



# County of Monterey

Item No.7

## Zoning Administrator

Legistar File Number: ZA 26-042

April 30, 2026

**Introduced:** 4/21/2026

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN250359 - MUZUMDAR NIHAL SHASHIKANT**

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:** 3504 Ocean Avenue, Carmel

**Proposed CEQA Action:** Find the project Categorical 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 pursuant to 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:** Leticia Sanchez

**Property Owner:** Nihal Muzumdar

**APN:** 009-181-015-000

**Parcel Size:** approximately 0.16 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:** Not Applicable

**Project Planner:** Jack Sorensen, Assistant Planner

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### SUMMARY/DISCUSSION:

The project is located at 3504 Ocean Ave, a county-maintained road, in Carmel. The agent submitted an application seeking to use their existing single-family dwelling located in a residentially developed neighborhood.

The site is developed with an existing 784 square single-story single-family dwelling. The residence has one bedroom, one bathroom, living room and a kitchen. The agent is proposing that the residence be occupied by a maximum of 3 people overnight and 4 people during daytime hours at the property at a time. The property will retain its solid waste services to Waste Management, a waste management company, as well as retaining services to California American Water. If approved, the granting of this Coastal Development Permit would allow the establishment of the 18th permitted vacation rental in the Carmel Area Land Use Plan out of 118 Coastal Development Permits permitted pursuant to Title 20 Section 20.64.290.F.3.b.

The proposed project is subject to the policies and regulations of the 1982 County of Monterey General Plan (General Plan), Carmel Area Land Use Plan (CAR LUP), Carmel Area Coastal Implementation Plan (CIP), Monterey County Code Title 7 Chapter 7.120, Monterey County Code Chapter 16.80, and 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, (Coastal Zone) 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 in that it has been demonstrated that the response time for County emergency services for fire and emergency medical services is adequate. 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, it is subject to the 5-8 minutes for response times. Cypress FPD is 6 minutes away, and the Community Hospital of the Monterey Peninsula is 5 minutes away, which provides 24-hour emergency medical and fire response services for structural coverage. 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. 4).

Parking requirements outlined in Title 20 Sections 20.64.290.F.6 and 20.58.040 require that a Single-Family Detached residential dwelling unit have 2 spaces/unit, which this application complies with as illustrated in the attached plans.

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, Leticia Sanchez, resides at 3009 King Circle, Marina, CA, approximately 18 minutes away (13-mile drive) from the subject property. Ms. Sanchez's contact information will be provided to the guests of the property and will be available 24/7 to respond to guest or neighborhood questions or concerns. Ms. Sanchez will also ensure that any neighbor or guest complaints are resolved, and has the ability to arrive within thirty minutes. Ms. Sanchez'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 3 overnight guests and 4 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 an 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 accessed through Ocean Ave., a county-maintained road, to the residence's driveway on the property. 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 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 Area/Land Use Plan. It would be the 18th 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

None

Prepared by: Jack Sorensen, Assistant Planner

Reviewed/Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Site Plans and Floor Plans
- Operations Plan
- Home Inspection Checklist

Exhibit B - Vicinity Map

Exhibit C - Aerial Image

cc: Front Counter Copy; HCD-Environmental Services; Environmental Health Bureau; Carmel Highlands Fire Department; Jacquelyn M. Nickerson, Principal Planner, Fionna Jensen, Principal Planner; Nihal Muzumdar, Property Owner; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN250359.