



County of Monterey

Item No.2

Zoning Administrator

Legistar File Number: ZA 25-072

November 13, 2025

Introduced: 11/7/2025

Current Status: Agenda Ready

Version: 1

Matter Type: Zoning Administrator

PLN240301 - KEVIN & JOAN BARLETT (CONTINUED FROM OCTOBER 30, 2025)

Public hearing to consider the establishment of a Commercial Vacation Rental at a residential property (transient lodging for a period of 30 calendar days or fewer).

Project Location: 17834 Cachagua Road, Carmel Valley.

Proposed CEQA Action: Find the project Categorically 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 Use 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 10 conditions of approval.

PROJECT INFORMATION

Agent: Joan Bartlett

Property Owner: Kevin & Joan Bartlett

APN: 417-102-007-000

Parcel Size: 11.58 acres

Zoning: Public Quasi/Public "PQP"

Land Use Designation: Resource Conservation

Plan Area: Cachagua Area Plan

Flagged and Staked: Not Applicable

Project Planner: Jacquelyn M. Nickerson, Principal Planner

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SUMMARY:

The project is located at 17834 Cachagua Road, which is a County-owned and maintained road in Carmel Valley. On October 24, 2024 the Applicant/Owner, Joan Barlett, submitted an application seeking to use their existing single-family dwelling located on a residentially zoned property as a commercial vacation rental. The existing single-family dwelling is approximately 1,802 square feet, with four bedrooms, two bathrooms, and a kitchen. The Applicant/Owner is proposing that the residence be occupied by a maximum of nine people overnight and 14 people during the daytime. The property will retain its solid waste services to USA Waste of California. The property is served by a private well, which has been verified by the County of Monterey Environmental Health Bureau to satisfy the

bacteriological and acute inorganic primary drinking water standards, and the onsite septic system will be sufficient to provide sewer treatment for the dwelling. This project was initially duly noticed and scheduled before the Monterey County Zoning Administrator on October 9, 2025 and continued to October 30, 2025 to provide more information on the existing easements on the subject property. In between this time, the applicant was proposing to revise their site plans to include proposed driveway improvements. Therefore, the hearing was continued from the October 30, 2025 Zoning Administrator hearing to November 13, 2025.

If approved, the granting of this Use Permit would allow the establishment of the second permitted vacation rental in the Cachagua Area Plan out of 20 Use Permits permitted pursuant to Title 21 Section 21.64.290.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 2010 County of Monterey General Plan (General Plan), Cachagua Area Plan (Cachagua AP), Monterey County Code Title 7 Chapter 7.120 (Title 7), Monterey County Code Chapter 16.80, and the Monterey County Inland Zoning Ordinance (Title 21).

Land Use

The parcel is currently zoned Public/Quasi Public "PQP" which is inconsistent with the land use designation. The 2010 Monterey General Plan Figure LU2 for the Cachagua Area Plan identifies the subject property to have a land use designation of Resource Conservation "RC". Government Code section 65860 (a) states that county zoning ordinance shall be consistent with the applicable general plan by 1974. Further subsection (c)(2) states that if a zoning ordinance is inconsistent with the general plan and a local agency receives a development application, provided the project is not a Housing Accountability Act project subject to Government Code section 65589.5 and that such project is consistent with the general plan but inconsistent with the zoning ordinance, the local agency shall process the development application and apply objective general plan standards. The 2010 Monterey County General Plan lists the RC land use designation as one of the three rural residential categories, with the other two being Low and Rural Density Residential. Such use for a Commercial Vacation Rental is allowed in each of these categories. The RC zoning allows the use of Residential Property as a commercial vacation rental, subject to the granting of a Use Permit pursuant to Title 21 section 21.64.290. Therefore, the proposed use is allowable as specified by the RC land use designation of the 2010 Monterey County General Plan. Title 21 section 21.64.290 allows for the Commercial Vacation Rental use of a residential property for transient lodging for a period of 30 calendar days or fewer, subject to the granting of a Use Permit. A Commercial Vacation Rental allows the Owner or Operator to rent their house for an unlimited number of times per year as a Non-hosted Vacation Rental. Title 21 section 21.64.290.F establishes the regulations that a property operating as a Commercial Vacation Rental must satisfy.

