfast on the basis of STR regulations that have only been proposed but not voted on, and which violate the Land Use Plans of this area.

RMA Public Works' report states that traffic will not be intensified by allowing a bed-and-breakfast. The Public Works in essence is saying that a bed and breakfast is the equivalent of a single family dwelling of 18 people. I believe that assumption at this location increases the safety of those traveling on Highway 1 and has a negative impact on the neighborhood.

In closing, I strongly urge you to deny this project. If approved, it would set a tremendous precedence in an environmentally sensitive area .

Gwyn De Amaral

[Home](#) [Create](#) [Search](#) [Schedule](#)[Announcements](#)

Quick Search: Search for permit information in the box to the right.  
Citizen Access account is not required for this search.

pin 180390

**Case No. 18CE00505:****Case****Case Status: Closed**[Record Info](#) ▼[Payments](#) ▼

## Fees

---

**Paid:**

Date	Invoice Number	Amount
01/16/2019	141275	\$10,000.00
12/12/2018	140517	\$270.00
<b>Total paid fees: \$10,270.00</b>		





[Home](#) [Create](#) [Search](#) [Schedule](#)[Announcements](#)

Quick Search: Search for permit information in the box to the right.  
Citizen Access account is not required for this search.

241 061 015 000



## Search Results

Your search for '241 061 015 000' returned the following results.

Explore by Category: Records(10) Property Information(2)

## Records

[All Records](#)

Showing 1-10 of 10

Created Date	File Number	Status	Permit Type	Module	Address
11/01/2018	18CE00505	Citation Issued	Case	Enforce	29152 HWY 1, CARMEL, CA 93923
08/08/2018	PLN180390	Incomplete	Discretionary	Planning	29152 HWY 1, CARMEL, CA 93923
04/27/2018	18CE00133	Closed	Case	Enforce	29152 HWY 1, CARMEL, CA 93923
01/21/2016	PLN160036	Cleared	Minor	Planning	29152 HWY 1, CARMEL, CA 93923
06/24/2015	PLN150481	Given Out	Discretionary	Planning	29152 HWY 1, CARMEL, CA 93923
09/13/2005	DA050438	Cleared	Planning/Minor/./.	Planning	0 NA,
09/13/2005	BP052482	Finaled	Building/Combination/./.	Building	29152 HWY 1, CARMEL,
08/26/2004	BP042304	Finaled	Building/Building/./.	Building	29152 HWY 1, CARMEL,
04/13/2004	DA040168	Cleared	Planning/Minor/./.	Planning	0 NA,
03/09/2004	CE040115	Closed	Enforce/Case/./.	Enforce	0 NA,

## Property Information

[Search by Address](#)

Showing 1-2 of 2

Address	Parcel Number
29152- HWY 1,CARMEL, CA 93923	241-061-006-000
29152- HWY 1,CARMEL, CA 93923	241-061-015-000

1/22/19

[Home](#) [Create](#) [Search](#) [Schedule](#)[Announcements](#)

Quick Search: Search for permit information in the box to the right.  
Citizen Access account is not required for this search.

18ce00505

**Case No. 18CE00505:****Case****Case Status: Citation Issued**

← 2019

Record Info ▾

**Location**

29152 HWY 1  
CARMEL 93923

**Record Details**▼ **More Details**☑ **Parcel Information**

**Parcel Number:**  
241-061-D15-000  
**Planning Area:**  
Carmel LUP

**Fire District:**  
Carmel Highlands FPD  
**Zoning:**  
LDR/1-O(CZ)



shepherdsknoll8  
Published on Feb 11, 2010  
SUBSCRIBE 3

2010



Many years ago, a radio commercial used to play on my favorite Top 40 station for a hotel right up the road from here. It claimed to be "The most beautiful place in the world". Today as I look around our Highlands home, I think they must have been talking about Villa Carmel. Watch for yourself. There's nothing else quite like it. <http://www.vrbo.com/157452>

2019

**Villa By The Sea - Villas for Rent in Carmel-by-the-Sea - Airbnb**

**<https://www.airbnb.com.au> > United States > California > Carmel-by-the-Sea**

Apr 18, 2019 - Entire home/apt for \$839. A favorite location for the US Open. Guests attending the Open will be required to take villa for the entire month of June ...

