



County of Monterey

Item No.5

Zoning Administrator

Legistar File Number: ZA 26-054

May 28, 2026

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Current Status: Agenda Ready

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Matter Type: Zoning Administrator

PLN260079 - AIR SHOE VIEW LLC

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: 3229 17 Mile Dr, Pebble Beach, CA 93953

Proposed CEQA Action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made.

RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a Resolution:

- a. Finding the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301 and none of the exceptions to the exemptions listed in Section 15300.2 can be made; and
- b. Approving 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

Property Owner: AIR SHOE VIEW LLC

APN: 008-471-014-000

Parcel Size: approximately 1.12 acres

Zoning: Low Density Residential with a maximum gross density of 2.5 acres/unit with a Design Control Overlay within the Coastal Zone or "LDR/2-.5-D (CZ)"

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: Not Applicable

Project Planner: Jose A. Mendoza, Assistant Planner

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SUMMARY/DISCUSSION:

The project is located at 3229 17 Mile Dr , a private road, in Del Monte Forest and is subject to the Del Monte Forest Land Use Plan. The applicant submitted an application seeking to use their existing single-family dwelling located in a residentially developed neighborhood as a Commercial Vacation Rental. There are no additional vacation rental applications at this time within the immediate neighborhood.

The subject property is currently developed with an existing 3,120 square foot single family dwelling with a detached 550 square foot garage and detached guesthouse, all of which is proposed as part of this application for the use of a commercial vacation rental. The single-family dwelling, inclusive of the guesthouse, has 3 bedrooms, 3 bathroom, and a kitchen. The applicant is proposing that the residence be occupied by a maximum of 7 people overnight and 10 people during daytime hours at the property at a time. The property is currently served by a public water system, and a public sewer system will be sufficient to provide sewer treatment for the dwelling. The property will retain its solid waste services to Greenwaste, a waste management company. If approved, the granting of this Coastal Development Permit would allow the establishment of the 2nd commercial vacation rental in the Del Monte Forest Land Use Plan out of 57 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), Del Monte Forest Land Use Plan (Del Monte Forest LUP), Monterey County Coastal Implementation Plan, Part 4 (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 Low Density Residential with a maximum gross density of 2.5 acres/unit with a Design Control Overlay within the Coastal Zone or “LDR/2-.5-D (CZ)”. Title 20 Section 20.14.050.FF 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 Pebble Beach, an established community area and is therefore subject to the 5-8-minute adequate response time. Pebble Beach Community Service District is 8 minutes away. The Community Hospital of the Monterey Peninsula is 14 minutes away, which provides 24-hour emergency medical services. While the Community Hospital of the Monterey Peninsula is over of the sphere of influence time limit, Pebble Beach Community Service District provides immediate Advanced Life Support (ALS) paramedic care by delivering critical medical treatment within minutes of an emergency call. Staff incorporated Ordinance No. 5439 Section 17.F.5 to ensure that the guests are provided with information on the response time for emergency medical and fire services and that contact information for these services is provided to all guests as a part of the informational notice posted within six feet of the front door (**Exhibit A**).

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. This application includes 4 parking spaces, which complies with the requirements 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, Cheryl Rogers, approximately 15 minutes from the subject property. Cheryl Rogers contact information will be provided to the guests of the property and the property manager, that will be available 24/7 to respond to guest or neighborhood questions or concerns and has the ability to arrive within thirty minutes. This 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 7 overnight guests and 10 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. 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.

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 20 section 20.64.290.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 2608.

The deed contains two restrictions: one related to the “Maintenance of Road” and the second related to “Covenants and Conditions” (CC). Within the grant deed provided by the applicant, the first restriction under CC restricts the usage of the property from *“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 other restriction under “Maintenance of Private Road” states *“Grantee, his family and servants and his tenants and guests occupying or visiting said premises shall be entitled to the use of the all roads and bridle paths now or hereafter owned by the Grantor and to free access to Del Monte Forest. Grantor reserves the right to change, abandon or close any of said roads or bridle paths but agrees to leave open a road from said premises to the nearest public highway. As long as Grantor shall keep such a road in repair the owner of said premises shall be obligated to pay Grantor the sum of \$25.00 on each January 1st hereafter...”* 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.

On January 29, 2026, 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.”*

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 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.” Additionally, an action is a “project” only when it is either “directly undertaken by any public agency,” “supported, in whole or in part” by financial or other forms of assistance from a public agency, or involves the issuance of an entitlement by a public agency (Public Resources Code, § 21065).

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 or unavoidable 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 Area Plan. It would be the 2nd Commercial Vacation Rental out of a maximum of 57 in the Del Monte Forest Land Use Plan. The FEIR did disclose that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses and limits such nuisances in which the applicant/operator must comply with. Additionally, cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed. There is no evidence suggesting that implementing the regulations would result in a significant or unavoidable.

OTHER AGENCY INVOLVEMENT

None

Prepared by: Jose A. Mendoza, 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; Jose Mendoza, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Property Owners; Air Shoe View LLC, 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 PLN260079.