



# County of Monterey

Item No.6

## Zoning Administrator

Legistar File Number: ZA 26-053

May 14, 2026

**Introduced:** 5/5/2026

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN260063 - ROUSSET ANDREA CHAN & ROBI**

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

**Project Location:** 24673 Upper Trail, Carmel, CA 93923

**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 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 single-family dwelling 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:** Joseph Sennish

**Property Owner:** Robi Rousset and Andrea Chan Rousset

**APN:** 009-071-005-000

**Parcel Size:** 0.36 AC

**Zoning:** Medium Density Residential with a maximum gross density of 2 units/acre with a Design Control Overlay within the Coastal Zone or "MDR/2-D (CZ)"

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** N/A

**Project Planner:** Kyle Benalcazar, Assistant Planner

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### SUMMARY/DISCUSSION

The project site is located at 24673 Upper Trail, a County-owned and maintained road, within the Carmel Area Land Use Plan. The Applicant, Andrea Rousset, submitted an application seeking to use the existing single-family dwelling located in a medium density residential neighborhood as a Commercial Vacation Rental. The site is developed with an existing single-family dwelling and detached garage/guesthouse. The proposed commercial vacation rental is within the single-family

dwelling unit and is 2,526 square feet in size with three bedrooms, two and half bathrooms, an office and a kitchen. The applicant does not propose to include the garage/guesthouse as part of the Commercial Vacation Rental and only proposes to use the single-family dwelling. Signage will be posted to ensure the guesthouse is not utilized, which will be locked during any vacation rental usage. The applicant is proposing that the residence be occupied by a maximum of seven people overnight, 10 people during the daytime hours at the property at a time, and a maximum of four contractors on site at any time consisting of the cleaning crew. The property will retain its domestic water connections to California American Water Company, a public water provider, and Carmel Area Wastewater District will continue to provide sewer service. The property will retain its solid waste services to USA Waste of California, Inc., a waste management company. If approved, the granting of this Coastal Development Permit would allow the establishment of the 22nd 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.

DISCUSSION:

Based on staff's review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable the 1982 County of Monterey General Plan (General Plan), Carmel Area Land Use Plan (CARLUP), Carmel Area Coastal Implementation Plan (CIP), Monterey County Code Title 7 Chapter 7.120 (Title 7), and the Monterey County Coastal Zoning Ordinance (Title 20).

*Land Use*

The parcel is zoned Medium Density Residential with a maximum gross density of 2 units/acre with a Design Control Overlay within the Coastal Zone or "MDR/2-D (CZ)". Title 20 Section 20.12.050.DD allows for 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 parcel is located on Upper Trail with a Design District overlay in the CARLUP. However, the project also does not propose any physical changes that would have any potential to impact scenic resources: no construction, exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.

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 under the Carmel-by-the-Sea Sphere of Influence, therefore it is subject to a 5-8 minute response time. Cypress Fire Station 25 is 8 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 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. 5).

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 two spaces/unit. The application includes at least three 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, Joseph Sennish of Carmel Coast Estate, Inc., resides at 10651 Hidden Mesa Place, Monterey, CA 93940, approximately 11 miles (27 minutes) from the subject property. Mr. Sennish'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 and Mr. Sennish has the ability to arrive within thirty minutes. Mr. Sennish'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 seven overnight guests, 10 daytime guests, and four contractors. 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 15 overnight guests, regardless of the number of bedrooms in the property. Title 7 Section 7.120.070.C also limits the maximum daytime occupancy of occupants and visitors to not exceed a count of 1.5 times the maximum overnight occupancy and shall not exceed a total count of 15 persons per unit, no matter how many bedrooms.

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. 4 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.

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 Final Environmental Impact Report (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 22nd 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: Kyle Benalcazar, 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
- Site Plans and Floor Plans
- Home Inspection Checklist

Exhibit B - Vicinity Map

Exhibit C - Aerial Image

cc: Front Counter Copy; Kyle Benalcazar, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Robi and Andrea Chan Rousset, Property Owners; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN260063