The subject property has a number of recorded easements as illustrated on a certain Parcel Map recorded January 23, 1991 in volume 18 of Parcel Maps, at Page 92 (**Exhibit C**). Based on this map, the subject property, identified as Parcel A, has three existing right of way easements serving neighboring properties: a 60' right of way (ROW) easement starting off of the County owned portion of Cachagua road and two 30' ROW easements also off of the County owned portion of Cachagua road. The 60' ROW easement appears to serve two parcels, both of which are directly south of the property (417-102-008 and 417-101-018). One of the 30' ROW easements serve the subject properties to the south of the parcel and the other 30' ROW easement serves the subject properties to the northeast of the parcel. There are utility easements on the subject property but these are intended to serve as access

to existing water tanks/lines. To ensure the proposed occupants of the commercial vacation rental utilizes the correct access road, the applicants proposed a new driveway improvement as illustrated in **Exhibit A**. This improvement would be subject to additional review and/or permits by HCD-Planning and HCD-Engineering Services as outlined in Condition 10.

Additionally, there are two conservation and scenic easements recorded on the property: one for slopes exceeding 30% and another for an area containing riparian vegetation within the floodplain, which includes a hiking and equestrian easement along the Carmel River bank. On this map also illustrates a portion of the Carmel River on the subject property.

The property complies with Title 21 Section 21.64.290.F.5 in that it has been demonstrated that the response time for County emergency services for fire and emergency medical are adequate pursuant to the requirements of the 2010 County of Monterey General Plan Safety Element PS-1.1 and Table PS-1. The subject property is within 45 minutes of structural coverage from the Community Hospital of Monterey Peninsula, the Cachagua Fire Protection District, which provides 24-hour emergency medical and fire response services. County Staff incorporated **Condition No. 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**).

Adequate parking spaces will be provided (2 guest parking spaces), which meet the minimum requirements of Title 21 Section 21.64.290.F.6. The requirements of aforementioned Section require compliance with Title 21 Section 21.58.040, which requires that a Single-Family Detached residential dwelling unit have 2 spaces/unit.

The subject property complies with the limitation on the number of Commercial Vacation Rentals per legal lot requirements of Title 21 Section 21.64.290.F.7, which only allows one Commercial Vacation Rental per legal lot of record. Rental of the main residence as a Commercial Vacation Rental 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 21 Section 21.64.290.F.10, wherein the owner of the subject property is only 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 with the exception of information from a property manager that would be available 24/7 to respond to guest or neighborhood questions or concerns and will also ensure that any neighbor or guest complaints are resolved within 30 minutes. Mr. & Mrs. Bartlett's is utilizing a property manager, Joe Hooker (23 Paso Cresta), which will also be their handyman service. 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.

As described above, the applicant proposes a maximum occupancy of nine overnight guests not counting infants (zero to twelve months), and 14 daytime guests, not counting infants. 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 limits the maximum overnight occupancy to two persons per bedroom plus one and not counting infants, with a 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 of Approval No. 3 (No Events Allowed) to ensure that the property will not an event venue, and Condition of Approval No. 4 (Permit Limitation of the Use of the Residential Property as a Commercial Vacation Rental) to ensure that the property will remain in compliance with the regulations for Vacation Rentals in Title 7 Chapter 7.120, Title 21 section 21.64.290 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 21 section 21.64.280.D.2.h, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this Use 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 would 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 Final Environmental Impact Report (FEIR) for the Vacation Rental Ordinance, which was certified by the Board on August 27, 2024 (SCH# 2022080643). The FEIR 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. The proposed Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Cachagua Area Plan. It would be the first Commercial Vacation Rental in the Cachagua Area Plan.

OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

Environmental Health Bureau

Prepared by: Jacquelyn M. Nickerson, Principal Planner

Reviewed/Approved by: Fionna Jensen, 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 - Parcel Map

cc: Front Counter Copy; Environmental Health Bureau; Jacquelyn M. Nickerson, Principal Planner, Fionna Jensen, Principal Planner; Kevin & Joan Barlett, Property Owners; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN240301.