# Villa Carmel Highlands - Vacation Rental Listing Details

Home (/host\_home.cfm?id=13445) / Villa Carmel Highlands

Details (/host\_view\_dtl.cfm?ref\_num=42345) Availability (/host\_view\_dtl.cfm?ref\_num=42345&show=availability)

Contact (/host\_view\_dtl.cfm?ref\_num=42345&show=contact) Rates (/host\_view\_dtl.cfm?ref\_num=42345&show=rates)

Map (/host\_view\_dtl.cfm?ref\_num=42345&show=map)

Previous  
Next



Previous  
Next

Previous  
Next



Previous  
Next

## Description:

Location: Carmel Highlands, Central Coast, California, USA (20 minutes to Monterey Airport and at beginning of Big Sur)

Accommodations: Villa, 5 Bedrooms + Convertible bed(s), 4 Baths (Sleeps 16-18)

This is a true villa on a 1 acre estate between Hwy 1 and the ocean. Many wonderful ocean views. Pt. Lobos State Reserve is very near for miles of hikes. The kids will explore forever.

The villa was built in 1953 and reconstructed in 2005. The reconstruction updated and remodeled the villa to bring back the feeling of old California such as the 200 year old stone Mexican arches. If you want to see the historic front

## Location:

Carmel Highlands, Central Coast, California, United States (View Map) (/host\_view\_dtl.cfm?ref\_num=42345&show=map)

## Accommodations:

Villa --- 5 Bedrooms, 4 Bathrooms, Sleeps 18

## Contact Information:

**John Rodgers**

Mobile: 831-920-7754

☒ (/host\_view\_dtl.cfm?ref\_num=42345&show=contact) **Email your inquiry** (/host\_view\_dtl.cfm?ref\_num=42345&show=con

(for more information or booking)

☒ **Email to a friend** (/host\_email\_friend.cfm?ref\_num=42345) (/host\_email\_friend.cfm?ref\_num=42345)

door take a look in the Monterey Airport--it is featured on one of the airport posters. One of the hand carved bedroom doors comes from the days of Junipero Serra and the old mission era.

Perfect for family reunions and birthdays with it's five bedrooms and 9 beds. Wander the grounds and gardens of the level one acre estate and play volleyball on the back lawn if you like. Photo opportunities abound under stone arches or the deck with the ocean and rock caves in the background just a few hundred feet away, a unique experience in Carmel Highlands. Hear the sea lions bark, smell the ocean air, see the waves crash, wander the many gardens with the Pacific in your backyard.

Five bedrooms, four full baths, accomodates up to 18.

Lots of parking for all your vehicles within the large iron gates.

Three kings-two queens-two singles-two sofa beds.

Stays include (2) passes to the Monterey Bay Aquarium, daily passes to Pebble Beach and use of a keyed private beach.

Golf reservations at Pebble Beach, Spyglass, Spanish Bay, and Poppy Hills can be made upon request up to 90 days in advance.

Two minutes to the Hyatt and the 5 star Pacific Edge Restaurant. Clint's place is just around the corner (you can see him there, if your timing is right). For convenience there is the Carmel Highlands General Store within walking distance. Enjoy the wood burning fireplaces in the living room and master bedroom. Unlike any vacation you will have ever taken. You will not want to leave. Pictures do not do the Villa justice.

