



## Zoning Administrator

Legistar File Number: ZA 26-013

February 26, 2026

**Introduced:** 2/18/2026

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN250233 - CRONIN MARY & MATTHEW TRS**

Public hearing to consider an after-the-fact Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Case 25CE00699.

**Project Location:** 17420 Cachagua Road, Carmel Valley, CA 93924

**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 an after-the-fact 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 and abate Code Enforcement Violation No. 25CE00699.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 9 conditions of approval.

### PROJECT INFORMATION

**Property Owner:** CRONIN MARY & MATTHEW TRS

**APN:** 417-091-018-000

**Parcel Size:** 19.08 acres

**Zoning:** Rural Density Residential with a maximum gross density of twenty (20) acres per 1 unit, or "RDR/20"

**Plan Area:** Cachagua Area Plan

**Flagged and Staked:** Not Applicable

**Project Planner:** Marlene Garcia, Assistant Planner

garciam19@countyofmonterey.gov ; 831-755-5114

### SUMMARY/DISCUSSION:

The project is located at 17420 Cachagua Road, a county-maintained road, in Carmel Valley subject to the Cachagua Area Plan. On January 23, 2026, the applicant submitted an application seeking to use their existing single-family dwelling located in a residentially developed neighborhood.

The subject property is an existing 1,800 square foot single family dwelling with an attached 324 square foot garage converted into a laundry room and storage space. The single-family dwelling has 4 bedrooms, 3 bathrooms, and a kitchen. The Applicant/Owner is proposing that the residence be occupied by a maximum of 9 people overnight and 14 people during daytime hours at the property at a time.

The property is served by a private well, which has been verified by the County of Monterey Health Bureau Environmental Health Division to satisfy the bacteriological and acute inorganic primary drinking water standards. The onsite septic system will be sufficient to provide sewer treatment for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. If approved, the granting of this Combined Development Permit would allow the establishment of the 4th permitted vacation rental in the Cachagua Area Plan out of a maximum of 20 Use Permits that may be issued at any given time pursuant to Title 21 Section 21.64.290.F.3.b.

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to the policies and regulations of the 2010 County of Monterey General Plan (General Plan), Cachagua Area Plan (CAP), Monterey County Code Title 7 Chapter 7.120, Monterey County Code Chapter 16.80, and the Monterey County Zoning Ordinance (Title 21).

#### *Land Use*

The parcel is zoned Rural Density Residential, with a maximum gross density of twenty (20) acres per 1 unit or "RDR/20". Title 21 Section 21.16.050.rr allows for the establishment of Commercial Vacation Rental use subject to the granting of a Use Permit. Title 21 Section 21.64.290.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 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-1safe.1 and Table PS-1. 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 does not fall under any of the specified categories; therefore, it is subject to the 45 minutes for all other areas. Cachagua Fire Protection District is 7 minutes away, and 43 minutes to the Community Hospital of the Monterey Peninsula, which provide 24-hour emergency medical and fire response services for structural coverage. Staff incorporated **Condition No. 6** 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 21 Sections 21.64.290.F.6 and 21.58.040 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 21 Section 21.64.290.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 21 Section 21.64.290.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, Adrian Gomez, resides at 37200 Nason Road #40, Carmel Valley, 93924, approximately a 2.4-mile drive from the subject property. Mr. Gomez's contact information will be provided to the guests of the property, and Mr. Gomez will be available 24/7 to respond to guest or neighborhood questions or concerns, and have the ability to arrive within thirty minutes. Mr. Gomez'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 9 overnight guests and 14 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. 4 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 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.

#### *Access*

The subject property is accessed by a county-maintained road, therefore no further documentation or condition is required of the applicant.

#### *Violations*

Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is aware of a violation existing on subject property which will be corrected with the approval of this application. The applicant submitted an application for a Use Permit to allow transient use of a residential property for remuneration to bring their property into compliance with the Monterey County Code.

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 Cachagua Area Plan as it allows a maximum of twenty (20) and if approved, this would be the fourth (4) Commercial Vacation Rental in this area. 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 environmental impacts.

OTHER AGENCY INVOLVEMENT

None

Prepared by: Marlene Garcia, 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

cc: Front Counter Copy; Jacquelyn M. Nickerson, Principal Planner; Cronin Mary & Matthew TRS, Property Owners; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN250233.