 Non Smoking

#### Location Type:

» Ocean View

#### Features:

» Cooking Utensils Provided	» Deck	» Fireplace
» Full Kitchen	» Garden	» Gas Grill
» Linens Provided	» Patio	» Spa/Hot Tub
» Spices	» Terrace	

#### Appliances:

» Blender	» CD Player	» Coffee Maker
» Dishwasher	» DVD Player	» Freezer
» Iron and Board	» Microwave	» Oven
» Phone	» Radio	» Refrigerator
» Satellite TV or Cable TV	» Stereo	» Toaster
» TV(s)	» VCR Player	» Washer/Dryer

#### Activities:

» Cycling	» Fishing	» Golf
» Hiking	» Horseback Riding	» Live Entertainment
» Scuba/Snorkel	» Shopping/Restaurants	» Surfing
» Walking		

#### Policies:

Check In: 3:00 p.m.  
Check Out: 11:00

#### Notes:

Cleaning 225  
plus co. tax

Golf Reservations Available: Up to 90 days in advance.

Pebble Beach

Spyglass

Spanish Bay  
Poppy Hills

**Contact Information:**

**John Rodgers**  
Mobile: 831-920-7754

[✉ \(/host\\_view\\_dtl.cfm?  
ref\\_num=42345&show=contact\)](#) **Email your inquiry**  
(/host\_view\_dtl.cfm?  
ref\_num=42345&show=contact)

(for more information or booking)

[✉ \(/host\\_email\\_friend.cfm?  
ref\\_num=42345\)](#) **Email to a friend**  
(/host\_email\_friend.cfm?  
ref\_num=42345)

[Previous Page](#)

© 2019 Email Us (host\_contact\_us.cfm?kt=13445)

Powered by Perfect Places Vacation Rentals Worldwide (<http://www.perfectplaces.com>)

PLN180390 - Rodgers  
PC - 6-26-19

AGENDA  
#1  
ITEM

Melissa McDougal  
Yasmeen Hussain  
RMA-County of Monterey

Hand Delivered with Attachments  
EMAIL

I am a 30 year resident of Carmel Highlands, purchasing my property because of the LDR zoning and the atmosphere of a residential neighborhood, after being lucky enough to move from a big city.

I am very much opposed to the issuance of a permit for a B & B at the Applicant's property located at 29152 Highway One (APN: 241-061-015-000).

I am most importantly opposed to what in essence is a change of zoning in our Coastal Zone. It seems to me that if County requires a business license, then it must be for a commercial business, and not for a private residence.

I disagree with the traffic study done. I have personally observed a traffic hazard as renters stop almost on a dime trying to find the house. The addresses near this property are in double or triple digits, and the address of the Applicant's property apparently throws them for a loop (29152). It is an accident or two just waiting to happen, and no place for a commercial business which draws so many cars along Highway One looking for the address.

I am also hesitant to believe that applicants really plan on making the Highway One property their primary residence and "owner occupied", and that they will leave their Pebble Beach home to live in an 8' x 10' bedroom as stated by applicant's representative at the February 19, 2019 LUAC hearing, and discussed using the design plans. In one of the advertisements, a co-host named Mickey is named. Why does applicant need a co-host if he will be present at all times?

Applicant does not have a good record of abiding by rules and regulations, and I request that the Planning Commission consider his past conduct having a blatant disregard for the laws and regulations of Monterey County.

There have been code compliance actions filed against applicant, and I was also advised that applicant submitted an Agreement to Quit Operation to the County. Even so, applicant continues to operate/advertise the short term rental.

The advertisement titles keep changing, but you can find reviews which include multiple ones in any given month under:

Villa Carmel  
Big Sur Suite  
Carmel Suite  
Villa by the Sea  
Cozy Guest Room in a Villa  
Private Room  
The Garden Bedroom in a Villa



And, a recent advertisement is: Villa Carmel Highlands, a Vacation Rental Listing. This states that 5 bedrooms available/4 baths and that it sleeps 16-18.

He has advertised on airbnb, VRBO, Perfect Places Vacations Rentals, Craigslist and possibly many more places.

Some reviews (and obviously not every guest posts a review) are attached, evidencing that applicant has been renting out the property multiple times per month for a very long time. One particular example:

As of November 13, 2018 there were 916 reviews (six alone in September 2018), whereas on October 28, 2018 there were only 890. That's 26 reviews in 16 days. Some reviews will be provided to County.

Also attached is the first page of a list of some 373 reviews during the period between 2015 and 2018. The original, full copy of these screen shots is being provided to Ms. Parson by separate cover. I am requesting that Ms. Parsons, conduct an audit as to the amount of TOT taxes that have been paid, to ensure that they coincide with the illegal number of short term rentals by applicant.

Additionally, I would like to see the septic system/leach field situation re-evaluated. Applicant advertises (depending on which website or advertisement you look at, that it can sleep 18 people. In my opinion, this is not a normal occupancy for a single family dwelling, and I am concerned that the septic system was not designed to accommodate constant use by that amount of people. Environmental Health Department indicated the existing tank was deteriorated but could be brought back into acceptable condition with repairs. Has Environmental Health examined thoroughly that applicants' repaired septic system is the recommended tank size for the use of 18 occupants on a regular basis?

I further ask, as our LUAC recommended on February 19, 2019, that Monterey County address ADA concerns and recommendations. I do not see that addressed in the Staff report.

Title 20 does not mandate that B & B's must be permitted. I request, as our local LUAC did, that this application be denied.

Michelle Alway  
Carmel Highlands

CC: Kristina Parson  
Mary Adams  
Martha Diehl  
Keith Vendever

---

When John Rodgers CLOSED his Airbnb Account he had **939 Reviews**. He started advertising on Airbnb back at the end of **July 2015** ... so he owes a lot of TOT!!!

And what you and the County have to remember is not everyone that short stays leaves a review. And another thing you and the County has to remember is, of the 939 reviews written that means that there was more then likely over **2,500 Nights** STRed out!

These are just partial captures of John's reviews for years between 2015 & 2018 ... 1st attach is July, august and Sept. of 2015. 2nd attach is Dec. 2015 - Jan. 2016. 3rd attach Dec. 2016 - Jan 2017. 4th attach is all the reviews for the year 2018.

October 2015

By far the best experience we had on airbnb! The house stands out in a picturesque garden surrounded by spectacular landscape. The room is clean, spacious and decorated with fine artistic items. We won't be surprised if one day the house is more associated with 'Attraction' than accommodation. John and his wife are super nice hosts. They prepared everything to ensure that we had a smooth stay! John was also kind enough to help post my left items via express to me! Profound thanks again!...Read more



CJ, Beijing, China  
Joined in 2015 - 9 reviews

September 2015

Our time at the villa was so relaxing we loved the beach below the house John and Nina were just so nice and helpful the room was perfect my wife and I have stayed in five star hotels around the world and this was as nice as a lot of those at a fraction of the cost we can't wait to go back and have told all our friends and family who will be staying there now as well



Nelson, Valley Ford, CA  
Joined in 2015 - 8 reviews

September 2015

John's place is top notch, no doubt about it. I had the garden room on the back side of the property and it was extremely quite and peaceful - the ideal place to get away for some time and relax on the central coast. The gardens out back which are visible from the room I was in were lush and inviting for a morning sit down reading. A partial ocean view is visible once in the garden area. I do have one regret, that being I only scheduled one night in this wonderful place.



Deborah Little Dark, AD  
Joined in 2015 - 1 review

373 reviews

Today - Tuesday, November 13, 2018

John has **916 Reviews**, whereas on October 28, 2018 John had only **890 Reviews**. That's **26 Reviews** that he got in **16 days**.

# Hey, I'm John!

California, United States · Joined in January 2015

Reviews

Verified

## Reviews (916)

Villa By The Sea - Villas for Rent in Carmel-by-the-Sea, California ...

<https://www.airbnb.com> › United States › California › Carmel-by-the-Sea

Charming Suite In A Villa - Villas for Rent in Carmel ... - Airbnb

<https://www.airbnb.co.nz> › United States › California › Carmel Highlands

Cozy Guest Room In A Villa - Villas for Rent in Carmel, California ...

<https://www.airbnb.com> > United States > California > Carmel

## The Garden Bedroom in a Villa - Villas for Rent in Carmel, California ...

<https://www.airbnb.com> > United States > California > Carmel

**PRIVATE ROOM · 1 BED**

### **Master Suite**

Price

\$115 per night

Free cancellation

100% refund

189

---

## The Garden Bedroom in a Villa - Villas for Rent in Carmel ... - Airbnb

<https://www.airbnb.com> > United States > California > Carmel  
710 Reviews

### **Sunny**

October 2018

This was one of my favorite Airbnbs that I have ever stayed in! The garden is absolutely beautiful, there is a view of the ocean from the gazebo, the hot tub is clean and wonderfully relaxing in the evening with the ocean breeze. The bathroom is clean and a good size. All of th...**Read more**

**Marjan**

September 2018

The place is located in a great location. John's villa is beautiful with a great backyard. I definitely recommend it

**Richard**

September 2018

FYI the room is located close to the hot tub and you are likely to hear some noise from other guests using it.

**Nathan**

September 2018

John's villa exceeded all our expectations. The room and property were beautiful and the location was central to many of the local hot spots. I would definitely stay here again.

**Andrew**

September 2018

The house is unbelievable. The yard is filled with beautiful plants. I feel like we hit the jack pot as far as places in the area. I think this is the best Air BnB i've ever gotten and the fact that it was affordable made it that much better. I would absolutely stay here again...[Read more](#)

**Jeanne & Jim**

September 2018

This is a beautiful property, convenient to both the Monterey Peninsula and Big Sur to the south. If you want to relax and enjoy your stay in this area, you couldn't choose a better

place to do that.

**Bryan**

September 2018

Wonderful spot with great amenities and location. Perfect for a Big Sur getaway. I've often driven past these houses and wondered what it'd be like to stay there and the experience did not disappoint!

Hosted by John

California, United States · Joined in January 2015

**STR - Carmel Highlands (Various Notes re Rodgers property as of 2/19/19)**

29152 Highway One - Owner John Rogers - APN: 241-061-015-000

Code Compliance Case No. 18CE00133

(per reviews: Hosts John and Nina). airbnb and VRBO — 2017

"Villa Carmel" Aside from entire house, rents our rooms/suites.

"Big Sur Suite" 116 reviews: 6 in July (per calendar booked 25 days in August and at least 16 days in September)

"Carmel Suite" 115 reviews: 2 in July, 3 in June, 6 in May -

Additional reviews: Oct 4, Sept 6, Aug 3.

House \$845/night

-----  
CODE COMPLAINT NO 18CE00133 - 2018

(Case initially closed per County, for some reason - But was then re-opened with new code compliance case number.)

CONTINUING STR OPERATION PER REVIEWS (2018):

"Villa by the Sea" Sept 3

"Cozy Guest Room in a Villa" Oct 3, Sept 4+

"Private Room" Oct 2, Sept 6

"The Garden Bedroom in a Villa" Oct 1, Sept 6+

4 reviews in November as of current posting/8 in October

---

On another recent check (11/13/18): 26 reviews in 16 days

---

As of 2/19/19 still advertising house on Perfect Places Vacation Rentals".

Includes wording: "Sleeps 16-18"

"Stays include (2) passes to the Monterey Bay Aquarium, daily passes to Pebble Beach and use of a keyed private beach" and

"Five bedrooms, four full baths, accommodates up to 18.

Lots of parking for all your vehicles within the large iron gates.

Three kings-two queens-two singles-two sofa beds"

This is John's place.



Mickey helps host.



[www.airbnb.com/rooms.13091875](https://www.airbnb.com/rooms/13091875)



**ENTIRE VILLA • 8 BEDS**

**Villa By The Sea**

**\$585 per night**